

FREE NEGROES IN MOBILE COUNTY, ALABAMA

by

CHRISTOPHER ANDREW NORDMANN

A DISSERTATION

Submitted in partial fulfillment of the requirements
for the degree of Doctor of Philosophy in
the Department of History
in the Graduate School of
The University of Alabama

TUSCALOOSA, ALABAMA

1990

Copyright by
Christopher Andrew Nordmann
1990

Chapter 1

Origins of the Major Families

In 1981, Gary B. Mills called for a reevaluation of traditional interpretations regarding the free Negro in the South. According to traditional views, the free Negro "as a class, by and large . . . owed his existence to libidinous, but conscience-stricken, white planters" and that "within free Negro society . . . the family unit was unstable." Mills challenged these views in his study on the free Negro in "Anglo" Alabama, which consisted of all the state's counties except Mobile and Baldwin. Unlike many other studies, Mills's attempted "to identify every free nonwhite who lived in Alabama from its earliest settlement to the close of the Civil War." This study, which also challenges "historical stereotypes," aspires to do the same for Mobile County from about 1780 to 1865.¹

¹Gary B. Mills, "Miscegenation and the Free Negro in Antebellum "Anglo" Alabama: A Reexamination of Southern Race Relations," The Journal of American History 68 (June 1981): 16-17. See *ibid.* for a summary of the works which contain the traditional interpretations.

Certain patterns emerge from an analysis of the various records, such as wills and church records, concerning the beginnings of the mulatto class in Mobile County. The free Negro class there owes its origins to the offspring produced by relationships between the French and Spanish settlers and their white descendants and Negro women, slave and free. Not only did white males have children with their slave concubines, but they also freed their "wives" and made provisions to manumit their nonwhite children. In many instances French and Spanish men publicly acknowledged their interracial relationships and children. At other times they did not admit that they had mulatto children, but various records make evident who the white parents of these mulatto children were. Usually the relationships between the white males and nonwhite females were long-term, indicating strong family ties and a genuine concern for the well-being of their offspring. This miscegenation accounted for the early growth of the free Negro class in Mobile, but it continued as these mixed offspring often began their own families with other free mulattoes.

White fathers generally provided the economic means by which their children could survive, and during the antebellum years some of these mulatto families successfully built upon the resources that were left to them. The French and Spanish had acquired large quantities of land which they worked with slave labor, and the free Negroes frequently inherited both land and slaves. These were important assets

for the free people of color, especially for those who had begun their lives in bondage.

Not only were the whites concerned about the economic welfare of their mulatto children, but they demonstrated concern for their spiritual well-being by having them baptized into the Catholic faith. In turn, many of the free mulatto children would follow the same pattern by having their own children and slaves baptized by the priests. The free people of color were also married and buried within the Catholic religion.

One of the more prominent and numerous Negro families in antebellum Mobile, the Chastangs, originated as early as 1760 when two members of the white Chastang family--John, a physician, and his brother Joseph--settled in the Mobile area.² Doctor Chastang later testified that his brother in 1766 or 1767 purchased lands in the Mobile area, on the west side of the Mobile River, either in present-day Washington County or in northern Mobile County, and began to cultivate the land, "and continued there until the country was taken from the English by the Spaniards, when the Indians became so troublesome and dangerous that he was obliged to move down to Mobile." In his absence, Joseph Chastang had one of his sons conduct his business on the plantation. In 1798,

²Jacqueline Olivier Vidrine, transcriber and ed., The Mobile Marriages Recorded in French, Transcribed, with Annotated Abstracts in English, 1724-1786 (Lafayette: Center for Louisiana Studies, 1985), pp. 310-11.

when he was about sixty years old, Chastang returned to his farm.³

Pursuant to an act of Congress regulating land grants south of the state of Tennessee and adjusting claims, John and Joseph Chastang, as well as other inhabitants of south Alabama, presented their cases before the board of commissioners.⁴ In 1804, for example, John Chastang claimed three different tracts totaling over twenty-eight hundred arpents in the Mobile area.⁵ The largest single claim was for over nineteen hundred acres "lying west of the Mobile River, butting and bounding on the south by Grog Hall creek, on the north by Cedar creek," on the east by the Mobile River, and "on the other side by vacant land." He claimed this land "by virtue of a Spanish grant or order of survey."⁶ This land was actually in Washington County, in the Mississippi territory. The board approved Dr. Chastang's claim for the 1,938 acres.⁷ The board also

³American State Papers: Documents, Legislative and Executive, of the Congress of the United States, 38 vols. (Washington, D.C.: Gales and Seaton, 1832-1861), Public Lands, I: 714. Hereinafter this source will be cited as ASP: Public Lands.

⁴For the act see Clarence Edwin Carter, comp. and ed., The Territorial Papers of the United States (Washington, D.C.: Government Printing Office, 1934), vol. 5: The Territory of Mississippi, 1798-1817 (Washington, 1937), pp. 192-205.

⁵An arpent was equal to slightly less than one acre.

⁶ASP: Public Lands, I: 672.

⁷Ibid., p. 801.

approved Dr. Chastang's claims for 960 acres and Joseph Chastang's claim for 640 acres on the Tombigbee River.⁸

The Chastangs, like other Southerners, purchased slaves to labor for them. John testified that his nephew was an overseer on Joseph's plantation as early as 1796.⁹ Even before this, however, Joseph had owned a female slave named Louison and her four children. In 1780 they were reportedly worth \$1,150, although when Charles Parent estimated their value, one of the children was sick and therefore worth only fifty dollars. It was agreed, however, that Chastang would repay Louison if her sick child died, apparently within one month of the date of the estimation. On August 9, 1780, Louison paid Joseph Chastang through Henry Grimarest, the Spanish commandant at Mobile, for herself and her four children named Bazile, Joseph, Pompey, and Charles.¹⁰ The record does not indicate the paternity of these children.

