

European Archives in an Era of Change

The Archival Legacy of Spanish Louisiana's Colonial Records

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About the author: Alfred E. Lemmon is Curator of Manuscripts of the Historic New Orleans Collection. For an expanded introduction see the Gallery of Contributors at the end of the issue. Abstracts in English, French, German, and Spanish follow the article.

IN 1974, ROBERT VAN PELT, United States Supreme Court Special Master, ruled in the case of the State of Texas vs. the State of Louisiana delineating the boundary between the two states.¹ In light of current world-wide political affairs, it is noteworthy that for nearly 175 years, boundary questions resulting from the Louisiana Purchase were unresolved. During the early nineteenth century, security issues between Mexico and the United States made the determination of the boundaries a high priority. During the latter part of the twentieth century, the fortunes of the petrochemical industry made the determination of the borders an economic necessity.

Throughout those years, it was recognized that the answers to the boundary questions would be found in archives. The hours spent by researchers in archival repositories testify to the importance of colonial documentation, not only as items of

antiquarian interest, but as vital records necessary for the proper functioning of former colonies centuries after independence. The importance of such records also has implications for the education and skills of archivists who must service them. Linguistic skills, experience in both diplomatics and paleography, and a knowledge of colonial administrative and archival procedures are essential tools for the interpretation of the documents. Finally, in many cases the complicated history and provenance of colonial records require international cooperation if the records are to be accessible to researchers in both the former parent countries and the ex-colonies. The history of Spanish Louisiana, the archival legacy of its colonial records, and the efforts through the centuries to protect the provenance of the records and to provide international access to them provide a case history of the continuing importance and problematic nature of colonial records.

Spanish Louisiana in Transition

Anticipating the 1763 Treaty of Paris that would end the Seven Years War (1756-

¹Plaintiff's Exhibits AAA-1 - AAA-12, Oliver Stockwell Papers, Historic New Orleans Collection. (HNOC).

1762), Bourbon France ceded Louisiana to Spain in the secret Treaty of Fontainebleau (November 1762) in gratitude for assistance rendered by the Spanish Bourbons. In doing so, France relieved itself of an economic burden. From the Spanish perspective, a Spanish Louisiana would prevent Anglo-American expansion and protect Mexico, Spain's richest colony.²

However, Spain did not rush to claim its bounty. Initial reports to Carlos III asserted that the new acquisition overextended Spanish manpower and economic capabilities in the region. The size of Louisiana was staggering. It was bounded on the south by the Gulf of Mexico and on the west by a point halfway between New Orleans and Galveston which theoretically included Oklahoma and parts of Kansas and Nebraska. The eastern boundary followed the Perdido River, while the northern boundary was thought by some to pass through present-day Terre Haute, Indiana, and by others nearer to Chicago.³ A major liability was the lack of an easy entrance to the Mississippi River from the Gulf of Mexico.⁴

Early reports stressed that evangelizing Indians, an essential goal of the Spanish empire, would be complicated since they frequented the shores of tributaries, rather than the Mississippi River itself.⁵ Furthermore, the residents of New Orleans challenged Spanish authority with a rebellion in 1768⁶ and the English were already taking advantage of the port of New Orleans.⁷

²Kimberly S. Hanger, "Personas de varias clases y colores: Free People of Color in Spanish New Orleans, 1769-1803," (Ph.D. diss., University of Florida, 1991), 13,14.

³Jean Delanglez, S.J., *The French Jesuits in Lower Louisiana (1700-1763)* (Washington, D.C.: Catholic University of America, 1935), 2,3.

⁴Reports on Cession of Louisiana to Spain by France, *Estado verídico de la Luisiana*, fol. 1, HNOC.

⁵*Estado verídico*, fol. 28.

⁶John Preston Moore, *Revolt in Louisiana, The Spanish Occupation, 1766-1770* (Baton Rouge: Louisiana State University Press, 1976).

⁷*Estado verídico*, fol. 32.

Chronology of Selected Events Affecting Spanish Louisiana Colonial Records

1762, November

France cedes Louisiana to Spain according to the secret Treaty of Fontainebleau.

1764, February

Acadian migration to Louisiana begins.

1764, October

The French Superior Council of Louisiana announces that Louisiana was ceded to Spain.

1766, March 5

Governor Antonio de Ulloa, the first Spanish governor, arrives in Louisiana.

1768, November

Citizens of New Orleans rebel against Spanish authority.

1769, April 16

Spain sends Alexander O'Reilly, a leading military figure, as governor.

1777, January 1

Bernardo de Gálvez appointed governor.

1779

Spain declares war on England as ally of the French and American colonies.

1784, June 4

Bernardo de Gálvez appointed captain general of Cuba and Louisiana and the Floridas.

1785, December

Over 1,598 Acadians arrive in Louisiana.

1787, July

Liberal immigration policy to attract Americans to Spanish Louisiana as loyal vassals of the Spanish King is unveiled.

1788, March 21

Fire destroys most of New Orleans.

1790, April 30

Control of Louisiana passes from the Ministry of the Marine to the Ministry of the Indies.

1791

Slave revolt in Saint Domingue causes immigration of whites to Louisiana.

1793, April 25

Catholic Diocese of Louisiana and the Floridas is created.

1794, December 8

Fire destroys most of New Orleans.

1795, July 17

The first bishop of Louisiana and the Floridas, Luis Peñalver y Cárdenas, arrives.

1795, October 21

Treaty of San Lorenzo (Pinckney's Treaty) gives to the United States all territory east of the Mississippi to the 31st parallel, navigation of the Mississippi River, and the right of deposit in New Orleans.

