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# Public Slavery, Racial Formation, and the Struggle over Honor in French New Orleans, 1718-1769

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Esclavitud pública, formación racial y la pugna por  
el honor en la Nueva Orleans francesa, 1718-1769

*Escravidão pública, formação racial e a luta pela  
honra na Nova Orleans francesa, 1718-1769*

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## Artículo de investigación

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**ABSTRACT**

In New Orleans throughout the French Regime (1718-1769), ruling authorities did not only shape the slave system through the way they exercised their political and administrative prerogatives and functions, but were directly involved as slaveholders. Public slavery facilitated the emergence of New Orleans and Lower Louisiana society as a slave society, and was not necessarily incompatible with racial prejudice and discrimination. On the contrary, it fueled the construction of race. At the same time, it made visible the fact that honor did not only define the boundary between the free and the non-free and the identity of the white population.

**Keywords:** (Author) honor, Louisiana, 17<sup>th</sup> century; (Thesaurus) race, State, slavery.

**RESUMEN**

Durante el régimen francés en Nueva Orleans (1718-1769), las autoridades no solo le dieron forma al sistema esclavista a través de la manera en que ejercían sus funciones y prerrogativas políticas y administrativas, sino que también estuvieron vinculadas directamente al ser dueñas de esclavos. La esclavitud pública facilitó la emergencia de sociedades esclavistas en Nueva Orleans y la Baja Luisiana, y no fue necesariamente incompatible con el prejuicio racial y la discriminación. Por el contrario, alimentó la construcción de la raza e hizo visible el hecho de que el honor no solo definía el límite entre libres y no libres, sino la identidad de la población blanca.

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**Palabras clave:** (Autor) honor, Luisiana, siglo XVII; (Thesaurus) raza, Estado, esclavitud.

**RESUMO**

Durante o regime francês em Nova Orleans (1718-1769), as autoridades não somente deram forma ao sistema escravista por meio da maneira em que exerciam suas funções e prerrogativas políticas e administrativas, mas também estiveram vinculadas diretamente ao ser donas de escravos. A escravidão pública facilitou a emergência de sociedades escravistas na Nova Orleans e na Baixa Luisiana, e não foi necessariamente incompatível com o preconceito racial e a discriminação. Ao contrário, alimentou a construção da raça e tornou visível o fato de que a honra não somente definia o limite entre livres e não livres, mas também a identidade da população branca.

**Palavras-chave:** (Autor) honra, Luisiana, século XVII; (Tesouro) raça, Estado, escravidão.

## Introduction

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“Jean-Baptiste, king’s negro” (“Jean-Baptiste, nègre du roi”). In French New Orleans, none of the slaves who served as godparents for free or enslaved infants or children of color ever signed the baptism certificates, except for Jean-Baptiste. He was an exceptional slave who worked as a surgeon at the King’s Hospital. The way he signed the sacramental records shows that he obviously took pride in belonging to the king.<sup>1</sup> This identification questions the meaning and significance of public or royal slavery not only for slaves but also for slaveholders and for the whites who did not possess slaves.<sup>2</sup> In the Mississippi colony, the state played a crucial role in the development of racial slavery through the elaboration and promulgation of slave laws, the administration of justice, the production of censuses, the enrollment of slaves for the *corvée* (statute labor for public works), and the military enlistment of enslaved and free people of African descent. Yet, there is more. Throughout the French Regime up to 1769, public authorities (the Company of the Indies<sup>3</sup> who owned the trading monopoly and ruled the colony from 1717 to 1731 and then the Crown) possessed and managed slaves. They did not only shape the slave system through the way they exercised their political and administrative prerogatives and functions, but were directly involved as slaveholders (and also as slave traders for the Company of the Indies).<sup>4</sup> The existence of such a phenomenon raises several questions: How influential was the existence of public slavery in the commitment of settlers to developing and perpetuating chattel slavery? What role did the way public authorities employ, manage, and treat their slaves play in the early racialization of New Orleans society? Did the fact that some slaves were owned by the state and performed work that was necessary for the administration of the colony

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1. Archdiocesan Archives (AA), New Orleans, St. Louis Cathedral, Baptism Registers, Whites/FPC/Slaves, 08/23/1744, 07/13/1745, 09/25/1746, 12/04/1746, 11/12/1746, 03/10/1748, 01/26/1749, 11/30/1751.
  2. The historiography refers to the concepts of royal, crown, state, government or public slavery in the Americas. I use the concept of public slavery to take into account the fact that French Louisiana was governed first by a trading company under the sovereignty of the king and then directly by the Crown.
  3. The Company was first called the Company of the West.
  4. This article is a follow up to the original book manuscript completed for my *Habilitation à diriger des recherches*. Cécile Vidal, “Caribbean New Orleans: Urban Genesis, Empire, and Race in the Eighteenth-Century French Atlantic,” HDR dissertation in History (Paris: Université Paris-Sorbonne, 2014).

change their social status? What did the Company's or king's slaves make of their peculiar situation?

Outside of the Americas, state slavery existed in many societies of the Mediterranean world, Sub-Saharan Africa, and Asia. Most of those state slaves performed heavy and menial work. However, some palatinate or military slaves or freedmen who still belonged to, or had been manumitted by, the sovereign could reach positions of power and authority within administrations or armies, as was the case, for instance, in the Mamluk sultanates of Egypt and Syria, the early modern Deccan sultanates and the Sokoto Caliphate.<sup>5</sup> The status of those elite slaves questions the definition of slavery and the relationship between slavery, power, and honor.<sup>6</sup> In the Western hemisphere, palatinate slavery could not exist at least in the territories under the sovereignty of the English, the French, and the Dutch in the early modern period: the royal courts and central administrations when they existed were located in the European metropolises where the principle of free soil theoretically prohibited slavery. Nevertheless, state slavery was much more common in the American colonies than previously thought. New studies on the subject present a contrasting picture of the effects of this peculiar form of slavery. It could blur the frontier between slavery and freedom or be responsible for the expansion of the slave system in eighteenth-century Cuba;<sup>7</sup> it could also play an important role in the assertion of state

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5. Reuven Amitai, "The Mamlūk Institution, or One Thousand Years of Military Slavery in the Islamic World", *Arming Slaves from Classical Times to the Modern Age*, eds. Christopher Leslie Brown and Philip D. Morgan (New Haven: Yale University Press, 2006) 40-78; Richard M. Eaton, "The Rise and Fall of Military Slavery in the Deccan, 1450-1650", *Slavery and South Asian History*, eds. Indrani Chatterjee and Richard M. Eaton (Bloomington-Indianapolis: Indiana University Press, 2006) 115-35; Sean Stilwell, *Paradoxes of Power: The Kano "Mamluks" and Male Royal Slavery in the Sokoto Caliphate, 1804-1903* (Portsmouth: Heinemann, 2004). On palatinate slavery, see Orlando Patterson, *Slavery and Social Death: A Comparative Study* (Cambridge: Harvard University Press, 1982) 299-333; Claude Meillassoux, *Anthropologie de l'esclavage. Le ventre de fer et d'argent* (Paris: Presses universitaires de France, 1998) 176-200.
6. For a summary of the debate, see Stilwell, *Paradoxes of Power* 11-12.
7. María Elena Díaz, *The Virgin, the King and the Royal Slaves of El Cobre: Negotiating Freedom in Colonial Cuba, 1670-1780* (Stanford: Stanford University Press, 2000); Evelyn Powell Jennings, "State Enslavement in Colonial Havana, 1763-1790", *Slavery without Sugar: Diversity in Caribbean Economy and Society Since the 17<sup>th</sup> Century*, ed. Verene A. Shepherd (Gainesville: University Press of Florida, 2002) 152-182;

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power, the reform of the slave institution and/or the path to emancipation in the nineteenth-century British or French Greater Caribbean.<sup>8</sup> In French New Orleans, public slavery facilitated the emergence of Lower Louisiana society as a slave society, and was not necessarily incompatible with racial prejudice and discrimination. On the contrary, it fueled the construction of race. At the same time, it made visible the fact that honor did not only define the boundary between the free and the non-free and the identity of the white population.