Louison began living openly as the concubine of John Chastang sometime within five years after she purchased her freedom. Their alliance lasted for at least twenty years. In his will, which was written in the fall of 1805, Chastang declared that Louison had "resided with me for twenty years

⁸Ibid., pp. 638, 640.

⁹Ibid., p. 714. Evidently only John left mulatto offspring, although at least one descendant of Joseph had a relationship with a Negro woman.

¹⁰Deed Record Book A, pp. 115-16, Washington County Records, Washington County Courthouse, Chatam, Alabama.

past."¹¹ He had known her long before 1785, however, since their daughter Marguerite, whose paternity Chastang publicly acknowledged, married Augustin Collins, a free man of color, on the last day of August 1788.¹² Chastang must have fathered Marguerite when Louison was still a slave. In 1796 Dr. Chastang also publicly acknowledged that he and Louison were the parents of another daughter when Father Constance McKenna baptized her into the Catholic faith.¹³ The relationship produced ten children whose names were Bazile, Philip, Zeno, Eugene, Auguste, Edward, Marguerite, John Baptiste, Isabella, and Louise. No evidence has been found to suggest that Chastang had been married before his alliance with Louison.¹⁴

¹¹Will Book 2, p. 112, Mobile County Records, Mobile County Courthouse, Mobile, Alabama. Hereinafter all references to will books will be from Mobile County Records, Mobile County Courthouse, Mobile, Alabama.

¹²Marriage Records, Book 1, 1726-1832, August 31, 1788, p. 72a, Parish of the Immaculate Conception, Mobile Church Archives, The Catholic Center, Mobile, Alabama. Hereinafter all references to Mobile Church Archives will be MCA and to Parish of the Immaculate Conception as PIC. Hereinafter the dates given for Catholic church records will be the date of the baptism, marriage, or burial.

¹³Baptisma Nigrorum, 1781-1805, entry 317, March 28, 1796, MCA, PIC. This is apparently the only recorded baptism of Dr. Chastang's mulatto children.

¹⁴Will Book 2, pp. 22-23.

In September 1805, Dr. John Chastang executed his last will and testament. The will began with the customary acknowledgment of "being of sound and perfect mind and memory." He then acknowledged the relationship that he had with Louison by bequeathing to his "beloved worthy friend and companion, Louison, a free negro woman, who has resided with me for twenty years past and has been my sole attendant in health and particularly so in sickness," all his real estate and dwellings "lying on the opposite side of the river Mobile." Chastang also left her a lot in the town of Mobile, a family of four slaves, cattle, silverware, furniture, his corn crop, and other unnamed provisions. He only mentioned four slaves in his will, but evidence suggests that he owned more.¹⁵ After Louison's death the estate was to be divided equally among all his mulatto children, including Francoise, whose mother was named Catherine.¹⁶

John Chastang's will contained an important section that provided for the protection of his family's liberty. Since Louison had purchased her freedom in 1780 any children born to her after that would have been free. However, at least one of her children by Chastang had been born while

¹⁵See, for example, Orphans Court Minutes, Book 3, p. 376-77, Mobile County Records, Mobile County Courthouse. Hereinafter all references to Orphans Court Minutes will be from Mobile County.

¹⁶Will Book 1, p. 112.

she was still legally a slave and may have legally still been a slave, although living as a free person. He apparently believed that Louison and his mulatto children might have difficulty in establishing their freedom so he declared that they were emancipated. Chastang clarified Louison's status. He wrote that "Louison, who was born a slave, was in the year one thousand seven hundred and eighty emancipated and made free according to the laws of Spain, under which she then lived, and has ever since been free." Chastang wanted to remove the slightest doubt concerning this matter lest anyone try to claim property rights over Louison and his children. Consequently he declared that they were free, "and that if under the laws of this territory there exists in me any title or colour of title to her or them or any of them as slaves, that they . . . shall be . . . at the time of my decease fully and completely free and emancipated."¹⁷

The origin of the mulatto Andry family in some respects parallels that of the Chastangs. Simon Andry, a white inhabitant of the Mobile area, claimed land on the American side of the international boundary, as did the Chastangs and other settlers. In 1804, for example, Andry filed a claim for 480 acres by virtue of a Spanish warrant of survey. The land was situated west of the Mobile River "butting and bounding on the north by Grog Hall creek, and on the south

¹⁷Ibid., pp. 113-14.

by Joseph Chastang," on the east by the Mobile River, and on the west by vacant land.¹⁸ The Spanish warrant of survey, dated April 1787, reported that Andry owned slaves who could cultivate part of this tract.¹⁹ Joseph Chastang testified on behalf of Andry that before and in 1795 "the plantation of Simon Andry . . . was inhabited and cultivated by his slaves." Andry, who was "an interpreter of the Choctaw language," lived "principally in Mobile, but occasionally visited this plantation to inspect the business." According to Chastang, in 1797 Andry moved onto the land and made the residence on the plantation his main home.²⁰ In May 1804, the board of commissioners ruled that Andry's claim was valid.²¹

After Andry acquired land he probably then purchased slaves to clear and cultivate his holdings. Baptismal records indicate that Andry, like some other settlers of colonial Mobile, owned a number of slaves, of which at least twenty-four were baptized.²²

¹⁸ASP: Public Lands, I: 682.

¹⁹Ibid., p. 683.