1799, September 18

Sebastián Calvo de la Puerta y O'Farrill, Marqués de Casa Calvo, appointed governor.

A tremendous monetary infusion would be needed to reap the benefits of Louisiana's principal products of indigo, cypress, tobacco, skins, and hides. Spanish attempts to populate the colony by permitting the immigration of Acadians (1764, 1785) and St. Domingue refugees (1791) actually preserved the French language.

In the secret Treaty of San Ildefonso (1800), Spain retroceded Louisiana to France. Napoleon promised Carlos IV of Spain that Louisiana would never be transferred to another party. The Spanish Crown had divested itself of an economic burden and received assurances that Louisiana would not fall into British or U.S. hands.⁸ However, on 2 May 1803 the United States secretly purchased Louisiana from France. Governance of the colony was assumed officially by France on 30 November 1803 in preparation for its transfer to the United States. On 20 December 1803 the United States took possession of Louisiana.⁹

A Transfer of Land and Archives

The meticulous records of Pierre Clément de Laussat (1756-1835), the French Colonial Prefect charged with the transfer of Louisiana from Spain to France and from France to the United States, document his concern that the integrity of archives be maintained. Laussat's journal and several volumes of memoirs were discovered in an attic at his family estate in 1929. Antoine du Pré, a descendant of Laussat, described the discovery:

Away up in the tower of our chateau at Bernadets, in a sort of round attic, lay a number of dusty canvas bags piled up

⁸Hanger, "Personas," 16.

⁹José de la Peña y Camara, Ernest J. Burrus, S.J., Charles Edwards O'Neill, S.J., María Teresa García Fernández, *Catálogo de Documentos del Archivo General de Indias, Sección V, Gobierno, Audencia de Santo Domingo sobre la Luisiana* (Madrid and New Orleans: Dirección General de Archivos y Bibliotecas and Loyola University, 1968), xiv.

high. The archival materials of Pierre Clément, baron de Laussat, lay dormant in those sacks since his death in 1835! On opening them, I felt as though I were Lord Carnarvon discovering the mummy of the Egyptian pharaoh Tutankhamen! A very pungent odor of Cayenne pepper, which Laussat had obtained from Guiana while governor there from 1819 to 1823, rose to my nostrils. All those documents so well preserved . . . had been protected against rodents and insects of every kind, which might well have destroyed them forever!¹⁰

Upon Laussat's arrival in 1803, he requested an inventory of the Spanish archives and access to all archives.¹¹ When Spanish Governor Manuel de Salcedo voiced his suspicion of Laussat's motives, Laussat reaffirmed the necessity of an inventory of all maps, plans, and records as essential for his official report on the Louisiana Transfer.¹² Eventually, Laussat was given permission to inspect the archives. According to Salcedo, and in accordance with the secret Treaty of San Ildefonso, the documents to be transferred by Spain included papers relating to boundaries, Indian affairs, and matters concerning the various military posts. Maps and plans relevant to military posts would also be included in the transfer. Other documents of a military and political nature would remain in Spanish hands and be transferred to Havana. Additional documents would remain in various archives and be delivered upon transfer of the province to France.¹³

Laussat's efforts to take possession of the archives were not initially successful. These efforts reached a crescendo during

¹⁰Pierre Clément de Laussat, *Memoirs of My Life* (Baton Rouge: Louisiana State University Press, 1977), xix.

¹¹Pierre Clément de Laussat to Manuel de Salcedo, 5 May 1803, Papers of Pierre Clément de Laussat, HNOC.

¹²Laussat to Salcedo, 6 May 1803.

¹³Salcedo to Laussat, 6 May 1803.

1800, October 1

Secret Treaty of San Ildefonso transfers Louisiana from Spain to France.

1801, July 14

Manuel Francisco de Salcedo, the last Spanish governor, is appointed.

1803, January

Pierre Clément de Laussat appointed French colonial prefect for Louisiana

1803, May 2

United States purchases Louisiana.

1803, June 6

Pierre Clément de Laussat appointed commissioner to oversee the transfer of Louisiana from Spain to France and from France to the United States.

1803, November 30

Louisiana publicly transferred from Spain to France.

1803, December 20

Louisiana transferred from France to the United States.

This chronology is based on Jack D.L. Holmes, *A Guide to Spanish Louisiana, 1762-1806* (New Orleans: Jack D.L. Holmes, 1970), and Light T. Cummins and Glen Jeansonne, *A Guide to the History of Louisiana* (Westport: Greenwood Press, 1982), Appendix 1.

the twenty days between the official recognition of France's ownership of Louisiana and Louisiana's transfer to the United States. In an official letter to Salcedo, Laussat complained that the clerk of the *Cabildo* refused to turn over the archives of New Orleans without a formal order.¹⁴ Laussat, therefore, requested Salcedo to issue such an order.¹⁵ Anxious for the transfer of all papers of a civil and criminal nature relating to territorial jurisdiction,¹⁶ Laussat argued that records of pending civil and criminal cases had to be deposited in an appropriate archive.¹⁷ At the time of their transfer, notarial, judicial, and municipal records were sealed, with the exception of those necessary for pending cases, in order to protect the authenticity of the records.¹⁸

Spanish officials ordered commandants of military posts to prepare inventories of their archives and transfer only those portions concerning the inhabitants of the district and their properties to Laussat for transfer to the Americans.¹⁹ Documents dating from 1769 to the time of the transfer were to be included.²⁰ On 15 January 1804 Laussat requested that the Spanish authorities transfer all government archives to the new American administration through his office.²¹ Accordingly, on 7 February 1804, a list of documents and registers to be transferred by Spain to France was pre-

pared. The documents transferred included edicts and declarations of the King of France, records of the Company of the Indies, and decrees and orders of the King of Spain.²²