### The Company of the Indies's Plantation and the Tale of the Good Master

The development of public slavery in French Louisiana can be explained by the particular history of the Mississippi colony which was established very late, in 1699, while New Orleans was founded even later, in 1718. Because it did not have the financial means to colonize the region it wanted to occupy for geopolitical reasons, the Crown had given its trading monopoly to the Company of the Indies the year before. The Company also held the monopoly on the slave trade.<sup>9</sup> The colony's early development took place after the rise

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Evelyn Powell Jennings, "In the Eye of the Storm: The Spanish Colonial State and African Enslavement in Havana, 1763-90", *Historical Reflections/Réflexions historiques* 20.1 (2003): 143-162; Evelyn Powell Jennings, "War as the 'Forcing House of Change': State Slavery in Late-Eighteenth-Century Cuba", *William and Mary Quarterly* 62.3 (2005): 411-440.

8. Roger Norman Buckley, *Slaves in Red Coats: The British West India Regiments, 1795-1815* (New Haven: Yale University Press, 1979); Alvin O. Thompson, *Unprofitable Servants: Crown Slaves in Berbice, Guyana 1808-1831* (Kingston: The University of the West Indies Press, 2002); K. J. Kesselring, "'Negroes of the Crown': The Management of Slaves Forfeited by Grenadian Rebels, 1796-1831", *Journal of the Canadian Historical Association / Revue de la Société historique du Canada* 22.2 (2011): 1-29; Miranda Spieler, "Slave Flight, Slave Torture, and the State: Nineteenth-Century French Guyana", *French Politics, Culture & Society* 33.1 (2015): 55-74.
9. The Company was not a purely commercial enterprise. The purpose of the trading monopoly that was granted to the Company in Louisiana was not only the suppression of economic competitors, but was also conceived as a privilege that was designed to serve the colonial development as the Company had the obligation of peopling and settling the colony. The monopoly concerned both trade and property. Louisiana was granted "in full property, seigneurie, and justice." Consequently, the Company was a vassal to the monarch, empowered with kingly rights and prerogatives. The Crown, nevertheless, closely supervised and controlled the Company and the colony. Sovereignty ultimately belonged to the king not only

of the slave trade and the replacement of European indentured servants by African slaves had started in the Antilles in the last decades of the seventeenth century. As the islands represented an attractive model, the use of a slave workforce in Louisiana was seen from the outset as essential for colonial development. Settlers, central and local authorities alike shared a desire to build a slave economy and society. In 1721, for instance, local authorities commenting on the census taken that year claimed that “it is absolutely necessary to send many Negroes to the colony. They are better suited than whites to work the land. And, as the American islands have been developed by enslaved Negroes, Louisiana will never be well developed if we do not send enough of them”.<sup>10</sup> Nevertheless, the Company of the Indies initially intended to develop the lower Mississippi valley by using a multi-ethnic labor force composed of African slaves and European indentured servants and convicts working together on concessions, because it was the only way to people and develop the colony as quickly and cheaply as possible. This initial experiment turned into a disaster in no time. Because of very bad planning, most European migrants died or left. Thus, in 1726, the Company decided to focus on the slave labor force. In a few years, it significantly increased the number of African slaves it transported from Africa and transformed the colony into a genuine slave society.<sup>11</sup>

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The slaves the Company deported to the colony were not only meant for sale to the settlers. The Company also kept some of them. Over time they came to replace the white indentured servants on whom the Company had first relied. When it abandoned its trade monopoly in 1731, the Company possessed 234 slaves, including 148 men, 68 women, 18 children, plus a few infants, which made the Company by far the greatest slaveholder at the

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in theory, but also very much in practice. For the best analysis of the Company of the Indies in Louisiana, see Marcel Giraud, *Histoire de la Louisiane française* (Paris: Presses universitaires de France, 1953-1974); Marcel Giraud, *A History of French Louisiana. Vol. 5: The Company of the Indies, 1723-1731* (Baton Rouge: Louisiana State University Press, 1991).

10. “La Louisiane, Recensement”, 1721. Archives Nationales d’Outre-Mer (ANOM), Aix-en-Provence, Dépôt des Papiers Publics des Colonies (DPC), Série G1, 464.
11. Gwendolyn M. Hall, *Africans in Colonial Louisiana: The Development of Afro-Creole Culture in the Eighteenth Century* (Baton Rouge: Louisiana State University Press, 1992) 56-95, 171-172.

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time.<sup>12</sup> Those slaves can be considered as public slaves in that they belonged to a private institution which nevertheless ruled the colony under royal sovereignty. Moreover, those enslaved laborers were not employed to produce indigo and tobacco on the lands the Company exploited directly, but to help the Company both administer and manage the colony and exercise its trading monopoly.<sup>13</sup> Men, nevertheless, had to perform heavy work: they built fortifications, rowed the boats on all the journeys between the various outposts, unloaded merchandise and stocked it in the Company's warehouses, and cut firewood for the garrison, while women produced foodstuffs and pounded the rice to feed the soldiers.<sup>14</sup>

The possession and use of slaves by the Company set an example for settlers. It contributed to spreading the idea that slaves were an absolute necessity especially to perform heavy work. It also transformed qualified labor. The idea of training male slaves as sailors and craftsmen dated from the late 1720s when Governor Étienne Périer and Royal Commissioner Jacques de La Chaise headed the colony. The goal was to reduce the number of white laborers as much as possible because they were more expensive and more difficult to control.<sup>15</sup> In 1728, local authorities informed the Company's directors in the kingdom that "we apprentice Negroes to all the workers we believe to be good and honest, and if this practice had been implemented when the colony started to receive slaves, we would at present be able to do without several whites, even though the workers are reluctant to teach the Negroes how to master their trades because they realize that it will hurt their

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12. "Salmon to the Minister", Jan. 16, 1732. ANOM, Aix-en-Provence, Fonds des Colonies, Secrétariat d'État à la Marine (COL), Série C13A, 15, foils 13r-14r.

13. At the time of the Company, most of those slaves worked in New Orleans or in the vicinity, but some were posted to La Balise, Mobile, and the Natchez outpost, while others were employed in the convoys to the Illinois. In 1760, 65 out of 84 slaves belonging to the king were based in New Orleans. "État des nègres, négresses, négrellons et négrittes du roi au 1er janvier 1760". ANOM, Aix-en-Provence, COL, C13A, 42, ff. 66-67.

14. "Salmon to the Minister", Jan. 16, 1732. ANOM, Aix-en-Provence, COL, C13A, 15, ff. 13r-14r.