²⁰Ibid., p. 718. See *ibid.*, p. 761, for the testimony of William Mitchell.

²¹Ibid., p. 785. Part of his land was referred to as Andry's Bluff or Simon's Bluff.

²²See, for example, *Baptisma Nigrorum*, 1781-1805, entry 52 in 1783, and entry 458 in 1801. See also *Baptisma Nigrorum*, 1806-1828, entry 8 in 1806 and entry 184 in 1813.

Andry developed a relationship with one of his slaves named Jane that began as early as 1782, the year before the birth of their oldest child. The alliance between Andry and Jane produced at least eight children. Baptismal records of the Church of the Immaculate Conception in Mobile indicate that Jane, a slave of Simon Andry, gave birth to several mulatto children, and the priest recorded that the father of these children was unknown. Evidently Andry did not wish to acknowledge publicly his paternity, although he had them freed at the baptismal services inasmuch as the priest recorded that they were "free mulattoes." According to church records Romaine, born in February, was baptized in March 1785.²³ Euphrosine was born in 1787, Maximilian in 1789, Sylvester in 1791, Maria Judee in 1793, Felix in 1795, and Anastasia in 1798.²⁴ When Andry legally freed his children in 1805, Maria Judee was not mentioned; possibly she had died. Andry, as Dr. John Chastang had done in his will, desired to safeguard the liberty of his children. He therefore went before the proper authorities and recorded their manumission. Although he did not acknowledge paternity, Andry, "in and for the consideration of natural

²³Baptisma Nigrorum, 1781-1805, entry 70, March 22, 1785. The priest did not record the year of the child's birth--only the day and month. Another document, however, places the date of birth as 1785. See Deed Record Book A, Original, p. 128, Washington County Courthouse.

²⁴Baptisma Nigrorum, 1781-1805, entry 133, June 1, 1788; *ibid.*, entry 152, March 31, 1789; *ibid.*, entry 202, August 1, 1791; *ibid.*, entry 253, November 4, 1793; *ibid.*, entry 298, September 6, 1795; *ibid.*, entry 376, August 2, 1798.

love and affection and divers other good causes and considerations," did insure their freedom.²⁵

Jane Simon, as she came to be known, and her children presumably acquired land and slaves upon the death of Simon Andry. He apparently left them several lots in the town of Mobile. During the 1820s, for example, they sold to white buyers several pieces of property, such as a lot at the southeast intersection of Royal and St. Michael Streets.²⁶ Church records indicate an increase in the number of slaves that Jane owned as well as her concern for their welfare; slave baptisms are recorded as is the marriage of one of her slaves to the slave of a free man of color.²⁷

It should be noted that Anastasia Andry, daughter of Simon and Jane Andry, and Clara, daughter of Anastasia, also developed relationships with white men, just as Jane had done. The alliance of Anastasia Andry and Simon Chastang, a

²⁵Deed Record Book A, p. 95, Washington County Courthouse. Perhaps it should be noted that at least one of Andry's children, Lucy, assumed his first name as her surname. Other nonwhites in Mobile County used their fathers' first name as their surname, a custom also followed at times by the French.

²⁶Deed Book I & J, pp. 336-37, Mobile County Records, Mobile County Courthouse. Unless noted otherwise all references to deed books will be from Mobile County Records, Mobile County Courthouse, Mobile, Alabama. See also Deed Book E, pp. 92, 231, 234-35.

²⁷For examples of slave baptisms see Baptisma Nigrorum, 1806-1828, entry 332, April 7, 1817, and entry 348, October 10, 1817. The slave marriage is from Marriage Register for Black People, April 8, 1830 to December 19, 1860, entry 10, July 21, 1833, MCA, PIC.

descendant of Joseph Chastang, produced at least five children, possibly a sixth, who were all baptized into the Catholic faith. Chastang publicly acknowledged paternity of his children.²⁸ Clara, who was born in 1819, was the concubine of William Dupree. They had four children, all baptized by Fr. Gabriel Chalon on the same day in August 1850.²⁹ The 1850 federal census lists Clara's children with the surname Chastang, yet in the 1860 census they were identified as Duprees. Although he was the father of these four children, Dupree lived in his own household next to Clara's dwelling.³⁰

²⁸Baptisma Nigrorum, 1806-1828, entry 519, January 30, 1823; *ibid.*, entry 330, March 24, 1825; *ibid.*, entry 412, March 23, 1827; *ibid.*, entry 345, September 14, 1817; *ibid.*, entry 417, April 11, 1819; and see Baptisms Register of the Church of Mobile for Coloured People, March 30, 1828 to July 30, 1855, entry 383, December 23, 1836, MCA, PIC. Hereinafter cited as BRC.

²⁹Register of Baptisms for Colored People, August 19, 1855, to June 13, 1863, entries 1370-1373, all dated August 27, 1850, MCA, PIC. The tardy baptisms of these children suggest that Catholicism did not play a strong role in their lives. This source will be hereinafter cited as RBC.

³⁰Seventh Census of the United States, 1850, Population Schedule, Mobile County, p. 479, Dwelling 538, Household 538; Eighth Census of the United States, 1860, Population Schedule, Mobile County, Northern Division, p. 9, Dwelling 71, Household 71. Dupree was located at dwelling 72 and household 72. Perhaps it should be noted that in 1860 the assessed value of Clara's real estate was \$2,000 and her personal estate \$500, yet Dupree had no real property and only \$150 worth of personal property. Unless noted otherwise all references to the federal census will be from Mobile County. See also Dupree v. The State, 33 Ala. 380, January 1859.