Aware of the importance of maps and plans, Laussat personally oversaw their transfer. He received at least two other inventories of all maps and plans (on 2 and 5 March 1804)²³ which he forwarded to the United States Commissioners William C. C. Claiborne and James Wilkinson on 12 March 1804.²⁴ Laussat, recognizing Claiborne's and Wilkinson's desires for the immediate delivery of archives, records, and public papers,²⁵ requested that they designate two individuals to receive the government archives and land concession papers and that a suitable repository be designated.²⁶ Laussat contended that residents needed access to their concession papers.²⁷ The American commissioners reassured Laussat that an appropriate repository would be designated,²⁸ and asked that the archives and public records be delivered in fulfillment of the treaty between France and the United States.²⁹ In turn, Laussat as intermediary pressured Spanish officials to surrender the archives to the new government.³⁰

¹⁴The word *Cabildo* refers both to a Spanish town hall and to the governing body of a Spanish municipality.

¹⁵Pierre Clément de Laussat to Manuel de Salcedo and the Marqués de Casa Calvo, 6 December 1803, Laussat Papers.

¹⁶Decree of Pierre Clément de Laussat, 1 December 1803.

¹⁷Laussat to Salcedo and Casa Calvo, 14 December 1803.

¹⁸Decree of Pierre Clément de Laussat, 30 November 1803.

¹⁹Order of Manuel de Salcedo and the Marqués de Casa Calvo to Francisco Rivas, 31 December 1803.

²⁰Laussat to Salcedo and Casa Calvo, 31 December 1803.

²¹Laussat to Salcedo and Casa Calvo, 15 January 1804.

²²List of registers and documents transferred by Spain to France, 7 February 1804.

²³Inventory of the plans received by Pierre Clément de Laussat from the Commissioners of Spain, 2 March 1804; and Inventory of maps and plans received by Pierre Clément de Laussat from the Marqués de Casa Calvo, 5 March 1804.

²⁴Inventory of the maps and plans received by William C. C. Claiborne and James Wilkinson, Commissioners of the United States, New Orleans, from Pierre Clément de Laussat, 12 March 1804.

²⁵Claiborne and Wilkinson to Laussat, 16 January 1804.

²⁶Laussat to Claiborne and Wilkinson, 21 January 1804.

²⁷Laussat to Claiborne and Wilkinson, 25 January 1804.

²⁸Claiborne and Wilkinson to Laussat, 23 January 1804.

²⁹Claiborne and Wilkinson to Laussat, 17 February 1804.

³⁰Laussat to Salcedo and Casa Calvo, 19 February 1804.

Finally, the records were delivered to Claiborne and Wilkinson, and an appropriate inventory was created that listed government edicts, registers, notebooks, titles, and papers concerning land concessions and other documents of Louisiana's French and Spanish periods.³¹

Because of the abundance of land, there was little concern for secure land titles. Record keeping reflected the oral permission given to reside on a tract of land. The passage of time, major fires in New Orleans, and the removal of invaluable records by the Spaniards made it difficult for the American government to confirm French and Spanish land concessions. Indeed, some claims were not settled until 1897.³²

Further Complications of Spanish Louisiana Documentation

After Louisiana was ceded to Spain by France in 1762, it enjoyed a special status. French laws and institutions continued, supplemented by directives from Spain. As Louisiana became more fully incorporated into the Spanish empire, it was governed by the King, through the Minister of the Indies and the Council of the Indies. It was headed by a governor, who was subordinate to the captain general in Havana and the viceroy of New Spain in Mexico City.

Until the 1768 rebellion, Louisiana was treated like Florida. Both were under the direct control of the Council of the Indies, but were regarded for purposes of the archives as subject to Santo Domingo. In 1768, Louisiana was placed under the control of the captain general of Havana. Important judicial matters concerning Louisiana

were appealed to the *audiencia* in Santo Domingo, which until 1795, had jurisdiction over the Spanish islands in the West Indies, Cuba, and Venezuela.³³ In 1795, the eastern half of the island of Hispaniola was ceded to the French, and the *audiencia* moved to Havana. Due to the administrative reforms of Bourbon Spain and international affairs of the time, the chain of authority and responsibilities in the colonies underwent many changes during a relatively brief period of thirty-five years.

Two factors compound the complexity of provenance for Spanish Louisiana's archives. First, Florida and Louisiana had differing relations with Spain, but their records were often grouped together in Spanish archives.³⁴ Second, Louisiana, unlike other Spanish colonies, gave up even the copies of documents which were normally preserved at the source of issuance.³⁵ Given the size and complexity of the Spanish realm and its centralized and bureaucratic character, an enormous number of documents were produced. Multiple copies of documents were made and sent separately to assure the arrival of at least one. The Spanish practice of divided and overlapping authorities—a system of checks and balances—resulted in the lack of a single national archive.

