

# New Orleans' Creoles of Color: Shattered Dreams and Broken Promises

*by Karen Battle*

There is no state in the Union, hardly any spot of like size on the globe, where the man of color has lived so intensely, made so much progress, been of such historical importance and yet about whom so comparatively little is known. His history is like the Mardi Gras of the city of New Orleans, beautiful and mysterious and wonderful, but with a serious thought underlying it all. May it be better known to the world someday.

-- Alice Dunbar-Nelson <1>

As early as 1815, with promises of compensation from General Andrew Jackson for participation in the Battle of New Orleans, the free Black population of New Orleans patiently awaited the fulfillment of their strong desire for equality with Whites. Dubbed "free persons" or "Creoles" of color, the group remained -- for nearly two centuries -- in the difficult "center" position in New Orleans society:

They shared neither the privileges of the master class nor the degradation of the slave. They stood between -- or rather apart -- sharing the cultivated tastes of the upper caste and the painful humiliation attached to the race of the enslaved. <2>

But with slaveholders and well-established property owners among the class, many identified their interests with those of the governing White society. What resulted was the separation of the educated and propertied free Blacks from the majority of their race with whom they shared a common legal status. <3>

As the years dragged on and the size and wealth of New Orleans' free Black population continued to grow, strong dissatisfaction with the Creole example of uplift, and opportunity to those still enslaved began to emerge in the White community. In an address to the Louisiana Legislature in 1857, Governor Robert C. Wicliffe proposed a somewhat unrealistic solution to the free Black "problem":

Public policy dictates that immediate steps be taken at this time to move all free negroes now in the State when such removal can be affected without violation of the law. Their example and association have a most pernicious affect (sic] upon our slave population. <4>

In January of 1860 a group of about 100 free Blacks from surrounding rural parishes, who felt that conditions could only worsen, left for Haiti from the port of New Orleans. Free Black New Orleanians, however, failed to see any reasoning in such an action. Possessing a combined estimated value of about \$20 million of the city's wealth, the Creoles of color decided to stick it out and prepare themselves for the long and arduous struggle for what they felt was theirs by right of birth. <5>

With the onset of the Civil War in 1861, many Blacks -- free and runaway slaves -- offered their services to the Union army in hopes of obtaining official recognition of their rights as citizens. <6> While they were fighting in the ranks of Union General Benjamin Butler, and later General Nathaniel Banks, a group of wealthy Creoles joined the political ranks of the Republican party where they increasingly expressed their demands for enfranchisement.

Their grievances climaxed in a meeting of Creoles at Economy Hall on November 5, 1863. Francois Boisdore, the son of a wealthy free Black family, proclaimed, "When our fathers fought in 1815 they were told that they would be compensated. . . . We have waited long enough. . . . If we cannot succeed with the authorities here we will. . . go to President Lincoln." Captain P. B. S. Pinchback -- later lieutenant governor during Reconstruction -- argued that if Blacks were citizens, they should be allowed to vote; if they were not citizens, then they should not be subject to military draft. Pinchback stated that "they did not ask for social equality, and did not expect it; but they demanded political rights -- they wanted to be men." <7>

During this assembly the Creoles decided to address a resolution to Brigadier General George F. Shepley, military governor of Louisiana, asking permission to register as voters, a right to which they believed they were entitled. They informed him of their backgrounds and their desire to aid in the maintenance of national unity to the extent of sacrificing their lives and their fortunes. Since the entire group owned personal property, and many held real estate and were engaged in commerce, industry, and the manual "arts," they insisted on their fitness to "enjoy the privileges and immunities belonging to the condition of citizens of the United States." Shepley was reminded of the presence in the group of descendants of those whom Andrew Jackson had called his "fellow citizens." Despite the efforts of their forefathers in the War of 1812, the class had "until the era of the present rebellion, been estranged and even repulsed, excluded from all rights, from all franchises, even the smallest." <8> Though Shepley failed to respond to the petition, the group continued their fight for political recognition.