Another major family of north Mobile County that had ties to the Chastangs and Andrys was the Dubroca family consisting of three brothers, Maximilian, Hugh, and Hilaire. Each of these white Dubrocas, like Dr. John Chastang and Simon Andry, had long-term relationships with Negro women, two of whom were free women of color. Hilaire Dubroca, a planter of Mobile County, lived with the free mulatto Isabelle Chastang, daughter of Dr. John Chastang and Louison. The alliance between Hugh Dubroca and Mimie, his slave, which produced several children, fits the stereotype of the white master who freed his slave offspring. Maximilian formed a relationship with Euphrosine Andry, daughter of Simon Andry and Jane. The white Dubroca brothers generally provided the economic means, particularly through gifts of land and slaves, by which their free nonwhite families would have a basis from which to expand financially.

Hilaire Dubroca's association with Isabelle Chastang began approximately in 1809, or about one year before the birth of their first child. Baptismal records indicate that Bazile was born in 1809, Louisa in 1812, Irene in 1814, Arsene in 1815, and Josephine in 1817.³¹ Apparently another child, Virginia, was also born to Hilaire and Isabelle in

³¹Baptisma Nigrorum, 1806-1828, entry 91, April 23, 1810 (Bazile); *ibid.*, entry 157, September 30, 1812 (Louisa); *ibid.*, entry 238, September 14, 1814 (Irene); *ibid.*, entry 289, February 13, 1816 (Arsene); and *ibid.*, entry 362, March 11, 1818 (Josephine).

1823.³² In all but one of these baptisms both Hilaire and Isabelle were identified as the parents. At Louisa's baptism, the priest noted that the father was unknown, yet the priest also recorded that Hilaire had previously baptized her by necessity, believing that she was going to die before the Catholic priest could baptize her. In his will, Hilaire acknowledged paternity of his mulatto children, including Louisa, whose age as stated by her father corresponds to the date recorded in the baptismal register. Irene apparently died as a young child; she is not mentioned in her father's will.³³

In April 1821, Hilaire Dubroca executed his last will. He requested that after his executors paid his debts from the proceeds of the sale of cattle, the rest of his estate was to be given to his mulatto family. Dubroca legally acknowledged paternity of his five living children and stated that Isabelle had lived with him "for many years." He left them his livestock, which consisted of hogs and horses, and his household furniture. No mention was made of his real estate, but four months later he executed a deed of gift in behalf of his family.³⁴

³²Ibid., entry 277, September 8, 1823.

³³Will Book 1, pp. 115-17.

³⁴Ibid.; Deed Book Y, pp.14-15. Dubroca gave them extensive real estate in Mobile and Baldwin Counties, as well as five slaves.

Unlike his brother Hilaire, Hugh Dubroca chose a slave for his concubine. When he executed deeds of manumission for his children and their slave mother Mimie, he lived in the Mobile area, but he died before the Spanish commandant approved and recorded the deeds. Hugh's brother, Maximilian, petitioned the Alabama legislature to confirm the manumissions; and in January 1826, the state legislature declared that the deeds were "valid and good in law" provided they be recorded in Mobile within three months after the approval of the act.³⁵ In March 1826, the deeds were recorded in Mobile County. Hugh Dubroca partially explained why he decided to free his slaves with the customary rendering of good services and "other circumstances which are of interest to me." He probably meant, although he did not acknowledge it, that they were his children, and he wanted them to be legally manumitted, even though they undoubtedly already lived as free.³⁶

³⁵Acts Passed at the Seventh Annual Session of the General Assembly of the State of Alabama Begun and Held in the Town of Cahawba, on the Third Monday in November, One Thousand Eight Hundred and Twenty-five (Cahawba: William B. Allen, 1826), p. 77.

³⁶Miscellaneous Book A, pp. 285-86, Mobile County Records, Mobile County Courthouse. Hereinafter all references to Miscellaneous Books will be from Mobile County.

Maximilian Dubroca also maintained a stable relationship with a Negro woman, Euphrosine Andry. Euphrosine was almost sixteen years old in 1803 when she gave birth to the first of her six children by Maximilian. Josephine was born in 1803, Clara in 1805, Maximilian in 1808, Nesin in 1810, Sylvester in 1814, and Felicia in 1816. A Catholic priest baptized each child, and Dubroca publicly acknowledged paternity of his children of color. Hilaire Dubroca served as godfather to the oldest child, indicating strong family ties among the Dubrocas. In several other instances, Euphrosine's brothers and sisters were godparents to her children, suggesting that Maximilian accepted them into his family circle and that the society that existed among the free Creoles of color was a close-knit one.³⁷

In April 1827, Maximilian Dubroca executed his last will. He, like other white fathers of mixed children, provided his family with the means to achieve economic security. "I give . . . unto Euphrosine Andry the mulatto woman who has hitherto lived with me and who is the mother of my children," proclaimed Dubroca, five hundred dollars in personal property and "the use and enjoyment of all my real estate for and during her natural life." The rest of his

³⁷Baptisma Nigrorum, 1781-1805, entry 516, January 15, 1804 (Josephine); Baptisma Nigrorum, 1806-1828, entry 9, February 13, 1806 (Clara); *ibid.*, entry 68, November 28, 1808 (Maximilian); *ibid.*, entry 116, April 15, 1811 (Nesin); *ibid.*, entry 216, March 28, 1814 (Sylvester); *ibid.*, entry 320, December 16, 1816 (Felicia).

property he bequeathed to his children.³⁸ Maximilian Dubroca chose his mulatto son-in-law, Lawrence Broux, to serve as one of the executors of the estate as well as guardian of his minor children, but the Orphans Court initially rejected Broux since he was a free man of color. After an appeal from Broux, the court reversed its decision and authorized him to serve as an executor.³⁹ An inventory of Dubroca's estate included eleven slaves appraised at \$3,675, eighty head of cattle valued at \$400, and other farm animals and items worth about \$190.⁴⁰

Another major free Negro family that had its origins in the colonial era and that had ties to the white community became known as the Collins. Charles Parent manumitted Julia Villars with the customary explanation of "faithful service and other good causes."⁴¹ Villars, whose name also

³⁸Will Book 1, pp. 131-32.

