

## *Negras Libres*, Property Owners of this City

The French and Spanish property laws that are the basis for current Louisiana property law bear precedent in the lives of Geneveva Junon and Maria Juana—two free Black women who negotiated the sale of *un solar* on Ursulines Ave in New Orleans in 1771. In the case featured here, we see Maria Juana, *negra libre*, and her associate Genoveva Junon, *negra libre*, and a property owner on Ursulines, arbitrate the sale and possession of legal title to a plot of land, to Maria Juana, inclusive of thirty feet on which merchant stalls must be placed, on *Calle del Arsenal de las Ursulinas* (St. Ursulines Ave.) in the French Quarter. *Un solar*, as referenced here, is a Spanish colonial term for an allotment of land that has not yet been built upon and would require construction within a specific timeframe. The merging of various property laws in colonial Louisiana lends significant insight into the governance of Spanish Louisiana and, as seen in the case of Genoveva Junon and Maria Juana, offers one example of the many ways in which free Black women navigated and maneuvered through Spanish colonial rule.

Considering the well-documented disenfranchisement of women engaging in property ownership under colonial law, the buying and selling of commercial property in 18th-century Louisiana between two free Black women is significant. Furthermore, the lack of observed objection or recorded alarm from the court witnesses to this sale indicates that such business deals and property transfers between free Black individuals, especially women, might have taken place in Louisiana more frequently than previously believed. Law runs on precedent. As such, precedent and legal norms were most likely set in place ahead of this case, which most likely facilitated this particular transaction between Genoveva Junon and Maria Juana—a sale which saw a prime plot of commercial real estate pass between the hands of two "*negras libres*" in 1771 with no recorded objections. Supported by this document, *los solares* with bustling merchant stalls burst into life. Situated between the Ursulines Convent and the Place d'Armes (Jackson Square), we have a glimpse of the heart of the French Quarter, brimming with businesses owned, operated, and kept exclusive amongst free people of color in 18th-century New Orleans.

The sale addressed in this document begs several generative questions: What were the stipulations of the sale? What was the relationship between Genoveva Junon and Maria Juana? What was Maria Juana's commercial vision? Citing French property law, Maria Juana invokes the *hypothèque* as a debt instrument, utilizing it in order to place a lien on the property she was buying, smartly protecting her assets.<sup>i</sup> However, we also see the blending of French property law with that of the recently instituted laws of the Spanish empire, citing the *Ordenamiento de Alcalá de Henares*.<sup>ii</sup> The unknown commercial purpose of Maria Juana's newly-acquired *solar*, and the strategic application of French and Spanish property laws to safeguard her financial assets, showcases a moment when two free Black women—well-versed in topics as broad as French and Spanish colonial law, property transfer procedure, and business ownership—were buying, selling, and transferring prime commercial real estate and making a living in their own right.<sup>iii</sup>

## ENDNOTES

i. Under the French colonial system of property law, an *hypothèque* was a debt instrument which allowed the owner of a property to collateralize their assets in order to secure a loan." For more on this system, see Gregory Smaldone, "Don't Call it a Mortgage: The Perils of Translation in Early Modern Economy," *Age of Revolutions* (October 9, 2023), and in French Louisiana specifically, Vernon Palmer, "The Origins and Authors of the Code Noir," *Louisiana Law Review* vol. 56, no. 2 (Winter 1996): 363–407.

ii. The legal code in Spanish America, especially with regard to property, was governed or derivative of medieval and Roman laws. Because legally all land belonged to the Crown (*realengo*), ordinances pertaining to property concentrated on how land concessions should be handled by governing bodies. The *Ordenamiento de Alcalá de Henares* was a series of such laws that could be called upon to govern land transactions in Spanish America in absence of local ordinances.

iii. For more on the lives of free people of color during this period, see Kimberly S. Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803* (Durham: Duke University Press, 1997), and Alejandro de la Fuente and Ariela Julie Gross, *Becoming Free, Becoming Black: Race, Freedom, and Law In Cuba, Virginia, and Louisiana* (London: Cambridge University Press, 2020).

## FURTHER RESOURCES



**Fig. 1.** Photo of the house that Maria Juana was granted by Genoveva in a different action 15 days prior to this on November 12, 1770, located at present-day 812-814 Ursulines. **Source:** Dan S. Leyrer, "812-814 Ursulines," Photo negative, The Historic New Orleans Collection (THNOC), April 9, 1963, detail number N-1895D.