15. "Mémoire de la Compagnie des Indes servant d'instruction pour M. Périer nouvellement pourvu du commandement général de la Louisiane", Sep. 30, 1726. ANOM, Aix-en-Provence, COL, C13B, 1, ff. 87r-88r. "Périer and La Chaise to the Company's directors", Nov. 2, 1727. ANOM, Aix-en-Provence, COL, C13A, 10, ff. 192r-93v.

interests in the future”.<sup>16</sup> They clearly expressed the project of turning the colony into a genuine slave society in which labor and race would intersect.

The Company’s large servile workforce was the envy of all the settlers. Indeed, the arrival of slaves in the colony was slow, and the Company controlled their sale and selected the settlers to whom it agreed to sell some. It preferred to allocate sizable groups of slaves to the most prominent settlers, leaving more modest urban dwellers and planters in need of laborers.<sup>17</sup> Consequently, in 1725, one year after the promulgation of the Code Noir, the Company’s directors in the metropole had to promulgate an ordinance about the management of the slaves belonging to the Company in Louisiana. The goal was improve their management in the Company’s service and to impede their illicit private use by Company employees or settlers. To that end, the ordinance ordered the recording of all their personal information (age, sex, country, trade, and defects if they had any), their branding, their supervision by the first councilor, and weekly reports by the white overseer and the black driver. This was apparently not enough since one year later the Superior Council promulgated another ruling prohibiting the employment of the Company’s slaves by settlers on Sundays and holidays.<sup>18</sup> Yet, the ordinance set up an example for a system of close surveillance of slaves.

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The inclusion of articles related to the slaves’ material needs (clothes, food, and medical treatment) in the legal text may suggest that the Company was preoccupied by their living conditions, maybe not for humanitarian reasons, but because it needed to preserve its servile workforce. However, in the first few years, the Company treated its enslaved laborers in a harsh way that reflected the racial hierarchy it tried to enforce from the outset. At a time when everybody was living in a state of destitution (the first decades of the development of New Orleans and its region were very laborious), the living conditions of the Company’s slaves were even more precarious and difficult. The Company did not provide them with enough food and fed

16. “Périer and La Chaise to the Company’s directors”, Nov. 3, 1728. ANOM, Aix-en-Provence, COL, C13A, 11, ff. 142r-43v, 146r.

17. “Salmon to the Minister”, December 14, 1731. ANOM, Aix-en-Provence, COL, C13A, 15, ff. 186v-87r. Dumont de Montigny, *Regards sur le monde atlantique, 1715-1747* (Sillery: Septentrion, 2008) 212-213.

18. “Ordonnance pour les nègres domestiques de la Compagnie”, July 25, 1725. ANOM, Aix-en-Provence, COL, F3, 242, ff. 56-57. “Arrêt du Conseil Supérieur de la Louisiane du 31 août 1726 qui défend de se servir des nègres de la Compagnie et de les faire travailler les fêtes et dimanches”. ANOM, Aix-en-Provence, COL, A, 23, f. 75.

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them with the foodstuffs it could not sell to the settlers or give to the soldiers because they were damaged.<sup>19</sup> Likewise, while the Company had some barracks built to house its indentured servants and later its soldiers within the city, it decided to make its slaves reside outside New Orleans on a land it had reserved for itself on the other side of the Mississippi River in front of the city. At first, when the plantation had not yet been cleared, the slaves had to sleep in natural caves or small cabins in the middle of the woods.<sup>20</sup> This was obviously a measure of racial segregation.<sup>21</sup>

The distance and lax supervision, nevertheless, gave the Company's slaves more autonomy. When Antoine-Simon Le Page du Pratz became the director of the Company's plantation in 1730, he found much disorder: slaves had their own pirogues which allowed them to circulate freely; dancing gatherings on the Company's plantation attracted slaves from all around on Sundays. Le Page du Pratz very likely exaggerated the situation in order to show how he succeeded in enforcing discipline afterwards. In his travel account, he reported how he destroyed the pirogues and established a fenced camp with the house of the overseer located at the single entrance.<sup>22</sup> The order he wanted to impose was also expressed in the regular plan given to the slave cabins within the camp. Slaves' living conditions probably improved at the time, but in the process they lost the autonomy they had enjoyed before.

Several drawings were made in 1732 of the various buildings which had been lately erected on the Company's plantation.<sup>23</sup> They show that it was one of the largest plantations at the time. Managerial and technical innovations had been introduced very early on to decrease the costs and increase the

19. "Proceedings of the Council", Oct. 17, 1725. ANOM, Aix-en-Provence, COL, C13A, 8, ff. 392v-393r, and 9, f. 235r.

20. Marie Madeleine Hachard, *Relation du Voyage des Dames religieuses ursulines de Rouen à La Nouvelle-Orléans* [1728] (Paris: Maisonneuve, 1872) 88.

21. Shannon Lee Dawdy, "Proper Caresses and Prudent Distance: A How-To Manual from Colonial Louisiana", *Haunted by Empire: Geographies of Intimacy in North American History*, ed. Ann Laura Stoler (Durham: Duke University Press, 2006) 140-162.

22. Antoine-Simon Le Page du Pratz, *Histoire de la Louisiane*, vol. iii (Paris: De Bure l'aîné, la veuve Delaguet, Lambert, 1758) 226-229.

23. ANOM, Aix-en-Provence, 04 Dépôt des Fortifications des Colonies (DFC) 91B; COL F3 290 9 ; 04 DFC 92C; COL F3 290 36; 04 DFC 93B; COL F3 290 37; 04 DFC 94B; 04 DFC 95B; COL F3 290 38. All these drawings of the "Negroes' camp" and of the various buildings on the king's plantation were made in January 1732 by the engineers Alexandre de Batz alone or de Batz and Ignace François Broutin.

productivity: the regular plan of the slave cabins was supposed to facilitate surveillance but was also intended as a hygienic measure; the construction of a hospital, combined with the use of a surgeon attached to the plantation, partook of the same effort to reduce slaves' mortality; finally, the invention and construction of a mill to hull rice made the plantation look rather like a factory although it was nothing like sugar or indigo plantations. The way the Company operated its slave workforce and plantation contributed to spreading the idea that managing slaves and running a plantation was a technology or science that could be improved. It very likely influenced how settlers managed their own land and human property.

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In another chapter of his book, Le Page du Pratz wrote what has been described as a kind of planter manual, the only one available for French Louisiana.<sup>24</sup> Although the text only reflects his own ideas about slavery and race and not necessarily those of the state, it is not incidental that it was the Company's and then king's plantation that served as a laboratory to experiment and spread new ways of managing slaves. Furthermore, this role model was played out not only locally in the colony but also in the French Empire and beyond since Le Page du Pratz's travel account was published in France after he returned to the metropole and was also translated into English.<sup>25</sup> The text, nevertheless, is relatively short, less than twenty pages long, badly organized, and highly ambiguous. It could be read as a tale, the tale of the good master. Obviously, the author wanted to depict himself as the best slave manager. Whereas Le Page du Pratz viewed slavery as an obvious fact that did not need any justification,<sup>26</sup> his text gives the impression that the way slaves were treated required an explanation even though a public debate on slavery had not yet begun to develop. It conveys some embarrassment for the violence on which it was founded: while the antagonistic relationship in which masters and slaves were caught is not ignored, it is nonetheless minimized.

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24. Le Page du Pratz vol. i, 33-52; Dawdy 140-62.