Louisiana Documentation in Spain

Three archives contain the bulk of official documentation on Spanish Louisiana. They are the Archivo General de Simancas (AGS) in northwestern Spain, the Archivo Histórico Nacional (AHN) in Madrid, and the Archivo General de Indias (AGI) in Se-

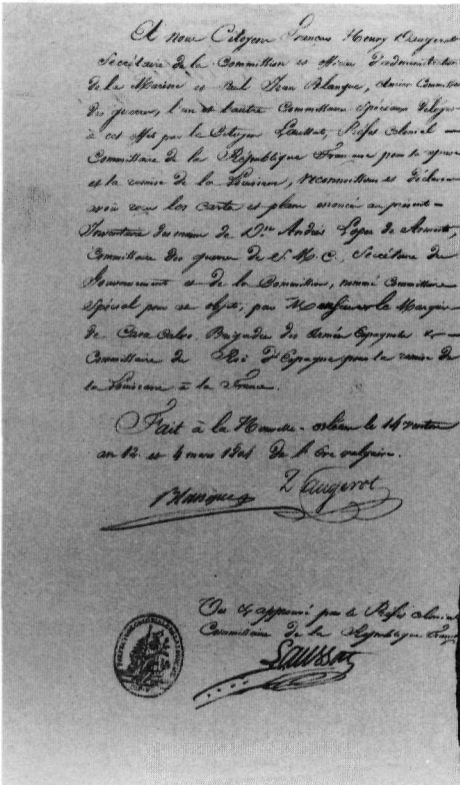
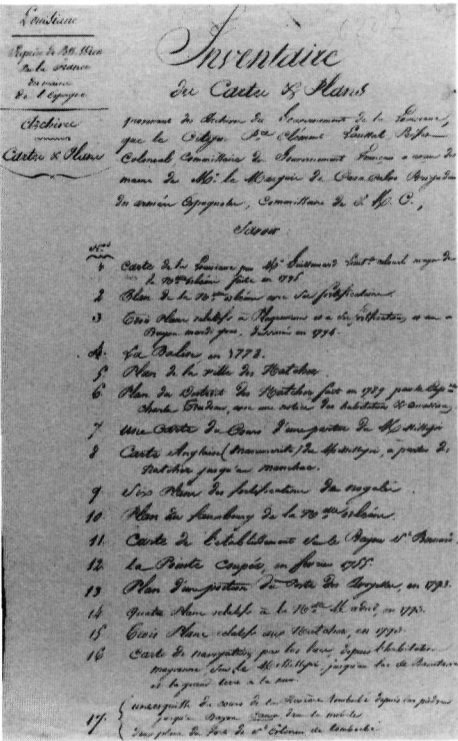
³¹Inventory of registers, documents, maps, plans, and other papers received by Claiborne and Wilkinson from Laussat, 12 March 1804.

³²Timothy D. W. Connelly, *Bound Records of the General Land Office Relating to Private Land Claims in Louisiana 1767-1892* (Washington, D.C.: National Archives Microfilm Publications in cooperation with the Historic New Orleans Collection, 1987), 2,3.

³³An *audiencia* was a royal court of justice consisting of at least four justices, or *oidores*. *Audiencias* varied greatly in form and function, but did have some administrative authority.

³⁴William R. Shepherd, *Guide to the Materials for the United States in Spanish Archives, (Simancas, the Archivo Histórico Nacional, and Seville)* (Washington, D.C.: Carnegie Institution, 1907), 11,12.

³⁵Peña y Cámara, et al., *Catálogo*, xv.



Inventory of maps and plans from the archives of the Province of Louisiana received by Pierre Clément de Laussat from the Marqués de Casa Calvo, 5 March 1804. Pierre Clément de Laussat Papers, Historic New Orleans Collection.

ville. Founded in 1540, the remote Archivo General de Simancas holds Louisiana documentation which is primarily of a military nature. It has material concerning service records of military personnel,³⁶ fortifications, and the military operations of Louisiana Governor Bernardo de Gálvez from 1779 to 1784. Documents concerning military matters are among the more important Louisiana materials at the AGS because duplicate copies are extremely scarce. Other topics represented include the American Revolution,³⁷ Indians, trade relations with

Kentuckians, Spanish and United States diplomatic relations, American activities in the Mississippi Valley during the 1780s, and the threat of invasion.

The Archivo Histórico Nacional, founded in 1850, was charged initially with the care of documents from suppressed monasteries. Today, its holdings include records of extinct universities, various councils of government, the Inquisition, Jesuitica, and *Estado* (state papers). *Estado* document eighteenth-century diplomatic relations between the United States and Spain, where diplomatic relations concerning the Mississippi Valley played a prominent role.³⁸

³⁶Concepción Alfárez Teran, *Secretaría de Guerra. Hojas de Servicios Militares de América* (Valladolid: Archivo General de Simancas, 1958).
³⁷Amando Represa Rodríguez, María Francisca Represa Fernández, and María del Camino, *Documentos Relativos a la Independencia de Norteamérica exis-*

tentes en Archivos Españoles (Madrid: Ministerio de Asuntos Exteriores, Dirección General de Relaciones Culturales, 1981) vols. 5, 6.
³⁸Henry Putney Beers, *French and Spanish Records*

The most important archive for Spanish Louisiana history and the Spanish colonial empire is the Archivo General de Indias. It dates from 1777 when historian Juan Bautista Muñoz was commissioned to write a history of the Spanish colonies.³⁹ Due to the nature of his work, he realized it would be advantageous to unite the widely scattered documentation on the Spanish New World in one place. His suggestion that documentation concerning the Spanish New World be gathered in Seville was approved, and he was authorized to gather appropriate documents. The first documents collected were from the AGS. Later, he acquired documents of the House of Trade and the Council of the Indies. The AGI continued to collect material well into the early twentieth century.