³⁹Orphans Court Minutes, Book 1, pp. 258, 282. It is assumed that the objection to Broux was as executor of a white man's estate.

⁴⁰Inventory of Maximilian Dubroca, Loose Paper File Collection, Number 94, Mobile County Records, Probate Office, Mobile County Courthouse. Hereinafter all references to Loose Paper File Collection with a file number are from Mobile County Records, Probate Office, Mobile County Courthouse. The eleven slaves which were inventoried accounted for 86 percent of the value of his personal property. A month after Maximilian Dubroca drew up his will, Euphrosine also executed her will, which was filed in September 1829. She left all her property to her five children. See Will Book 1, pp. 164-65.

⁴¹Quoted in James Benson Sellers, Slavery in Alabama (Tuscaloosa: University of Alabama Press, 1950), p. 10.

appears in some records as Parent, "was to receive all cattle marked IVi in his herd and all of her clothing."⁴² Earlier she had had at least two children, Honore and Augustin, apparently by a man named Collins. The marriage record for Augustin, who married Margaret Chastang, mulatto daughter of Dr. John Chastang, indicated that he was the illegitimate son of a man with the surname of Collins.⁴³

Honore Collins formed a relationship with a slave named Rosette, a mulatto with whom he lived in concubinage since no legal marriage could take place between a free man and a slave. In February 1818, the Legislative Council and House of Representatives of the Alabama Territory authorized Collins to manumit Rosette. They had several children,

⁴²Sellers, Slavery in Alabama, p. 10. Evidently Sellers misread the manuscript entry; these cattle would be marked JV for Julia Villars.

⁴³Marriage Records, Book 1, 1726-1832, p. 72a. Villars owned land and slaves who were baptized into the Catholic faith. For her real property see Works Progress Administration, Interesting Transcripts of the British, French, and Spanish Records of the City and District of Mobile, State [of] Alabama found in Probate Court in two volumes in the city of Mobile, 1715 to 1812. vol. 1. With Index. Prepared from Original data by the Municipal and Court Records Project of the Works Progress Administration, 1937. The original two volumes are kept in the Mobile County Courthouse, Probate Office. The transcripts are located at the City of Mobile Municipal Archives, Mobile, Alabama. This source will be hereinafter cited as Translated Records. For her slaves' baptisms, see, for example, Baptisma Nigrorum, 1806-1828, entry 1, Jan. 5, 1806; *ibid.*, entry 31, December 26, 1806.

including a son named Faustin. Honore also had another son, Maximilian, by a previous alliance.⁴⁴

Honore Collins was apparently economically secure. In 1796, for example, he purchased from a white woman a lot, bounded on one side by Joseph Chastang's property, in the town of Mobile cornering on Conception and Government Streets.⁴⁵ (Collins apparently had at least one other white neighbor as is suggested by a later deed.)⁴⁶ Collins, like other free Negroes in colonial Mobile, owned a number of slaves. Baptismal records indicate that about seven of his slaves gave birth to about nineteen children from 1806 through 1823, suggesting also that Collins was a conscientious Catholic who was concerned about the religious welfare of his slaves.⁴⁷

⁴⁴Acts Passed at The First Session of The First General Assembly of The Alabama Territory in [the] Forty Second Year of American Independence (St. Stephens: Thomas Eastin, 1818), pp. 57-58.

⁴⁵Translated Records, p. 143.

⁴⁶*Ibid.*, p. 152. It was common in this era for neighborhoods to be integrated.

⁴⁷See, for example, *Baptisma Nigrorum*, 1806-1828, entry 5, February 4, 1806; *ibid.*, entry 224, April 17, 1814; and *ibid.*, entry 372, May 3, 1818. Honore Collins was also a godparent to at least twelve slaves belonging to white owners of the Mobile area. In 1803, for example, he, along with a free woman of color, served as godparents to a slave of John Baptist Trenier, a white resident of Mobile. See *Baptisma Nigrorum*, 1781-1805, entry 498, April 10, 1803. See also, for example, *ibid.*, entry 85, March 13, 1810.

In 1819, Honore Collins executed his last will and testament. He left his house and furniture "to the mulatto woman Rosette who has lived with me as wife--and who is the mother of my children. . . ." His son Maximilian, who according to Collins was commonly called Jacques, was "not the issue of Rosette but is my son--and is to enjoy my property equally with the rest of my children." Collins also urged his children to purchase and manumit his daughter, a slave "of Mr. Armand in New Orleans," whom Collins fathered in a previous relationship.⁴⁸

Honore Collins's son, Maximilian, was apparently the famed "Yellow Jack" known to early Mobilians. Honore mentioned in his will that he had a son named Maximilian, who was called Jacques, but Honore did not state who the mother was. Maximilian's mother most likely was a slave of the Baudin family which lived on Mon Louis Island in Mobile County. According to tradition Maximilian had been a "slave of the Baudin family and in their service lived at times in Baldwin County, at others in Mobile town, and again, at times on Mon Louis, at his master's habitation." Louis Baudin made provisions that upon his death his slave Maximilian was to be set free. United States army officers, "who had their quarters" on Maximilian's farm on Mon Louis Island during the War of 1812, bestowed upon him the name "Yellow Jack." It has also been reported that Collins

⁴⁸Will Book 1, pp. 76-77.