25. *The History of Louisiana or of the Western Parts of Virginia and Carolina* (London: T. Becket, 1774). Le Page du Pratz's planter manual can be found on page 376-387.

26. The author starts the chapter explaining that "I shall conclude this treatise with some observations relating to the negroes, who in the lower part of the province especially, perform all the labours of agriculture. On that account I have thought proper to give some instructions concerning them, for the benefit of those who are inclined to settle in that province". Le Page du Pratz 376.

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Le Page du Pratz's policy was marked by a strong paternalism which was not devoid of race-thinking. At the beginning of the chapter, he claimed that "The negroes must be governed differently from the Europeans; not because they are black, nor because they are slaves; but because they think differently from the white men".<sup>27</sup> At first sight, le Page du Pratz seemed to stress cultural difference rather than race to justify the different treatment meted out to slaves. However, although he claims that skin color did not matter he opposed the "negroes" to the "white men." Moreover, he mentioned blood twice: once to condemn settlers using slaves of African descent as wet nurses ("for the milk being the purest blood of the woman");<sup>28</sup> the second time to promote the Senegal or the Wolof as the best slaves to fulfill domestic work, learn a trade or serve as driver ("these have the purest blood").<sup>29</sup> Likewise, while he did not dwell on blackness, he associated skin color with smell: the blackest slaves were those who did not smell as bad as the others. Hence, he advised situating the slave cabins at a distance in order not to be bothered by the smell of the slaves.<sup>30</sup> Although he considered slaves as human beings with "an immortal soul" and, consequently, recommended that enslaved children be baptized,<sup>31</sup> he also justified the need to avoid exploitation and abuse by the fact that slaves should not have been less well treated than horses.<sup>32</sup> Finally, he seemed to consider it normal to force a thorough medical examination on the newly arrived slaves, both males and females, standing completely naked in front of the planter and the surgeon, as if they could not feel modesty.<sup>33</sup>

Even though he had no trouble inflicting this kind of psychological and symbolic violence, Le Page du Pratz claimed that his management policy rested on "caress"<sup>34</sup> rather than on brutal force. Guided by a Christian ethos, his paternalist measures sought to serve the masters' best interests.<sup>35</sup> Accor-

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27. Le Page du Pratz 376.

28. Le Page du Pratz 382.

29. Le Page du Pratz 383.

30. Le Page du Pratz 381-382.

31. Le Page du Pratz 381.

32. Le Page du Pratz 385.

33. Le Page du Pratz 377-378.

34. Le Page du Pratz 380.

35. Le Page du Pratz's views conformed with the Christian theory on the governance of slaves which dominated in the Caribbean, North America, and Brazil in the late seventeenth and early eighteenth centuries. This theory was articulated in

ding to him, gentleness was the only way to convince slaves to work and not to run away. These measures included: the exemplary behavior that the master should display; special care for the newly arrived slaves, slaves who were ill or women after delivery; the steady reasonable pace that should be set for work, slaves working from sunup to sundown every day except on Sundays and holidays; the gift of incentives such as alcohol; the allotment of small parcels to keep slaves busy on Sundays and prevent dangerous gatherings; the organization of the children's care under the supervision of an old woman; the employment of old slaves in small and easy tasks; and, finally, the need to provide enslaved males with female partners and impose stable and monogamous unions in order to avoid conflicts. All these practices tended to extract as much labor as was possible while preserving the workforce at the same time. They also assimilated slaves to perpetual minors and reduced their autonomy.

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Most of the time Le Page du Pratz considered the slaves as his “children” or “boys”, but he was also conscious that they constantly remained his “enemies”:

If I advise the planters to take great care of their negroes, I at the same time shew them that their interest is connected in that with their humanity. But I do no less advise them always to distrust them, without seeming to fear them, because it is as dangerous to shew a concealed enemy that you fear him, as to do him an injury.<sup>36</sup>

In a few brief passages, Le Page du Pratz insisted on the need to supervise slaves closely and to maintain them at a distance (locating the slave cabins not too close to the master's house; keeping the master's children away from the slaves; locking up the master's house and not allowing domestic slaves inside at night). Writing very briefly about whipping, he also mentioned the need to punish slaves when necessary but always in a way commensurate with their offence.<sup>37</sup>

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texts written by Dominican, Jesuit, and Anglican missionaries, such as those published by Jean-Baptiste du Tertre, Morgan Godwyn, Jorge Benci, André João Antonil, and Jean Baptiste Labat. Rafael de Bivar Marquese, *Feitores do Corpo, Missionários da mente: Senhores, letrados e o controle dos escravos nas Américas, 1660-1860* (São Paulo: Companhia das Letras, 2004).

36. Le Page du Pratz 384-386.

37. Le Page du Pratz 384-385.

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What was the rationale behind this irenic depiction of racial slavery? Unlike other authors of travel accounts in Louisiana, Le Page du Pratz did not report cases of extreme violence in the colony.<sup>38</sup> In the section on punishment, he implicitly claimed that abusive masters existed only in Saint-Domingue: “a Christian is unworthy of that name when he punishes with cruelty, as is done to my knowledge in a certain colony”. Obviously, Le Page du Pratz wanted to magnify not only his image, but also the image of the Mississippi colony. The whole *Histoire de la Louisiane* can be read as a promotional pamphlet for the colonization of Louisiana. The Mississippi Valley is depicted as the colony where a benevolent system of slavery could develop. This may have been a moral choice, but it was most of all a material necessity, even though Le Page du Pratz did not explicitly acknowledge it. While the text refers to the Christian ethos several times, it also begins with five pages entirely devoted to the medications he prescribed to cure various diseases affecting slaves.<sup>39</sup> They reflect the author’s curiosity for all things related to nature and science, but also a preoccupation with the preservation of the labor force. As very few slaves were deported to Louisiana (less than 6,000 between 1719 and 1731), and the slave trade from Africa nearly ceased afterwards when the Company retroceded its trade monopoly to the king, it was impossible to replace slaves easily and to exploit them to death. Masters were forced to keep their slaves alive and to treat them better than in other colonies. That was also something that private slaveholders learnt through the model offered by the Company’s and then king’s plantation.

### Jean-Baptiste and the King’s Slaves

Even though Le Page du Pratz reveled in describing himself as a good master who did not have to use violence all the time, his allegedly benevolent policy did not prevent the two black drivers and a few other slaves of the plantation under his supervision from plotting a revolt in 1731.<sup>40</sup> The conspiracy was conceived in a time of danger and insecurity during the Natchez Wars, which prompted the Company of the Indies to abandon its trading monopoly. Louisiana became again a royal colony. Local authorities

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38. In contrast, Jean-François-Benjamin Dumont de Montigny described in detail the common way of punishing slaves who were whipped as they were lying on the ground attached to four poles. Jean-Baptiste Le Mascrier, *Mémoires historiques sur la Louisiane* (Paris: Cl. J. G. Bauche, 1753) 243-44.