The AGI, separated into divisions based upon provenance,⁴⁰ has Louisiana documentation primarily in the Section V, Gobierno (section V contains documentation on various Latin American *audiencias*): Audiencia de Santo Domingo (hereafter referred to as the Santo Domingo Papers),⁴¹ the Papeles de Cuba (hereafter referred to as the Cuban Papers), and to a lesser degree the Papeles de Estado.⁴² The Louisiana documentation in the Papeles de Cuba underwent numerous journeys before it was incorporated into the Archivo General de Cuba. Documents not destined to remain in Louisiana after the Louisiana Purchase, primarily orders and correspondence, were sent from the various posts to New Orleans

and incorporated into the Governor's office. They were then transferred to Pensacola between 1804 and 1806. Papers of the Treasury were sent directly to Havana from New Orleans in 1804. However, some twenty-one boxes of treasury papers remained in New Orleans and were prepared for shipment to Pensacola in 1805. As a result of rivalry between Spanish officials, the shipment went to Mobile instead. Remaining in Mobile, they were transferred to Pensacola sometime between 1813 and 1815. All documents in Pensacola were moved to Havana in 1818 and 1819. The perils of sea travel claimed several crates of documents.

The treaty between the United States and Spain of 2 February 1819, for the cession of the Floridas, stated that the archives were to be turned over to the United States commissioners. Repeated efforts to secure them failed. The Spanish Consul at New Orleans advised officials in Havana to place all possible hindrances in the way of U.S. citizens seeking information from the archives. Finally, in 1835 United States diplomat Nicholas P. Trist (1800-1874) was allowed to select documents from those made available to him in Havana. These papers were sent to Washington, D.C. and placed in the Library of Congress. In 1888 the Archivo General de Cuba, including Louisiana material, was transferred to the AGI.⁴³

However, some material remains in Havana. In 1948 some sixteen *legajos* (bundles of documents) concerning *Las Floridas* (which included East and West Florida as well as Louisiana) were reported to be in the Archivo Nacional de Cuba.⁴⁴ However, a 1989 bibliographical guide indicated that only eight *legajos* were left in Cuba.⁴⁵ The

of Louisiana: A Bibliographical Guide to Archive and Manuscript Sources (Baton Rouge: Louisiana State University Press, 1989), 131.

³⁹Juan Bautista Muñoz, *Historia del Nuevo Mundo* (Madrid: la Viudad de Ibarra, 1793) vol. 1. Volume one is the only volume which was published.

⁴⁰Roscoe Hill, *Descriptive Catalogue of the Documents Relating to the History of the United States in the Papeles Procedentes de Cuba deposited in the Archivo General de Indias* (Washington, D.C.: Carnegie Institution, 1916), ix.

⁴¹Peña y Cámara, et al., *Catálogo*, xii, xiii.

⁴²*Ibid.*, xi.

⁴³Beers, *Spanish*, 58.

⁴⁴Roscoe Hill, *Los Archivos Nacionales de la América Latina* (Havana: Archivo Nacional de Cuba, 1948), 86.

⁴⁵Beers, *Spanish*, 58. The most thorough inventory of Florida and Louisiana papers in Cuban archives

1944 catalogue of the Archivo Nacional de Cuba is of particular value as it documents the United States' efforts to secure materials concerning property titles.⁴⁶

The long-term efforts of United States scholars to have access to the documents that remain in Havana can be traced back to 1914 when the Texas State Library secured reproductions of selected materials. Copies were sold to several institutions including the Library of Congress and the Newberry Library. The Edward E. Ayer Collection of the Newberry Library obtained typescripts from Cuba of letters from Bernardo de Gálvez to José de Gálvez. Bernardo de Gálvez (1746-1786) was governor of Louisiana from 1777 to 1784. He was appointed captain general of Cuba, Louisiana, and the Floridas in 1784 and viceroy of New Spain in 1785. The largest set of duplicate copies of Louisiana material from the Archivo Nacional de Cuba appears to be in the U.S. National Archives, while the Library of Congress has a selection of typescripts including the letter book of Bernardo de Gálvez.

Documentation in Spain on the colonial Spanish experience in Louisiana is not limited to the AGS, AHN, and AGI. Other Spanish depositories with Louisiana material include the Biblioteca Nacional,⁴⁷ the Real Academia de Historia,⁴⁸ the library of the Palacio Real,⁴⁹ the Museo Naval,⁵⁰ the

Servicio Histórico Militar,⁵¹ the Servicio Geográfico del Ejército,⁵² the Archivo Histórico of the Office of Foreign Affairs,⁵³ and the Archivo Histórico de Protocolos (Notarial Archives).⁵⁴ In addition, more than four hundred municipal, family, and Catholic parish archives contain material potentially useful to historians of Spanish Louisiana.⁵⁵

Louisiana Documentation in Mexico

As early as 1913, historian Herbert Eugene Bolton alerted researchers to material concerning Louisiana and the Mississippi Valley in the Archivo General de la Nación of Mexico.⁵⁶ The *Historia* section of Mexico's Archivo General de la Nación contains valuable documentation on the boundary between Texas and Louisiana, defense, Indians, and commerce. The section *Provincias Internas*, which technically should not include Louisiana, contains material on the region's military affairs. *Marina* has data on legal and illegal trade. Although Louisiana was subject to the Viceroy of New Spain in Mexico, the limited documentation in the Mexican archives illustrates the greater con-

remains Luis Marino Pérez, *Guide to the Materials for American History in Cuban Archives* (Washington, D.C.: Carnegie Institution, 1907).

⁴⁶See the preface by Guillermo de Zéndegui and introduction by Joaquín Llaverías in the *Catálogo de los Fondos de las Floridas* (Havana: Imp. Siglo XX, 1944) and Hill, *Archivos Nacionales*, 91.