<p>terre fait partie du terrain entier de 60 pieds de pas le dit Elliot des Heritiers de Jean dame Catherine Heritiers conjointement (de Debon en secondes nocces); l'acte de vente des Heritiers à Elliot est du 3 Janvier 1776 et le dit Elliot a été quelcours Notaire. Mais l'acte en accord portant quels sont les titres de l'acte de vente conjointement. — Les titres, les</p> <p>que dans leur testament conjoint de du 7 Janvier 1786 devant Fernand Notaire, ils disent qu'ils possèdent ce terrain, mais cela ne veut dire que 30 120, comme on va le voir.</p> <p>et, Jean Paillet acheta la dite terre en vertu de l'acte de vente du 29 Juin 1777 de 70<sup>e</sup> Lane Notaire. Dans cet acte</p>	<p>Genève en 1776</p> <p>M. &amp; Madame Guerin en 1825.</p>	<p>Urban Acte. le 20 Août 1787</p> <p>George Antoine Pennington 23 Janvier 1776</p> <p>Mrs. Dejean 21 Juin 1776</p> <p>Delisle 22 Mars 1782</p>	<p>Paul Casiro 28 Oct 1776</p> <p>Georges, n.l., 19 Mars 1782</p> <p>Jean Paillet 23 Janvier 1776</p> <p>Delisle 23 Mars 1782</p> <p>M<sup>r</sup>. Paillet en 1824</p>	<p>Genève à Paris, n.l., 3 Oct 1778</p> <p>Genève à Paris n.l., 22 Mars 1782</p> <p>Paris à Paris 27 Mars 1777</p> <p>Paris à Paris 19 Mars 1782</p> <p>Paris à Paris 23 Janvier 1776</p> <p>Paris à Paris 23 Juin 1777</p>	<p>Rue des Ursulines.</p>
	<p>Rue Bourbon.</p>	<p>Elliot 3 Janvier 1825</p> <p>(M. Dejean, le 1<sup>er</sup> Janvier 1825)</p> <p>(avec profession de 2, 30 pieds de large)</p>	<p>60</p> <p>30</p> <p>60</p> <p>30</p> <p>30</p> <p>60</p> <p>30</p>		

**Fig. 2.** Handwritten property record of Maria Juana, verifying she received the solar, as well as the 120 feet of the business property directly behind it. **Source:** Theodore Seghers, Title: 1019-1021... Bourbon; 816-818... Ursulines (survey)," Photo, Clerk of Civil District Court, Notarial Archives Division, New Orleans LA, item number 2-077-013.

**Sunday, June 29th 1777**

Record Source: Unknown      Record Type: [sale?]  
Authority: Jean Baptiste Garic (Notary)  
Authority Date: Not Given

**From:** Dr. Joseph Montegut **To:** Jean Paillet

**Brief Description:** "A half lot of ground forming the corner of Bourbon and Ursulines streets, measuring 30' front on Bourbon Street by a depth of 120', bounded on one side by property of the Succession of Genevieve Junon, f.w.c., and on the other side by the Succession of Derruisseaux."

**Thursday, January 19th 1775**

Record Source: Unknown      Record Type: [sale?]  
Authority: Jean Baptiste Garic (Notary)  
Authority Date: Not Given

**From:** Marie Jeanne (f.w.c.) **To:** Dr. Joseph Montegut

**Tuesday, November 27th 1770**

Record Source: Unknown      Record Type: [sale?]  
Authority: Jean Baptiste Garic (Notary)  
Authority Date: Not Given

**From:** Genevieve Junon (f.w.c.) **To:** Marie Jeanne (f.w.c.)

**Brief Description:** "A lot of ground measuring 30' front on Bourbon Street by a depth of 120'."

**Saturday, March 22nd 1749**

Record Source: Unknown      Record Type: [sale?]  
Authority Date: Not Given

**From:** Godefroy **To:** Genevieve Junon (f.w.c.)

**Brief Description:** "Two half lots of land, forming the corner of Bourbon and Ursulines streets, bearing the No. 336." (which can be found in the archives of Louis T. Caire, Notary)

**Thursday, October 2nd 1738**

Record Source: Unknown      Record Type: land grant  
Authority: French Government  
Authority Date: Not Given

**Agent/Single Party Act/Other:** Francois Xavier

**Brief Description:** Francois Xavier acquired by a grant from the French Government according to a certificate of concession annexed to the act of sale to Genevieve Junon.

**Fig. 3.** Records of Maria Juana's property as recorded by the Collins C. Diboll Vieux Carré Digital Survey. Geneveva Junon was gifted the property by Pierre-François-Xavier de Charlevoix *dit* Godefroy.