39. Le Page du Pratz 376-380.

40. Le Page du Pratz vol. iii, 304-317.

then convinced the Crown that it needed to purchase the Company's slaves and plantation. Although this was a significant expense (the king paid 157,500 *livres* for the slaves), they did not have any difficulty in convincing him, arguing that the slaves were much needed for the "service," and that they could not run the colony without relying on this enslaved labor force. Neither local authorities nor the central power ever questioned the fact that the king was going to become the owner of some human beings. That was a non-issue. Nevertheless, the number of the king's slaves fell afterwards, from 225 in 1732 to 84 in 1760,<sup>41</sup> which was still a significant number as most slaveholders owned less than fifty slaves in the countryside at the time.<sup>42</sup> The group of royal slaves could have grown. After the Natchez Wars, some slaves who had been captured by the Native Americans were recovered and placed on the king's plantation in 1731.<sup>43</sup> The slaves also formed families and had children. Some survived and remained on the plantation: in the 1760s, three generations lived there together.<sup>44</sup> These births partially compensated for deaths and desertions. Thus, the main reason for the decline was the sale of many slaves over the period.<sup>45</sup> The sales were not motivated by the monarch's desire to withdraw from the slave system, but by pecuniary considerations. Five times, in 1734, 1739, 1745, 1754 and 1759, the king expressed his concern over the expense generated by the slaves, sometimes to the point that the Crown ordered some or all of them to be sold.<sup>46</sup> Each time, the *commissaire*-

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41. "Salmon to the Minister", Jan. 16, 1732. ANOM, Aix-en-Provence, COL, C13A, 15, ff. 13r-14r. "Salmon to the Minister", Jan. 17, 1732. ANOM, Aix-en-Provence, COL, C13A, 15, f. 22. "Salmon to the Minister", Sep. 3, 1739. ANOM, Aix-en-Provence, COL, C13A, 24, ff. 159v-160r. "Kerléc to the Minister", Aug. 15, 1760. ANOM, Aix-en-Provence, COL C13A 42, ff. 64-65. "État des nègres, négresses, négrellons et négrelltes du roi au 1<sup>er</sup> janvier 1760", Jan. 1, 1760. ANOM, Aix-en-Provence, COL, C13A, 42, ff. 66-67.
  42. Thomas N. Ingersoll, *Mammon and Manon in Early New Orleans: The First Slave Society in the Deep South, 1718-1819* (Knoxville: University of Tennessee Press, 1999) 41-43.
  43. "Mémoire concernant les services que Raymond Amyault écuyer Sr d'Auseville a rendu à l'Etat, [...], joint à la lettre de Mr Amyaut du 20 janvier 1732", Jan. 20, 1732. ANOM, Aix-en-Provence, COL, C13A, 14, ff. 273r-75v.
  44. It is obvious from the names of the slaves on the 1760 list.
  45. For an example of such sales, see "Adjudication of Negress Bradiguine, March 23, 1740", *Louisiana Historical Quarterly* 10.2 (1927): 272.
  46. "Salmon to the Minister", Apr. 24, 1734. ANOM, Aix-en-Provence, COL, C13A, 19, f. 52. "Salmon to the Minister", Sep. 3, 1739. ANOM, Aix-en-Provence, COL, C13A, 24, ff. 158-160. "Le Normant to the Minister", Oct. 21, 1745. ANOM, Aix-en-Provence, COL,

*ordonnateur* in charge managed to convince Versailles that it was an absolute necessity to keep most of them, and agreed to sell only a few.<sup>47</sup>

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The discourse that was developed by these officials first to convince the Crown to purchase the Company's slaves and then to limit the number of sales afterwards reveals how the way that local authorities employed the king's slaves both reflected race-thinking and contributed to the further embedding of race within French New Orleans society. When settlers watched the royal slaves working, they could not but associate slave labor with heavy and degrading work. For instance, when in 1739 Edmé Gratien Salmon enumerated the many tasks the king's slaves accomplished in order to convince the Crown to retain some of them, he insisted that they were employed "in cleaning and clearing the ditches, latrines, wells and other vile tasks, and their women were busy producing tow, carrying wood to the hospital, sweeping, and washing dishes". He also stressed that slaves had no choice but to carry out "all the vile tasks that whites will refuse to accomplish".<sup>48</sup>

And yet, at the King's Hospital, the situation was more complicated. Very early on slaves were employed there as domestics and also increasingly as

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C13A, 29, ff. 139r-40v. "D'Auberville to the Minister", Jul. 4, 1754. ANOM, Aix-en-Provence, COL, C13A, 38, ff. 147-149r. "The Minister to Kerlérec and d'Auberville", Nov. 27, 1759. ANOM, Aix-en-Provence, COL, B, 97, f. 13rv.

47. Several times, the governor and *commissaire-ordonnateur* disagreed on the subject. That was the case of Louis Billouart de Kerlérec and Vincent-Gaspard de Rochemore. Among the many issues that fueled their antagonistic relationship, they argued about the management of the king's plantation. Kerlérec explained to the Minister of the Navy that until then they had only provided the necessary lumber and given the king's slaves free days of work for them to build their own cabins. However, Rochemore developed a more ambitious plan, asking an engineer to draw the buildings and the map of the village and a white entrepreneur to build the cabins. For Kerlérec, this decision, which increased the expenses for the Crown, was only motivated by a futile desire of "decoration," while for Rochemore it was very likely a matter of surveillance and discipline. His desire of introducing sugar cane in Louisiana shows that he paid much more attention to the development of the slave economy than the governor. He might also have been more concerned with the management of slaves. "Habitation du domaine du roi", Feb. 22, 1759. ANOM, Aix-en-Provence, COL, C13A, 41, f. 415. "Rochemore to the Minister", Dec. 17, 1760. ANOM, Aix-en-Provence, COL, C13A, 42, ff. 163-166r. "Kerlérec to the Minister", Dec. 21, 1760. ANOM, Aix-en-Provence, COL, C13A, 42, ff. 78v-80r.

48. "Salmon to the Minister", Sep. 3, 1739. ANOM, Aix-en-Provence, COL, C13A, 24, ff. 158-160.

nurses.<sup>49</sup> This practice was not unusual as it also existed in Saint-Domingue and other French slave societies. What was exceptional was Jean-Baptiste's position.<sup>50</sup> He had been trained as a surgeon and apothecary while he was a teenager on the Company's plantation. When Le Page du Pratz recounted this story in his travel account, he added that "I have learnt a few years ago that this Negro was one of the good surgeons of the colony".<sup>51</sup> Jean-Baptiste and his wife Louison, who also worked at the Hospital, gave birth to at least one child named Joseph who started working there at the age of ten and was also trained as a surgeon and apothecary.<sup>52</sup> With their knowledge of medicinal plants, both Jean-Baptiste and Joseph helped to cure the king's slaves, as well as soldiers, sailors and other whites of the lower sort at the Hospital and outside.<sup>53</sup>

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In contrast with Le Page du Pratz's travel account which gave Jean-Baptiste some Atlantic visibility, local authorities, however, were reluctant to officially acknowledge Jean-Baptiste's position in their correspondence with the metropole.<sup>54</sup> In the same way, the only advantage the slave obtained from

49. "Recensement général [...] au premier janvier 1726" and "Recensement général de la ville de la Nvelle Orléans [...] fait au mois de janvier 1732". ANOM, Aix-en-Provence, DPC, G1, 464. "Inventaire général de tous les meubles et ustensiles appartenant à l'hôpital du roi à La Nouvelle-Orléans", Dec. 31, 1744. ANOM, Aix-en-Provence, COL, C13A, 28, ff. 346-351. "Lenormant to the Minister", Oct. 17, 1745. ANOM, Aix-en-Provence, COL, C13A, 29, ff. 116-118r. Louisiana State Museum (LSM), New Orleans, Records of the Superior Council of Louisiana (RSCL) 1765/10/30/01. "État des nègres, négresses, négrillons et négrittes du roi au 1<sup>er</sup> janvier 1760", Jan. 1, 1760. ANOM, Aix-en-Provence, COL, C13A, 42, ff. 66-67.