⁴⁷Julian Paz, *Catálogo de manuscritos de América existentes en la Biblioteca Nacional* (Madrid: n.p., 1933).

⁴⁸Remedios Contreras, *Catálogo de la Colección "Manuscritos sobre América" de la Real Academia de la Historia* (Badajoz: Real Academia de la Historia and Institución Pedro de Valencia, 1978).

⁴⁹Jesús Domínguez Bordona, *Catálogo de la Bi-*

blioteca de Palacio: Manuscritos de América (Madrid: Talleres de Blass, 1935).

⁵⁰Gilbert Din, "Archives and Sources," in *A Guide to the History of Louisiana* (Westport: Greenwood Press, 1982), 132.

⁵¹Eric Beerman, "A Check-List of Louisiana Documents in the 'Servicio Histórico Militar' in Madrid," *Louisiana History* 19 (Spring 1978): 221-222.

⁵²*Cartoteca Histórica: Índices de Mapas y planos Históricos de América* (Madrid: Servicio Geográfico de Ejército, Sección de Documentación, 1974).

⁵³*Guía de Fuentes para la Historia de Ibero-América conservadas en España* (Madrid: Dirección General de Archivos y Bibliotecas, 1966), 1:387-398.

⁵⁴*Ibid.*, 387-398.

⁵⁵*Ibid.*, 507-596.

⁵⁶Herbert Eugene Bolton, *Guide to Materials for the History of the United States in the Principal Archives of Mexico* (Washington, D.C.: Carnegie Institution, 1913).

trol exercised by Havana over Louisiana and the Mississippi Valley.⁵⁷

Spanish Documentation in Louisiana

At the time of the transfer of Louisiana to the United States, only documents relating to personal affairs were to remain in Louisiana.⁵⁸ The records which remained in Louisiana are now scattered in various twentieth century archives. The Louisiana Division of the New Orleans Public Library, which serves as the city archives, maintains *cabildo* records.⁵⁹ The Orleans Parish Notarial Archives houses both French and Spanish notarial acts.⁶⁰ Judicial records are found in the Louisiana Historical Center, a dependency of the Louisiana State Museum.⁶¹ The bulk of land tenure records is scattered throughout a number of state and national repositories across the continental United States and only a very few are found in Spanish archives.⁶² Records of the Louisiana State Land Office were lost in a fire, but were reconstructed in 1871 using the private papers of William H. Wilder, Deputy Surveyor of Louisiana.⁶³

Parish (county) records in Louisiana are an invaluable resource and reflect the heritage of the Spanish period. In 1805, the Ter-

ritory of New Orleans was subdivided into twelve parishes with new officers appointed to replace the existing Spanish officials. In 1807, the territory was further subdivided into nineteen parishes based upon the informal colonial ecclesiastical parishes. Colonial records held by parishes include notarial acts documenting nearly every aspect of human existence. Fire, however, claimed many documents housed in courthouses.⁶⁴

The colonial records of the Catholic Church remain in the custody of the Archdiocese of New Orleans,⁶⁵ although many records were lost in the 1788 fire.⁶⁶ Furthermore, during the 1890s the University of Notre Dame acquired many colonial ecclesiastical records from Louisiana, as well as from other parts of the country, as part of a project to create a national center for the study of Catholicism in the United States.⁶⁷

Early Efforts to Recopy and Reorganize Spanish Louisiana Records

The first person to recognize the need to reformat Spanish Louisiana records was Antonio de Sedella, Pastor of St. Louis Cathedral in New Orleans from 1787 to 1790 and from 1795 to 1829.⁶⁸ During his first tenure as pastor he copied the essential records of the parish church of St. Louis.⁶⁹ Fortunately, when many original documents were destroyed in the fire of Good Friday, 1788, his copies survived.

In 1805, concern about determining the boundary between American Louisiana and

⁵⁷C. Harvey Gardiner, "The Mexican Archives and the Historiography of the Mississippi Valley in the Spanish Period," in *The Spanish in the Mississippi Valley, 1762-1804* (Urbana: University of Illinois Press, 1974), 38-50.

⁵⁸Beers, *Spanish*, 81.

⁵⁹Din, "Sources," 130.

⁶⁰Beers, *Spanish*, 100. In an interview with Sally K. Reeves, Archivist of the Orleans Parish Notarial Archives, July 10, 1991, Reeves explained to the author that duplicate notarial acts may be found in Spanish archives because during the Spanish period an act passed before a notary in Louisiana also had to be recorded before a notary in Spain.

⁶¹Beers, *Spanish*, 13.

⁶²Louisiana land tenure records are found in Document 7, MSS 569, the Museo Naval and in Tierras concedidas a favor de Jacobo Reyxner, 6 Abril de 1781, Cuba 2351, the AGI.

⁶³William H. Wilder Papers, HNOG.

⁶⁴Beers, *Spanish*, 84-86.

⁶⁵Charles E. Nolan, *A Southern Catholic Heritage* (New Orleans: Archdiocese of New Orleans, 1976).

⁶⁶Earl C. Woods and Charles E. Nolan, *Archdiocese of New Orleans Sacramental Records, 1718-1795*, 5 vols. (New Orleans: Archdiocese of New Orleans, 1987-1990).

⁶⁷Beers, *Spanish*, 156-157.

⁶⁸María del Carmen Cebrián González, "El Obispado de Nueva Orleans," *Hispania Sacra* 40 (1988): 777-789.

⁶⁹Woods and Nolan, *Sacramental Records*, 1, v.