Only a year prior to the gathering, a group of wealthy Creoles seeking a forum for their grievances founded *L'Union*, a tri-weekly, bi-lingual newspaper. <9> The paper was edited by Paul Trevigne, a historian and language instructor at the Catholic Indigent Orphan School. <10> *L'Union* is significant not only because it was the nation's first Black Republican newspaper, but because it illustrates the early theories of local free Blacks on how the abolition of slavery, universal enfranchisement, and education would serve the best interests of the entire Black population. <11> This contradicts the view that the majority of Creoles worked against the interests of slaves, and later of the freedmen.

*L'Union* had only been in existence two years before it folded from lack of support. Louis Charles Roudanez, in 1864, bought its rights and equipment, and with the help of his two brothers, established *La Tribune de la Nouvelle Orleans*. The *Tribune*, which was to become the organ of the Black Republicans for four years, declared on January 17, 1865:

We assert that the sons and grandsons of the colored men who were recognized French citizens, under the French rule, and whose rights were reserved in the treaty of cession -- taken away from them since 1803 -- are not savages and uncivilized inhabitants of the wild swamps of Louisiana. We contend that the freedmen who proved intelligent enough to shed their blood in defense of freedom and the National Flag, are competent to cast their votes into the ballot box. <12>

In March of 1864, following the election of Governor Michael Hahn -- an opponent of enfranchisement -- Jean Baptist Roudanez, a young engineer and son of Louis Charles Roudanez, and a young wine merchant named E. Arnold Bertonneau, traveled to Washington, D.C. to pursue the issue of voting rights. <13> They carried with them a petition listing more than a thousand names, "all representing both real or personal property." The basis of their demands for political recognition were the same facts which they had presented to various officials during the previous years: the services of their fathers under Jackson, their assistance to Butler and Banks during the war, their claims to ownership of property, and their loyalty to the United States. <14>

After a meeting with President Lincoln, the delegates' demands were turned down. The president stressed the urgency of restoring the Union, and that he regarded the issue of recognizing the free Blacks as enfranchised citizens a moral one in which he could not intervene. He would take such steps "whenever they could show that such accession would be necessary to the readmission of Louisiana as a State in the Union." But in a letter congratulating Hahn on his election, written shortly after the delegation's departure, Lincoln noted that the issue would more than likely reappear in the upcoming state constitutional convention. He wrote:

I barely suggest for your private consideration, whether some of the colored people may not be let in -- as, for instance, the very intelligent, and especially those who have fought gallantly in our ranks. They would probably help, in some trying time to come, to keep the jewel of liberty within the family of freedom. But this is only a suggestion, not to be public, but to you alone. <15>

Two months later, on May 10, a proviso was written into the state constitution stating "that the Legislature shall never pass any act authorizing free Negroes to vote, or to immigrate into this state under any pretense whatever." But supporters of the cause for enfranchisement were not ready to give up. They proposed a measure which would give the legislature power to grant suffrage to certain groups within the Black community: war veterans, taxpayers, and the educated. It was dubbed a "nigger resolution" by a majority of the delegates and defeated by a 53 to 23 vote. <16>

Soon after, General Banks appeared before the convention and announced that "the extension of the franchise hereafter will . . . attract the attention of the country." The resolution was resurrected and a provision passed which enabled the legislature to grant suffrage to free Blacks as follows:

The Legislature shall have power to pass laws extending suffrage to such other persons, citizens of the United States, as by military service, by taxation to support the Government, or by intellectual fitness may be deemed entitled thereto. <17>