50. There is no other similar case in the French Empire. James E. McClellan III and François Regourd, *The Colonial Machine: French Science and Overseas Expansion in the Old Regime* (Turnhout: Brepols, 2011) 252.

51. Jean-Baptiste helped Le Page du Pratz to look for the culprits of the Bambara plot, translating the words of the leaders of the revolt when they gathered at night in June 1731. Le Page du Pratz vol. III, 227-228; for the quotation 306-308.

52. LSM, New Orleans, RSCL 1748/02/10/01. "Procédure contre Joseph esclave mulâtre chirurgien à l'hôpital du roi ayant falsifié des billets à partir du 30 novembre 1750, joint à la lettre de Michel du 18 mai 1751", May 18, 1751. ANOM, Aix-en-Provence, COL, F3, 243, ff. 48-74.

53. LSM, New Orleans, RSCL 1748/02/10/01; Le Page du Pratz vol. I, xxv, 337, 339.

54. "Salmon to the Minister", Nov. 25, 1738. ANOM, Aix-en-Provence, COL, C13A, 23, f. 137.

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his function was a ration similar to the one given to soldiers.<sup>55</sup> Moreover, this position did not spare his family from the hardships associated with the slave system. For instance, Joseph was described as a “Mulatto,” which means that he might have been born of a forced sexual relationship. Likewise, when a soldier was tried for having dangerously injured Louison and having hit Jean-Baptiste in the street while he was drunk, the Ursulines who ran the King’s Hospital and employed Louison refused to take part in the case: they told the judge that if they could save the soldier’s life they would do so, and that they even preferred to lose their slave than to do something against charity towards their fellow human being. The soldier was not sentenced to the death penalty and was only condemned to the galleys.<sup>56</sup> Finally, after Joseph had been trialed and convicted for forgery the year before, he escaped the death penalty, but was sentenced to be whipped at all the crossroads of the city, and then to be banished and sold in Saint-Domingue.<sup>57</sup>

Still, Joseph was not executed. His punishment was less harsh than it could have been not only because he was a highly valuable slave, but very likely because like his father he was a “king’s Negro”.<sup>58</sup> In the same way, another slave named Baraca who also belonged to the king was tried for having killed his wife.<sup>59</sup> He was sentenced to death, but only to be hanged and not to one of the cruelest forms of death penalty such as the wheel.<sup>60</sup>

55. “Marché avec les Dames religieuses ursulines pour les malades de l’Hôpital du roi à La Nouvelle-Orléans”, Dec. 31, 1744. ANOM, Aix-en-Provence, COL, C13A, 28, f. 343v. “Inventaire général de tous les meubles et ustensiles appartenant à l’hôpital du roi à La Nouvelle-Orléans”, Dec. 31, 1744. ANOM, Aix-en-Provence, COL, C13A, 28, ff. 346-51.

56. LSM, New Orleans, RSCL 1752/06/08/01, 1752/06/08/02, 1752/06/12/01, 1752/06/12/02, 1752/06/13/01, 1752/06/12/05, 1752/06/13/02, 1752/06/17/01, 1752/06/17/02, 1752/06/19/01, 1752/06/20/01, 1752/06/26/01, 1752/06/26/02, 1752/06/28/01. “Michel to the Minister”, September 20, 1752. ANOM, Aix-en-Provence, COL, C13A, 36, f. 267.

57. “Michel to the Minister”, May 18, 1751. ANOM, Aix-en-Provence, COL, C13A, 35, ff. 205-210r. “Procédure contre Joseph esclave mulâtre chirurgien à l’hôpital du roi ayant falsifié des billets à partir 30 novembre 1750, joint à la lettre de Michel du 18 mai 1751”, May 18, 1751. ANOM, Aix-en-Provence, COL, F3, 243, ff. 48-74.

58. There is only one other case of a slave sentenced to banishment in the judicial archives. It concerned an Anglophone slave of high value. LSM, New Orleans, RSCL 1766/07/31/06, 1766/08/02/04.

59. Baraca was also considered as a valuable slave. LSM, New Orleans, RSCL 1734/02/27/03.

60. Over the French Regime, apart from Baraca, five slaves were sentenced to be hanged and three to have their arms and legs broken on the wheel. LSM, New Orleans, RSCL 1723/10/01/01; 1744/03/21/05; 1748/01/10/03; 1764/06/23/07; 1764/07/21/08,

Most of all, even though the attorney general had asked that his body be left hanging for twenty-four hours and then abandoned outside the city, the Council decided that Baraca would be buried in the sanctified graveyard.<sup>61</sup> As in the Old Regime the types of punishment depended on the social identity of the convicts, these judicial decisions suggest that the king's slaves may have been considered as socially superior to the other slaves.

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### The Black Arm of the Law

The executioner who hanged Baraca and whipped Joseph was a (former) slave of African descent. While throughout the French Empire slaves were never used as surgeons to treat whites except for Jean-Baptiste and his son in Louisiana, in all the slave societies under French sovereignty the executioner was always chosen among slaves. In Louisiana, except for the first one, these slaves always belonged to the Company or to the king. Their use as public executioners shows how royal slavery questioned the sociopolitical culture and the place of honor, in particular, in this Old Regime society.

From the outset, local authorities in French Louisiana never considered resorting to anyone but a slave as public executioner.<sup>62</sup> Even before the foundation of New Orleans, a 1714 local regulation on slavery stipulated that “the first slave who is convicted for having hit his master will be kept to become the public executioner. He will be paid and supported by his majesty, his price evaluated and reimbursed to his owner, except if a volunteer presents himself who will be likewise evaluated and reimbursed to his master”.<sup>63</sup> In the metropole, in the absence of an executioner, a condemned person was sometimes chosen to do the job; this practice, however, became very

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1764/07/21/09; 1764/09/10/02, 1764/09/10/05; 1765/09/2/06, 1765/09/21/07; 1767/03/14/07.

61. RCSL 1748/02/09/02, 1748/02/09/03, 1748/02/10/01, 1748/03/01/03, 1748/03/09/11, 1748/04/15/01, 1748/04/22/02, 1748/04/22/03, 1748/04/25/01, 1748/04/25/02, 1748/05/03/02, 1748/05/04/03, 1748/05/04/09.

62. Contrary to what Shannon Lee Dawdy asserts there is some evidence in the documentation about the use of a black executioner up to the end of the French period. Shannon Lee Dawdy, *Building the Devil's Empire: French Colonial New Orleans* (Chicago: Chicago University Press, 2008) 189-192, 201. The following interpretation of the employment of black executioners is also very different from that put forward by Gwendolyn Hall. Hall 131-32.

63. “Statuts et Règlements faits par le Conseil supérieur de la Louisiane concernant les esclaves du 12 novembre 1714”, Nov. 12, 1714. ANOM, Aix-en-Provence, COL, A, 23, ff. 5-6.