"settled on Mon Louis and bought the undivided share of one of the eight children and heirs of Louis Baudin."⁴⁹

Maximilian apparently purchased a slave woman, Hortense Bernody, who became his common-law wife. On the last day of 1841 the Alabama state legislature declared Hortense, her two children and five of her grandchildren to be free "and their emancipation is hereby confirmed." They were not required to leave the state provided that Maximilian Collins post \$3,000 bond, which he executed.⁵⁰ Since Hortense was not legally freed until 1841, all her children who were born before then were slaves. Hortense, however, probably lived as a free person, and at least two Catholic priests assumed that she was a free mulatto.⁵¹ When they recorded the

⁴⁹Undated newspaper article titled "Mon Louis Island," Vertical File Collection, Historic Mobile Preservation Society Archives. The article appears to be dated sometime in the 1880s. This repository is hereinafter cited as HMPSA. See also Francois Ludgere Diard, The Tree: Being the Strange Case of Charles R. S. Boyington (Mobile: Gill Printing and Stationary Company, 1949), p. 96; George Fremault, "Origin of Settlement on Mon Luis Island Barely Revealed by Misty Legends," undated newspaper article, Mobile Press Register, HMPSA. Apparently the article appeared in 1946. See also "Mon Luis Island Home of Famed Yellow Jack", Mobile Press Register, November 14-15, 1979. According to an inventory of Maximilian Collins's estate, he owned 1,600 acres on Mon Louis Island in 1870 and at least three lots in the city of Mobile. See Estate of Maximilian Collins, Loose Paper File Collection, Number 68.

⁵⁰Acts Passed at the Annual Session of the General Assembly of the State of Alabama Begun and Held in the City of Tuscaloosa, on the First Monday in November, 1841 (Tuscaloosa: Hale and Phelan, 1841), p. 157; Miscellaneous Book D, pp. 355-56.

⁵¹Baptisma Nigrorum, 1806-1828, entry 313, August 5, 1816 and entry 329, March 13, 1825.

baptisms of two of her children, these priests identified them as free mulattoes, although legally they were slaves.⁵² This meant that all her children by Collins, as well as their descendants, would have been born as slaves. No evidence has been found to suggest that Maximilian and Hortense ever took legal action to free their own children. Perhaps this was an oversight on Maximilian's part, or perhaps since they lived in the county and on Mon Louis Island, he believed that the security of his family was not in jeopardy. Possibly this also illustrates the liberal attitude of Mobile authorities toward the colored Creoles of Mobile.

Julia Villar's other son, Augustin Collins, unlike his brother Honore, married a free woman of color. In late August 1788, Father Miguel Lamport married Collins and Margaret Chastang, daughter of Dr. Chastang and Louison.⁵³ A child named Celeste, born of this marriage, was baptized in 1789 by Father Lamport. As best can be determined there were nine other children born to Augustin and Margaret, at least eight of whom were baptized into the Catholic faith.

⁵²Ibid., entry 329, March 13, 1825 and entry 499, February 18, 1822. See also the obituary of Hortense Collins, undated newspaper article, Vertical File Collection, HMP SA. The date of the newspaper is a few days after September 5, 1875, the date given for her death. Data in the obituary conflict with the original sources. Many of her children by Collins were baptized; see Baptisma Nigrorum, 1806-1828, and BRC.

⁵³Marriage Records, Book 1, 1726-1832, August 31, 1788, p. 72a.

Two of the children, Isabella and Polite, would later develop relationships with white men.⁵⁴

The exact date of Augustin Collins's death is unknown, but it was apparently some time in 1816. He left behind an extensive estate, the proceeds from which maintained his family for several years after his death. According to the plaintiff in a case against his heirs, Augustin's "children were in fact supported and maintained out of the said property so left, and that the debts of said estate were paid out of it, and that portions of it were sold from time to time" by Augustin's wife, Margaret, "for the purpose of maintaining" his children. The plaintiff declared that "this state of things continued until in or about the year 1823" when the children became of age and the estate was divided among the heirs. His daughter testified that he "died possessed of a good deal of property entirely adequate to the support of his family." In addition to selling property, Mrs. Collins relied upon the proceeds from the sale of milk, meat from the large stock of cattle, and wood. Augustin's estate included ten slaves and several lots in

⁵⁴Baptisma Nigrorum, 1781-1805, entry 254, December 15, 1793; *ibid.*, entry 331, October 15, 1796; *ibid.*, entry 388, May 12, 1799; *ibid.*, entry 436, April 7, 1801; and *ibid.*, entry 508, September 6, 1803; Baptisma Nigrorum, 1806-1828, entry 23, June 8, 1806; *ibid.*, entry 64, January 16, 1809; and *ibid.*, entry 150, June 14, 1812.

the city of Mobile, one of which was located on the public square.⁵⁵

The two of Augustin's daughters who formed alliances with white men were Isabelle and Polite. Isabelle Collins had at least four children, two of whom were fathered by a white man, Sidoine Chastang, a descendant of Joseph Chastang. Chastang acknowledged paternity when his children were baptized. The older son, Augustin, was born and baptized in 1818. The other son, Sidoine, a "free quarteroon" named after his father, was born a year later.⁵⁶

Polite Collins's union with Roswell Swan, a white riverboat pilot, began as early as 1839.⁵⁷ During that

⁵⁵Martin Durand v. Polite Collins, et al., Chancery Court Case 1030, Loose Paper File Collection, University of South Alabama Archives, Mobile, Alabama. This repository will be hereinafter cited as USAA. For examples of Collins's property holdings see United States Land Records, Ledger 13, Land Grants from England, Ireland, France, and Spain to Residents of Mobile, West Florida, and Mississippi Territory, p. 153. This source will be hereinafter cited as Ledger 13. William Stanley Hoole Special Collections Library, University of Alabama, Tuscaloosa, Alabama. Hereinafter cited as HSC. See also Translated Records, pp. 113-14, 262.