Still another controversial issue concerning free persons of color arose in the fall of 1864. The "Quadroon bill," which had failed to pass in the constitutional convention, was introduced in the state legislature. It provided that "all persons having not more than one-fourth negro blood" would thereafter be recognized as White in Louisiana. A lengthy debate ensued and the sentiments of the majority were perhaps best expressed by J. P. Montamot of New Orleans who believed that the legislature could not "change the order of nature, by declaring that a colored man is a white man." Fears of miscegenation were expressed in the objections of another native New Orleanian, A. C. Hills, who declared that enfranchisement of quadroons would offer "a premium on prostitution" in that Black women would then seek out White men as fathers for their children. Before the bill was put to rest by a 20 to 4 vote, Charles Smith of St. Mary Parish -- the senator who introduced the bill -- expressed his "sympathy for these poor white men who are afraid of being seduced by a colored woman." <18>

With the subsidence of reaction to the "Quadroon bill" came the establishment of a local branch of the National Equal Rights League, in which the New Orleans *Tribune* was active in organizing. It was through this organization that Blacks hoped to achieve intraracial harmony. Those groups acting outside the League were chastised. <19>

A meeting was called by the League's state committee on December 27, and the principal speaker of the evening was Captain James H. Ingraham of the First Regiment, Native Guards. Ingraham stressed the necessity for "colored people of refinement and education" to act for the less fortunate of their race. <20> Ironically, Ingraham himself had been born into slavery, but had never been made to feel "the whip" or other "inhumanities" of that condition. At the age of six, he was freed by his master -- who was also his father. <21>

Ingraham called for the unification of all people of color and plans were presented for the establishment of a local office which would forward requests to the military authorities and give counsel to the people. The *Tribune* praised the idea of a coalition of the nation's entire Black population, but showed concern over Louisiana's unique situation, where strong distinctions existed within the race. One group had long shared the aspirations and education of the White population, whereas the other was only recently liberated. The *Tribune* stated that the two could not afford to separate and strongly supported the guidance which the Creole class was willing to offer the freedmen. <22>

By the time the state convention of the Republican party met in New Orleans on September 27, 1865, unity within the Black community for political purposes -- had been established. The party was under the direction of a state committee which included White Unionists and five Black men, only one of whom had been a slave. Of the 111 delegates to the convention, all but one of the twenty Black participants were free-born. <23> After

nearly two years, the struggle for citizenship rights was still under the careful guidance of the wealthy Creoles of color.

With the official beginning of Reconstruction in 1867, New Orleans' Blacks saw a surge of political activity which included two lieutenant governors in 1868: Oscar J. Dunn, who died in office, and his successor, P. B. S. Pinchback, who also served as governor for approximately one month following the impeachment of Henry Clay Warmoth. The Creoles also claimed a victory at the state Constitutional Convention of 1868 where Rodolphe Desdunes -- a prominent Black community leader writing in 1911 -- observed that they were "represented in large numbers," and

By its moderate ordinances, the Constitution exists to the praise of the Black delegates to the Assembly. The delegates did their duty as they saw it, voting for universal suffrage, for marriage between races, for civil and political rights of citizens without distinction of color or former status. In other words they expanded the structure of civil privileges for all races instead of placing restraints upon it. <24>

But many were determined to prevent Blacks from partaking in any of these "civil privileges." Only months after the victorious convention, the Knights of the White Camellia, a White supremacy group modeled after the Ku Klux Klan, set out to prevent Blacks from voting in the upcoming November presidential election. Their violent tactics proved successful, and in many districts Blacks didn't bother to vote at all. <25>

With the withdrawal of federal troops from the South in April, 1877, Reconstruction officially ended. With it went all federal mandates protecting Black citizenship rights. Democrat Francis Nicholls had been elected governor one year prior and promised to ensure the constitutional rights of Blacks. Before the end of his term, public schools, the state university system, places of business, entertainment, and all means of transportation were segregated. The Reconstruction Acts of 1867, along with the 13th, 14th and 15th Amendments and the new Louisiana state constitution, were all interpreted so as to deprive Blacks of the citizenship rights so recently given them. <26>