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rare in the eighteenth century.<sup>64</sup> It is remarkable that in Louisiana the law did not mention any enslaved convict but a slave sentenced for having hit his master. This clearly establishes a link between the choice of a slave as executioner and the role given to royal justice in the colony, whose main function was to implement the slave order.<sup>65</sup> The 1685 Code Noir provisioned that a slave who hit his master should be sentenced to death. Although the slave was spared the death penalty, the commutation of his sentence did not amount to a pardon: while the process of enslavement was already conceived as a substitute for death which brought dishonor, a slave sentenced to serve as an executioner was doomed to a life of social debasement and exclusion since the function of executioner was considered infamous.<sup>66</sup> For this very reason, it had become customary to use slaves as executioners in the islands.<sup>67</sup> The Company employee Marc-Antoine Caillot noted during his stay in Saint-Domingue on his way to Louisiana that “it is ordinarily Negroes who perform this job [executioner] in the colonies”.<sup>68</sup> Therefore, it is not surprising that in 1722 local authorities in Louisiana resorted to a slave to perform an execution as Jean-Baptiste Bénard de La Harpe reported in his travel account: “At the end of this month, a negro who had killed a Frenchman was burnt in New Orleans: the executioner was another Negro

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64. This practice was provisioned by the Criminal Ordinance of 1670. Michel Porret, “Corps flétri, corps soigné: l’attouchement du bourreau au XVIII<sup>e</sup> siècle”, *Le corps violenté: du geste à la parole*, ed. Michel Porret (Genève: Droz, 1998) 117-118; Florence Renucci, “L’exécuteur des sentences criminelles en France au dernier siècle de l’Ancien Régime”, *Tijdschrift voor Rechtsgeschiedenis/Revue d’histoire du droit/The Legal History Review* 76 (2008): 386.

65. Vidal 555-605.

66. On “the constituent elements of slavery”, see Patterson 1-14. On the infamous character of the executioners in the French kingdom, see Renucci 384-388; Pascal Bastien, “La mandragore et le lys: l’infamie du bourreau dans la France de l’époque moderne”, *Histoire de la justice* 13 (2001): 223-240; Porret 103-135.

67. Jean-Baptiste du Tertre, *Histoire générale des Antilles* (Paris: T. Jolly, 1667-1671) XI, 534; Gene E. Ogle, “Slaves of Justice: Saint-Domingue’s Executioners and the Production of Shame”, *Historical Reflections/Réflexions Historiques* 29.2 (2003): 275-93.

68. Erin M. Greenwald, ed. *A Company Man: The Remarkable French-Atlantic Voyage of a Clerk for the Company of the Indies. A Memoir by Marc-Antoine Caillot* (New Orleans: The Historic New Orleans Collection, 2013) 58.

sentenced to serve as executioner for having beaten a white man”.<sup>69</sup> Local authorities put into practice the 1714 regulation with the significant change that the executioner was not punished for having beaten his master but for beating another white. The issue at stake was not only the maintenance of the slave system, but the implementation of the racial order.

This quotation from Jean-Baptiste Bénard de La Harpe’s travel account also reveals that there was not yet a permanent executioner. Indeed, Abbé Mascrier, in a book that was an adaptation of Jean-François-Benjamin Dumont de Montigny’s travel account, reported that in 1725, “as the race of executioners does not exist in this country, and as in a well governed territory it is necessary to have one, the task was given to one of the Company’s slaves since no one wanted to do it; his name was Jeannot”. This rare use of the term “race”, here in the sense of lineage, reflected the infamy associated with the job. Obviously, the position of executioner could not have been transmitted within the same family as in Paris.<sup>70</sup> Hence, local authorities turned to the only individuals whom they could pressure or force to serve as executioner because they could exercise the authority of the master and owner. This choice might also have been an adaptation of a metropolitan practice. In the kingdom during the eighteenth century, many executioners were granted letters of provisions and became officers of the king even though their offices were deprived of honor.<sup>71</sup> Picking a slave who belonged to the Company which ruled the colony in the name of the king mirrored this custom.

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However, despite the freedom that was offered to him as a reward, Jeannot refused and when the Company’s directors insisted he took an ax and cut his hand. He was healed and promoted as overseer of the Company’s slaves.<sup>72</sup> Jeannot obviously possessed his own conception of honor that explained why he behaved in such an extreme way, which was in return acknowledged by

69. Jean-Baptiste Bénard de La Harpe, *Journal historique de l’établissement des Français à la Louisiane* (New Orleans-Paris: A.-L. Boimare / Hector Bossange, 1831) 336.

70. Pascal Bastien, *Une histoire de la peine de mort. Bourreaux et supplices, 1500-1800* (Paris: Le Seuil, 2011).

71. Boucher d’Argis, “Exécuteur de la haute justice”, *Encyclopédie, ou dictionnaire raisonné des sciences, des arts et des métiers, etc.*, vol. 6, eds. Denis Diderot and Jean le Rond d’Alembert (University of Chicago: ARTFL Encyclopédie Project, 2013) 229-232; Renucci 375-78.

72. Dumont de Montigny, *Mémoires historiques sur la Louisiane* vol. II, 244-46.

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local authorities. The author reporting this story seemed genuinely impressed even though the courage and honor that a few slaves were acknowledged to have served also to emphasize the cowardice and dishonor that marked most of the others in the eyes of the whites. In his own travel account published in the 1770s, the military officer Jean-Bernard Bossu reported a similar story that had happened earlier on the king's plantation after the retrocession of the colony by the Company to the Crown. A royal slave refused to execute a soldier who had been convicted for desertion. In his own language that Bossu wrote down in a disparaging pidgin French, the slave protested that the soldier had not harmed him in any way, revealing maybe another conception of justice based on compensations between families or lineages. He also claimed that he possessed as much honor as a Frenchman and that he did not want to dishonor his family. He cut his hand, and was looked after as an "invalid" by the king, which meant that he received a small pension.<sup>73</sup> The same stories happened and were told in the Antilles, where the slaves' attitudes toward proposals to serve as executioner also varied: some accepted, others ran away, and some refused.<sup>74</sup>

In 1725, the slave who agreed to replace Jeannot also belonged to the Company. His name was Louis Congo. As it had been difficult to find someone to serve as executioner, the Council agreed to his requirements: he and his wife were manumitted, and he obtained a full ration and a parcel of land.<sup>75</sup> The councilors also agreed on a tariff to be paid to the executioner depending on the punishments.<sup>76</sup> Louis Congo obviously benefited from his job as he obtained freedom and some material advantages. However, the

73. In his travel account on Louisiana, Bossu also mentioned the "courage" of another slave who refused to serve as executioner in Saint-Domingue. Jean-Bernard Bossu, *Nouveaux Voyages dans l'Amérique septentrionale* (Amsterdam: Changuion, 1777) 369, 374.

74. Ogle 276-277, 292-293.

75. "Louis Congo's wife also belonged to the Company. La Chaise to the Company's directors", Mar. 8, 1724. ANOM, Aix-en-Provence, COL, C13A, 7, f. 44v. This first wife probably died sometime after this event, because the sacramental records comprise a certificate of marriage dated April 1728 for Louis Congo and a woman named Suzanne. Louis Congo was not described as a free man of color, but as a "Negro executioner," while the priest does not mention any name for his owner. Suzanne, in contrast, was described as a "Negress" belonging to the Company. AA, New Orleans, St. Louis Cathedral, Marriage Register, Vol. A, 04/04/1728.