Texas prompted the Spanish King to order Viceroy Iturrigaray in Mexico City to collect all documentation relevant to the border and assemble it in a useful fashion. Eventually, the task was completed by the Mexican José Antonio Pichardo (1732-1812). Arranging his material in an argumentative fashion, he organized the documents so they would support his arguments. Nonetheless, his work remains a valuable reference tool. Two copies of that massive effort exist, one in the Archivo General de la Nación of Mexico⁷⁰ and the other in the Archivo Histórico of the Spanish Office of Foreign Affairs.⁷¹

In an effort to obtain primary documentation from Spain, scholars, such as the nineteenth-century historian Charles Gayarré, commissioned hand-written copies.⁷² In the early twentieth century, Dunbar Rowland of the Mississippi Department of Archives and History attempted to gather selective documentation for reproduction. In 1906, he departed for Europe to secure transcriptions of documents concerning the region.⁷³

Just as historians and archivists coped with the problem of the dispersal of Spanish Louisiana records by making copies, history enthusiasts, such as Albert Fossier, also had primary material copied for their use.⁷⁴ The Works Project Administration of the Roosevelt administration prepared English translations of records in Louisiana, such as the *cabildo* records of New Orleans.⁷⁵ The Church of Latter-Day Saints

has filmed the Spanish judicial records held by the Louisiana Historical Center, parish records, and others deemed necessary for their purpose.⁷⁶

Current Efforts to Increase Access to Spanish Louisiana Records Through Reformatting

A pivotal event, affecting both Spanish archival practice and historiography, occurred in the late 1950s, when civic leaders urged Loyola University of New Orleans to microfilm Louisiana records housed in the AGI. In 1961, representatives of the Spanish National Archives System and Loyola University met to establish such a program. The director general of the Spanish Archives stipulated that the records had to be cataloged prior to microfilming. It was decided that the Santo Domingo papers would be prepared first as they had no catalog, while the other primary source for Louisiana, the Cuban Papers, did have a published descriptive calendar.⁷⁷ Fortunately, existing documentation permitted the catalogers to return the documents to their original order within *legajos*. Permission was granted to number the folios of each *legajo* to ensure a permanent order. Once the catalog of the Santo Domingo papers was completed, microfilming began.⁷⁸

The Loyola project had enormous implications for the scholarly world. Since the early twentieth-century revelations by Roscoe Hill concerning the importance of the holdings of the AGI for United States his-

⁷⁰Charles Wilson Hackett, *Pichardo's Treatise on the Limits of Louisiana and Texas* (Austin: University of Texas, 1931), xvii-xix.

⁷¹Archivo del Ministerio de Asuntos Exteriores, *Los Manuscritos del Archivo General y Biblioteca del Ministerio de Asuntos Exteriores* (Madrid: Ministerio de Asuntos Exteriores, 1974).

⁷²Charles Gayarré, *History of Louisiana* (New Orleans: F.F. Hansell & Br., 1903), xviii.

⁷³Beers, *Spanish*, 189.

⁷⁴Albert Fossier Papers, HNO.

⁷⁵"Records and Deliberations of the Cabildo, 1769-1803," Louisiana Division, New Orleans Public Library.

⁷⁶Beers, *Spanish*, 47-48.

⁷⁷Peña y Cámara, et al., *Cátalogo*, x. Finding aids may be referred to as catalogs in Spanish archives. No modern finding aid existed for the Santo Domingo papers. The descriptive calendar for the Cuban Papers was compiled in 1916 by Roscoe Hill and gives span dates and major topics for each *legajo*.

⁷⁸Charles Edwards O'Neill, S.J., "Recollections of the Archivo General de Indias," *El Archivo General de Indias en mi Recuerdo* (Seville: Dirección General del Libro, Bibliotecas y Archivos, Consejería de Cultura-Junta de Andalucía, 1984): 121-128.

tory, copies of documents had been secured by repositories in California, Florida, Illinois, Louisiana, Mississippi, Missouri, North Carolina, New York, Tennessee, Texas, Washington, D.C., and Wisconsin.⁷⁹ However, the policy of Spanish archives prior to the Loyola project had been restrictive. Permission was normally granted to copy or film small batches of documents, but not entire *legajos*. The Loyola project resulted in a new and positive attitude that led to the creation of the Centro Nacional de Microfilm, now known as the Servicio de Reproducción de Documentos de los Archivos Estatales.

Upon completion of the filming of the Papeles de Santo Domingo, Loyola University began cataloging and microfilming the larger Papeles Procedentes de Cuba concerning Louisiana. Once again, the same principles were followed. Because a catalog did exist, the documents were carefully placed back in their original order within each *legajo*, the folios were numbered, and targets were created insuring future accessibility. In 1976, Fr. Charles O'Neill, S.J., the project director, became director of the Jesuit Historical Institute in Rome. The project continued under his guidance for a time. Louisiana State University in Baton Rouge developed and maintained an interest in the project through the efforts of history professor Paul Hoffman who had been Father O'Neill's assistant. The Historic New Orleans Collection, a privately endowed museum/research center, replaced Loyola University at the request of Loyola. While such a massive project might be considered more appropriate at a national level, the efforts on the part of these institutions demonstrate the importance of regional cooperative ventures.

The project had several positive results. The policy of Spanish archives concerning the microfilming of entire *legajos* was

changed, a security copy of the material was created for the first time, and microfilm copies became readily available to scholars. In 1991, some thirty years after cataloging of the Papeles de Santo Domingo began, microfilming of the Papeles de Cuba was completed.⁸⁰ The project reflects the growing interest in colonial Louisiana which developed after World War II, and the general recognition of the necessity of providing security copies of these sources.