⁵⁶Baptisma Nigrorum, 1806-1828, entry 377, July 28, 1818; *ibid.*, entry 441, February 23, 1820. Polite also appears in the sources as Polly.

⁵⁷It is possible that the couple had a child in 1838. See BRC, entry 460, March 30, 1838. John, a son of Polite Collins, was born and baptized in 1838, but the father was not identified. The 1850 federal census lists a John Collins in Polite's household; but the 1860 federal census lists a John McCluskey, who could possibly be the same person as the John Collins on the 1850 census. See Seventh Census, 1850, Population Schedule, City of Mobile, p. 344, Dwelling 1078, Household 1105; and Eighth Census, 1860,

year, Collins nursed and attended Swan, who had fallen victim to the yellow fever epidemic which killed "as many as seven hundred people."⁵⁸ As a token of his appreciation for Collins's help during his illness, Swan, in 1841, "sold" her a female slave, aged about thirty-three, for one dollar. He stipulated that Collins was to have the slave upon the trust that the children of Collins were to have the use and profit of the slave and her future increase until the youngest of Collins's children reached eighteen. At that time the slave and her children were to be sold and the proceeds divided equally among Collins's children.⁵⁹ In 1839, Swan purchased a lot from Collins on Conception Street between St. Louis and St. Michael Streets bounded on one side by a lot belonging to another free person of color, Sylvester Andry.⁶⁰ The alliance between Swan and Collins produced several children. In 1842, for example, Father P. R. Hackett certified that he "supplied the ceremonies of baptism on Elmira Isabela . . . born on the 23d of September

Population Schedule, City of Mobile, Ward 6, p. 126, Dwelling 1117, Household 1152.

⁵⁸Harriet E. Amos, Cotton City: Urban Development in Antebellum Mobile (Tuscaloosa: The University of Alabama Press, 1985), p. 124.

⁵⁹Deed Book 2, old series, p. 436.

⁶⁰Deed Book Y, p. 518.

1841, illegitimate child of Roswell Swan and Polly Collins, a free coloured woman."⁶¹

Other white men who were progenitors of free Negro families can be traced through documents providing economic support for those families. Geanty Mejat, a merchant of Mobile and Pensacola, who had family ties in France, legally acknowledged that he was not married but that he had two sons by a free woman of color named Nannette Pouche. In his 1827 will, Mejat left two lots in Mobile for his father who lived in Bourdeaux, France, but he also showed concern for Nannette's security. "In consideration of the constant attendance and unequivocal proofs of attachment" that Mejat had received from Pouche, he bequeathed to her a lot "and the edifices erected" on it. This was the house in which Mejat lived when he was in Mobile. In addition to the house, he gave her furniture and jewels; after the estate was settled, Pouche also was to receive five hundred dollars. Mejat further requested that Pouche be the guardian of their two children "under the inspection of my good friend Batiste Serra to whom I recommend the interest and the moral education of my said children." Serra was already godfather to the younger son. Mejat probably realized that should his children ever require assistance, legal or otherwise, it was better for them to be under the

⁶¹BRC, entry 724, June 28, 1842. See also *ibid.*, entry 991, May 1, 1846, and entry 1176, September 9, 1848.

watchful care of a white man of good standing in the community. Both of Mejat's mulatto children had been baptized as Catholics, and in both instances Mejat had acknowledged paternity.⁶²

Mejat also bequeathed property to three of Nannette's other relatives. He gave to two of her children by a previous relationship a lot and buildings at Choctaw's Point. "As a reward for his good conduct," Mejat gave Nannette's brother two lots of ground.⁶³

Mejat's generosity did not stop with his free nonwhite family. To Batiste Serra, Mejat's "best friend partner in business, always devoted to me in affection I give . . . the half lot and the house thereon adjoining the houses which he occupies." He also gave him money due from various business transactions in Mobile and Pensacola. Serra, like Mejat, had children with a free woman of color. Mejat gave Serra's mulatto children a portion of a lot opposite the race ground and the buildings thereon situated "so that they remember me when I shall be no more." Mejat's benevolence may have been engendered by his desire to have Serra watch over his mulatto family.⁶⁴

⁶²Will Book 1, pp. 133-37; Baptisma Nigrorum, 1806-1828, entry 516, January 27, 1823; BRC, entry 42, April 26, 1829. The younger son was not baptized until he was two or three years old.

⁶³Will Book 1, p. 135.

⁶⁴Ibid., p. 135-36.

William Mitchell was another white man of Mobile County who had free nonwhite offspring, but he did not typify the relations between white men and Negro women in that he had children with at least three different women, two of whom were nonwhite. In antebellum Mobile County it was unusual for a white man to make public his involvement with more than one Negro woman. Mitchell's public acknowledgment of his alliance with several women, white and Negro, was unusual. Evidence suggests that white males generally had long-term commitments with free Negro women. In his will Mitchell carefully detailed how his estate was to be divided, and in the doing he made clear his multiple relationships.