76. "Extraits des lettres du Conseil de Louisiane", Nov. 21, 1725. ANOM, Aix-en-Provence, COL, C13A, 9, ff. 267-268.

price he had to pay was heavy as he was despised by both white settlers and enslaved fellows. The land that was granted to Louis was located outside the city and was separate from those of the settlers: its location went with the infamy and exclusion associated with his job.<sup>77</sup> Moreover, some slaves or Native American deserters took advantage of where he lived to attack him twice. His origins (his name probably indicates that he was from Central Africa while most slaves came from Western Africa) and his job combined to make him an object of hostility among the slave population.<sup>78</sup> Such attacks against the enslaved executioner also happened at times in the Antilles.<sup>79</sup>

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In his travel account, Caillot referred to Louis Congo or his predecessor or successor in the following way: “the executioner is a Negro who was supposed to have been hanged. They accorded him a pardon on the condition that he would exercise this employment. He earns the same wages as men from France, although he is very unskilled in his line of work. He lives outside the town”.<sup>80</sup> The Company’s employee criticized the fact that the executioner received relatively high wages as in the metropole, not because he was a former slave but because he did not master the skills necessary to fulfill correctly what was considered a genuine craft. Judicial violence had to be ritualized and well executed to be considered as legitimate by the public.<sup>81</sup> As for the executioners, one might infer that their more or less greater ability may have also occasionally depended on their desire to spare some of their enslaved companions. In 1755, the attorney general Jean-Baptiste Raguet requested that a slave who had been sentenced to be whipped and have his two hamstrings cut in 1749 be punished again. He explained that the original sentence had not been executed on the two hamstrings because the executioner did not know how to inflict such a punishment.<sup>82</sup>

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77. Renucci 385.

78. LSM, New Orleans, RSCL 1726/08/17/03, 1737/01/24/04. For a different interpretation of Louis Congo’s position, see Shannon Lee Dawdy, “The Burden of Louis Congo and the Evolution of Savagery in Colonial Louisiana”, *Discipline and the Other Body: Correction, Corporeality, Colonialism*, eds. Steven Pierce and Anapuma Rao (Durham: Duke University Press, 2006) 61-89.

79. Ogle 289.

80. Greenwald 82.

81. Pascal Bastien, “Usage politique des corps et rituels de l’exécution publique à Paris, XVII<sup>e</sup>-XVIII<sup>e</sup> siècle”, *Crime, Histoire & Sociétés/Crime, History & Society* 6.1 (2002): 31-56.

82. LSM, New Orleans, RSCL 1755/04/27/01.

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In the mid-1760s, the executioner was a slave named Mamourou who belonged to the king. It had become customary enough for one of the royal slaves to perform this task that the Crown no longer felt it needed to free him. Nor did the executioner live on his own outside the city anymore, but apparently also served as a domestic for the New Orleans *major*. The slave nevertheless received 300 *livres* a year as wages, which made him both a slave and a wage laborer at the same time.<sup>83</sup> Although the dishonorable character of his job seemed to have decreased somewhat, it did not completely disappear. At the time, the judges condemned the slave to be beaten, branded with a fleur-de-lis, and have his ears cut by the executioner because it was at least the third time that he had run away. In what was a highly unusual decision, his eleven accomplices were only sentenced to be whipped by “anyone except the public executioner”. Another slave executed the sentence.<sup>84</sup> The fact that it was not the official executioner who inflicted this punishment might have reduced its dishonorable character.<sup>85</sup>

The black executioner did not only punish slaves of African and Native American descent, but also whites even though they were less often condemned by royal justice from the 1730s. At first sight, this practice seems to contradict the racial order on which French Louisiana society was based like all other Caribbean societies under French sovereignty. However, the power the black executioner exercised was only a delegation of the king’s power. The king himself held his judicial power from God, which the ceremony of coronation symbolized with the gift of the *main de justice* and the sword. Hence, inflicting corporal punishment, death in particular, transgressed the frontier between the sacred and the profane; the executioner was considered as impure and infamous; his touch polluted the convict; and corporal punishment both brought pain and conveyed shame. Far from being a sign of racial blindness, the use of a black enslaved or freed man as an executioner reflected the early embedding of race in this new slave society. Racial sla-

83. LSM, New Orleans, RSCL 1764/07/21/08. “État des nègres, négresses, négrillons et négrittes du roi au 1<sup>er</sup> janvier 1766”, Jan. 1, 1766. ANOM, Aix-en-Provence, COL, C13A 42, ff. 66-67. “Colonies 1764, Louisiane”. ANOM, Aix-en-Provence, COL, C13A, 44, ff. 39-46.

84. LSM, New Orleans, RSCL 1764/01/04/02.

85. In the metropole, justice integrated the belief that touching the executioner conveyed infamy, some forms of torture and punishment having to be performed by someone else than the executioner. Renucci 387-388.

very did not contradict the inner workings of French Old Regime society: it pushed them to their logical extreme.

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Racial formation in French New Orleans rested on more than discursive ideology; it depended primarily on a variety of social and symbolic mechanisms that instilled race-thinking in every social practice and relation. A broad range of practices of categorization and classification, on the one hand, and of discrimination, segregation, and violence, on the other hand, intertwined to give birth to a totalizing system of racial domination. In that regard, the possession and management of slaves by public authorities were instrumental in the commitment of the settler population to the development of racial slavery. The authorities' reliance on slaves to perform the heavy and menial work necessary for the colony's service, the harsh and discriminatory way those enslaved laborers were treated, and the use of one of the Company's and then king's slaves as public executioner fueled the construction of race.

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As public slavery played a crucial role in the racialization of French New Orleans society, what to make of the pride obviously felt by Jean-Baptiste when he signed the sacramental records as the "king's negro"? The comparison between the social position of the public executioner and the other slaves who belonged to the Company or the Crown reveals that the slave status, the relationship between slavery and honor in particular, was not entirely defined by slaveholders, but was also shaped and contested by slaves. The interactions between masters and slaves gave the slave status a contingent and processual character.<sup>86</sup> Two things separated the enslaved or freed men who served as executioners from the other public slaves. First, while at least one executioner obtained his freedom, none of the other Company's and then king's slaves was ever manumitted until the end of the French Regime. It was only when the French authorities departed the colony after part of the colony had been ceded to Spain that the last French commandant of the

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86. For a similar view in the context of African palatinate slavery, see Sean Stilwell, "Power, Honour and Shame: The Ideology of Royal Slavery in the Sokoto Caliphate", *Africa: Journal of the International African Institute* 70.3 (2000): 394-421. See also John Iliffe, "The Honour of the Slave," in *Honour in African History* (Cambridge: Cambridge University Press, 2005) 119-139.

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colony freed some of the royal slaves in 1769.<sup>87</sup> Second, the executioner was the object of the contempt and aversion not only of the whites but also of the slave population. They shared the same conception of this function as infamous. Indeed, the slaves who refused to serve as executioner saw their claim to honor recognized by whites whereas dishonor defined the slave status. In contrast with the executioners, as the slight evidence presented by the life trajectories of Jean-Baptiste, of his son Joseph and of Baraca suggests, the other Crown slaves seem to have claimed honor and to have been considered as socially superior to the rest of the slave population because their master was the king. In the same way that honor did not belong to the nobility alone and was claimed by other corporate bodies or social groups in the kingdom of France, honor was an object of contention and struggle in the slave society of French New Orleans.<sup>88</sup> In the Mississippi colony, public slavery complicated the relationship between slavery, race, and honor.

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