The position of the free-born at this time began to regress to a state lower than that of the days before the Civil War. But when in 1890 the Louisiana Legislative Code 111 was enacted, a group of prominent Creoles took immediate action with the formation of the *Comite des Citoyens*. Code 111 stipulated that all persons of African ancestry were legally and in fact *Negro*, and it ended once and for all any pretensions on the part of the former free Blacks to privileged treatment under law. <27>

The idea of the Committee was suggested by Aristide Mary, a wealthy Creole landowner who had run for governor during Reconstruction. It was composed of eighteen members, all successful Creoles of color, and proclaimed its double mission involving a legal battle and the dissemination of propaganda against the recently established Jim Crow laws. <28> With strong support from various parts of the country and several thousand dollars in contributions, the Committee set out on its mission "to protest the adoption and

enforcement of the statutes that established the unjust and humiliating discrimination against the Black race in Louisiana." <29>

With no promising results from their vocal protests, the Committee began its legal battle with the pre-planned arrest of Daniel Desdunes -- son of Rodolphe Desdunes, a founder of the committee -- for obtaining passage on a train reserved by law exclusively for Whites. The case went to trial, and the court ruled the law unconstitutional. Desdunes was acquitted and the Committee claimed a victory. <30>

The joys of victory, however, were short-lived with the failure of their next case, the famous *Plessy v. Ferguson*. Setting their sights this time on segregated public conveyances traveling within the state, the Committee engaged Homere Plessy as its representative. When the group lost its case in the state criminal court, they appealed to the United States Supreme Court, which rejected it. Rodolphe Desdunes sadly reflects on the group's final defeat years later:

Thus terminated the second legal action instituted in the name of the people against the validity of Act 111 and others. Our defeat sanctioned the odious principle of the segregation of races. <31>

### Notes

1 Alice Dunbar-Nelson, "People of Color in Louisiana," *Journal of Negro History* 2 (1917), 78.

2 Charles E. O'Neill, S. J., "Forward," *Our People and Our History* (Baton Rouge: LSU Press, 1973), p. ix.

3 Donald E. Everett, "Demands of the New Orleans Free Colored Population for Political Equality, 1862-1865," *Louisiana Historical Quarterly* (April, 1955), 43.

4 Brenda Marie Osbey, "Faubourg Treme: Community in Transition, Part II," *New Orleans Tribune* (January 1991), 13.

5 Osbey, Part 11, p. 13.

6 Everett, p. 44.

7 Everett, p. 45.

8 Everett, p. 46.

9 Virginia R. Dominguez, *White by Definition* (New Jersey, Rutgers University Press, 1986), p. 135.

- 10 John W. Blassingame, *Black New Orleans: 1860-1880* (Chicago: University of Chicago Press, 1973), p. 131.
- 11 Osbey, Part III, (August, 1991), p. 15.
- 12 Rayford W. Logan and Michael R. Winston, eds., *Dictionary of American Negro Biography* (New York: W. W. Norton & Company, 1982), p. 534.
- 13 Osbey, Part III, p. 15.
- 14 Everett, p. 50.
- 15 Everett, pp. 50-51.
- 16 Everett, pp. 52-53.
- 17 Everett, pp. 52-53.
- 18 Everett, pp. 56-58.
- 19 Everett, p.58.
- 20 Everett, p. 59.
- 21 Osbey, Part IV, (September, 1991), p. 14.
- 22 Everett, p. 59.
- 23 Everett, p. 62.
- 24 Rodolphe L. Desdunes, *Our People and Our History* (Baton Rouge, LSU Press, 1973), p. 126.
- 25 Bennett H. Wall, *Louisiana: A History* (Illinois: Forum Press, Inc., 1990), p. 200.
- 26 Osbey, Part IV, p. 15.
- 27 Osbey, Part IV, p. 15.
- 28 Desdunes, p. 141.
- 29 Desdunes, pp. 142-143.
- 30 Desdunes, p. 143.
- 31 Desdunes, p. 144.

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