He willed to "the free negro woman Margarett sometimes called Rosette," who was "now living at my house in the city of Mobile," two female slaves. Her daughter, Marguerite, whom Mitchell recognized as his child, was to acquire these slaves if she died. However, if Marguerite died first, then they were to go to "her brother the mulattoe boy named Auguste (though he is commonly called Jim)," whom Mitchell also acknowledged to be his son. In addition, Mitchell bequeathed a female slave to Auguste in his own right.⁶⁵ Margarett received the house and lot where Mitchell lived in the town of Mobile, a property located opposite the lot

⁶⁵Will Book 1, pp. 96-102. In the will, Margarett is sometimes rendered Margueritte.

of Honore Collins, a free man of color. Furthermore, she obtained Mitchell's household furniture "whether the same be in the house in Mobile or at the plantation or elsewhere," another slave, half the crops "either growing or gathered," plus all the hogs on Mitchell's plantation.⁶⁶

Mitchell left the rest of his estate to his other free Negro family and to his white daughter. The balance of his property, which included an unknown number of slaves, horses, and cattle, was left to his mulatto son Zeno, "a shoe maker by trade" who lived in Mobile. Zeno was to share this portion of the estate with Mitchell's other mulatto daughter (also named Marguerite) who lived in New Orleans, and a daughter who was white.⁶⁷

Mitchell's will included a provision for the manumission of his slave Philip. "It is my will and desire that my negroe slave Philip be free at the time of my decease if permitted by law," he wrote, "but if not then I give and bequeath him to his mother the free negroe woman Margueritte hereinbefore mentioned."⁶⁸ Apparently Philip was not Mitchell's son, since Mitchell did acknowledge the paternity of his other children but not of Philip. Although Mitchell stated that Philip's mother was a free Negro, she

⁶⁶Ibid.

⁶⁷Ibid.

⁶⁸Ibid.

apparently had been a slave when she had Philip. Mitchell's desire to free Philip was fulfilled in 1827 when the Alabama legislature emancipated both the mulatto Margarette Mitchell, formerly the property of William Mitchell of Mobile County, and her son Philip. It appears that Margarette lived as a free person before 1827, and the community recognized her as free although legally she was still a slave. It was not uncommon in Mobile for Negroes who were legally slaves to live on their own as free people.⁶⁹

Incidences of interracial alliances involving white women were more prevalent in Anglo Alabama than in the Latin society of the Mobile area. Gary B. Mills found "that of the 83 open and stable" interracial alliances in Anglo Alabama, "51 percent involved white women."⁷⁰ In the Mobile area few instances involving white women and Negro male unions have been discovered. In 1849, for example, a woman named Malinda was residing with a Baldwin County widow. Malinda wanted to move with her family to Mobile, but she had to establish her right to do so. She had been brought to Baldwin County by Lewis Judson about 1818 when she was still a young child. While in Baldwin County she had

⁶⁹Acts Passed at the Eight Annual Session of the General Assembly of the State of Alabama Begun and Held in the Town of Tuscaloosa on the Third Monday in November, One Thousand Eight Hundred and Twenty-six (Tuscaloosa: Grantland and Robinson, 1827), p. 106.

⁷⁰Mills, "Miscegenation and the Free Negro," pp. 21-22.

married a slave and reared eight children. According to the widow, Malinda had been given to her "as the child of a free white woman and . . . the circumstances of her . . . birth was concealed from the public." The widow was "fully satisfied of the fact that she is free and entitled to all the privileges of free colored persons." Judson, who was "familiar with the circumstances of her birth," informed the widow "that she was the offspring of a white woman, . . . [and] has always been regarded by me and my family as free, neither myself nor any of my family have ever claimed her as a slave." Unlike interracial unions in which white fathers publicly acknowledged paternity, Malinda's mother apparently wanted to conceal her identity.⁷¹

In another case Sarah, an apparent free woman of color, sued a white woman who claimed her as a slave. Sarah had been born in Georgia in 1834, and a witness who testified on Sarah's behalf reported that her mother was "reputed to be free in the neighborhood where she lived." The witness added that he was "bound to believe she [Sarah's mother] is a free woman. In the neighborhood where she lived in Georgia, it was generally reputed, and believed, that she was the daughter of a white woman, by a black man." If

⁷¹Miscellaneous Book E, pp. 377-78. See also Mills, "Miscegenation and the Free Negro," pp. 21-23.

Sarah's mother was free, then Sarah would have been a free person.⁷²

Generally, white fathers with free Negro families, particularly those that have been traced to the colonial period, left behind for them more than their estates. To be sure, their real and personal property was an important legacy. Perhaps equally important, besides being concerned about their families' economic future, they also were devoted to a strong family life and the spiritual well-being of their free Negro families. Most of the white fathers with mixed families were single men who were legally prohibited from marrying women of their choice, rather than libidinous whites who broke marriage vows to raise illicit families. The offspring of these mixed relationships would later develop and maintain strong ties to their own families and to the Catholic faith. During the colonial era and even during the early years of statehood, free mulattoes and the interracial alliances which produced them were tolerated. During the antebellum years, miscegenation continued to account for the growth of the free Negro class, though perhaps on a more limited scale. Mobile society also

⁷²Circuit Court, Final Record, 1852-56, Cases 27150--28468, Sarah vs. Louisa Huggins, Circuit Court Case 27493, pp. 246-49, Mobile County Records, USAA. Unless noted otherwise all chancery, circuit, and city court cases will be from Mobile County Records, University of South Alabama Archives.

tolerated slaveowners who manumitted some of their slaves,
thus adding to the free Negro population.