Efforts employing modern technology are already underway to gain further control over Louisiana's Spanish colonial past. Gwendolyn Hall, principal investigator, (Rutgers University) with Patrick Manning (Northeastern University) and Ulysses Ricard, Jr. (Amistad Research Center) were recently awarded an NEH, Division of Research Programs: Collaborative Research Projects grant for "Africans in Spanish and early American Louisiana." Information about slaves in inventories, successions, sales, and emancipation records culled from court house records of Lower Louisiana and Spanish census records for Louisiana are being entered into a database. Such Louisiana records are more detailed than similar records in the rest of the Spanish Americas. The final database will be published by the Medieval and Early Modern Databank of Rutgers University.

Archivists working with colonial Louisiana documentation, or the documentation of any former colony, must have the necessary linguistic and specialized archival skills as well as a knowledge of the administrative and archival practice of the former parent country. Laussat's concern that Spanish records remain in Louisiana is consistent with their identity and use as vital records necessary for the functioning of a

⁷⁹Gardiner, *Mexican Archives*, 40,41.

⁸⁰Guadalupe Codinach-Jiménez, *The Hispanic World, 1492-1992* (Washington, D.C., Library of Congress, 1992). This national union catalog of microfilm from Spanish archives in United States institutions details the extent of the project.

former colony. The two-hundred year history of the transcription and copying of Louisiana records culminating in the massive microfilming project of the past thirty years is indicative of the problems created when records are removed from former colonies. Because Louisiana ceded the papers to Spain, researchers were more dependent upon Spanish archives than were colleagues studying other Spanish colonies

where records had remained in the colony. It is ironic that the archival interest of a relatively small, regional university, in a province once viewed as a burden to the Spanish empire, could achieve the ultimate preservation of these dispersed records and in the process change the archival policy of the archives in the former parent country as well.

The Archival Legacy of Spanish Louisiana's Colonial Records

Abstract: Louisiana was a Spanish colony from 1762 to 1803. The author traces the short history of Spanish Louisiana and the archival legacy of its colonial records. Through two centuries, administrators, historians, and archivists have undertaken copying, reorganization, and reformatting projects in an effort to preserve the records and to provide increased access. A massive microfilming collaboration by the Spanish National Archives and several American institutions, including Loyola University of New Orleans, Louisiana State University, and the Historic New Orleans Collection, has just been completed. This thirty-year endeavor achieved the ultimate preservation of the records and increased international access to these dispersed documents. In the process, the project influenced the archival policy of the archives of Spain, the former parent country.

Le legs archivistique des fonds coloniaux espagnols de la Louisiane

Résumé: De 1762 à 1803, la Louisiane était une colonie espagnole. L'auteur présente un survol historique de la Louisiane espagnole et du legs archivistique de ses fonds coloniaux. Depuis deux siècles, les administrateurs, les historiens et les archivistes ont relevé le défi de copier, réorganiser et de reconstituer des projets afin de concerner leurs efforts de conserver ces documents et d'en permettre un meilleur accès. Un vaste projet de microfilmage entrepris par les Archives nationales de l'Espagne et quelques institutions américaines, incluant la Loyola University de la Nouvelle-Orléans, la Historic New Orleans Collection et la Louisiana State University vient à peine d'être complété. Ces trente ans d'efforts ont permis une conservation essentielle des archives tout en augmentant l'accès international à de nombreux documents épars. Ce projet a influencé les politiques archivistiques des institutions d'archives de l'Espagne.

Das Archivarische Vermächtnis der Kolonialzeit Spanisch-Louisianas

Abstrakt: Von 1762 bis 1803 war Louisiana eine spanische Kolonie. Der Autor untersucht die kurze Geschichte Spanisch-Louisianas und das archivarisches Vermächtnis seiner kolonialen Aufzeichnungen. Zwei Jahrhunderte lang haben Administratoren, Historiker und Archivare Projekte des Kopierens, der Neuorganisation und der Neuformatierung mit dem Ziel unternommen, die Aufzeichnungen zu erhalten und verbesserte Zugangsmöglichkeiten zu schaffen. Eine massive Zusammenarbeit im Bereich der Mikrofilme, seitens des Spanischen Nationalarchivs und mehrerer amerikanischer Institutionen, einschliesslich der Loyola Universität von New Orleans, der Louisiana State University und der Historic New Orleans Collection ist gerade beendet worden. Dieses über 30 Jahre laufende Unternehmen erreichte die bestmögliche Präservierung der Aufzeichnungen und verbesserte internationale Zugangsmöglichkeiten zu diesen weit verstreuten Dokumenten. Im Verlaufe dieser Arbeit beeinflusste das Projekt die Gestaltung des Archivwesens in den Archiven des ehemaligen Mutterlandes.

El legado archivológico de los archivos coloniales de la Luisiana española

Resumen: Luisiana fue una colonia española desde 1762 a 1803. El autor delinea la corta historia de la Luisiana española y el legado archivológico de sus archivos coloniales. A través de dos siglos, administradores, historiadores y archivistas han asumido la labor de copiar, de reorganizar, y de reformar proyectos en un esfuerzo para preservar los documentos y proveer un mayor acceso a los mismos. Una masiva colaboración microfilmado los Archivos Nacionales Españoles y varias instituciones americanas, incluyendo la Universidad de Loyola de New Orleans, la Universidad del Estado de Luisiana, y la Colección Histórica de New Orleans han sido terminados. Estos 30 años de esfuerzo han alcanzado la preservación final de los documentos y han aumentado el acceso internacional a estos documentos dispersos. En el proceso el proyecto influyó en la política archivológica de su país materno.