

SACRED LEGALITIES:
THE INDELIABLE AND INTERCONNECTED RELATIONSHIP
BETWEEN BAPTISM AND RACE IN SPANISH NEW ORLEANS

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INTRODUCTION

On the twenty-fourth of June, in the year 1793, there was a large party in the city of New Orleans in honor of Rita Josefa Lugar. According to Firso de Peleagonzalo, a Capuchin Friar who also served as an auxiliary priest of Saint Louis Cathedral, it was a *gran convite*, a large banquet, with twenty or thirty people at the table, including Spanish officials, a cadet from Havana, three First Sergeants of the Louisiana Militia, and many other notable guests he could not remember. In addition to being large and distinguished, the party was boisterous, with Peleagonzalo noting dismissively that the noise and the stories could be heard throughout the surrounding neighborhood.¹

Rita Lugar, the ostensible honoree of the party was one month old, and had been baptized in Saint Louis Cathedral earlier that day. Her baptism was noteworthy as well. In Peleagonzalo's description of the ceremony, he noted that the parents were accompanied at the baptism by at least twenty others and that the baptism had been done publicly, in the middle of the day, with great pomp and solemnity, including the playing of the cathedral's organ and bells, and with a larger number of people than he had seen in a baptism before, even by the most distinguished men of the city.²

Yet for all of the grandiosity of these events, the irony is that Juan Lugar, the father of Rita Josefa, was not one of the great men of the city. He was from Alicante,

¹ "Acts of Estevan De Quinones, September 6, 1793, XI, 413-423, 'Proceedings by Juan Lugar, about Suppressing the Name of the Woman With Whom He Had A Natural Daughter, In the Certificate of Baptism'" (NANO, n.d.), 419 verso.

² "Acts of Estevan De Quinones, September 6, 1793, XI, 413-423, 'Proceedings by Juan Lugar, about Suppressing the Name of the Woman With Whom He Had A Natural Daughter, In the Certificate of Baptism,'" 419 recto.

Spain, and was a career military officer who had joined the Navy as a young man then the Louisiana militia in 1784. At the time of the baptism, he was a Sergeant Second Class in the New Orleans Battalion of Disciplined Provincial Militia, and his military service sheet describes him as being “very good for his rank” and having “accredited valor,” but also notes that he was of “poor capacity,” not exactly a strong endorsement of his ability.³

It is possible that Maria Juana Justis, the mother of Rita Josefa, was more influential than Juan, although it is difficult to be certain. On one hand, Maria Juana had the distinct disadvantage of race. She is listed throughout her appearances in the Sacramental Records of the Archdiocese of New Orleans during the Spanish period as being a *mulata libre*, a free woman of color, quantified as “a person of half unmixed European descent and half unmixed African ancestry.”⁴ Maria Juana is noted as being from Havana in many of her appearances in the sacramental records, though there is no documentation that details when or how she arrived in New Orleans. It seems probable she arrived in New Orleans with a daughter, Margarita Anastasia Castanedo, who is also listed as being from Havana in her own marriage record and who was older than her other children. By 1793, Maria Juana owned property in the French Quarter, and

³ Jack D. L. Holmes, *Honor and Fidelity; the Louisiana Infantry Regiment and the Louisiana Militia Companies, 1766-1821*, Louisiana Collection Series of Books and Documents on Colonial Louisiana, 1 (Birmingham [Ala.: Birmingham Ala, 1965), 203.

⁴ Emily Clark, *The Strange History of the American Quadroon - Free Women of Color in the Revolutionary Atlantic World* (The University of North Carolina Press, 22), 82, https://doi.org/10.5149/9781469607535_clark.

appeared regularly as a godparent among other free people of color in New Orleans.⁵ It is likely that she was influential, as well as wealthy, and by the time of her death in 1816 both real estate and slaves were distributed through her succession.⁶

However, what made the events of this day significant was the lawsuit that quickly followed on the heels of the baptism of Rita Josefa Lugar. Just days later, Juan Lugar approached Firso to request a copy of the baptismal certification, but when he was shown the document Juan was enraged to find that both he *and* Maria Juana were listed as the parents of Rita Josefa. Consequently, as the child of a Spaniard (white) and a *mulata libre*, Rita Josefa was designated as a *quarterona libre*, a quadroon, as she was understood to be one-quarter African. After seeing Rita Josefa's baptismal record, Juan Lugar filed a petition with the diocese asking to have the baptismal record altered so that the official record would specify him, Juan Lugar, as the (Spanish) father and leave Rita Josefa with an officially unknown mother.

The existence of these legal proceedings surrounding the baptismal record of Rita Josefa directly signifies the profound importance of baptism and the baptismal record in the construction of race in New Orleans. This case, and others like it, make it clear that the baptismal record was understood to be an authoritative codification of an

⁵ "The Collins C. Diboll Vieux Carré Survey: Property Info," The Collins C. Diboll Vieux Carré Survey - a project of The Historic New Orleans Collection, accessed April 28, 2021, https://www.hnoc.org/vcs/property_info.php?lot=23171-01.

⁶ "Succession of Marie Jeanne Prudomo, April 27th, 1816. Pedro Pedesclaux, Notary Public.," n.d.

individual's race. Simply put, the church, its priests, and the ritual of baptism were the gateway to formal recognition of one's personhood in colonial New Orleans, and personhood existed in New Orleans only with an inherently attached racial designation. On some level, the legal nature of these proceedings, and the sacramental archives that are at stake in them, hides the important theological implications of the relationship between baptism and race. Counterintuitively, what might seem like a morally perverse activity of racial math and mapping wholly enmeshed in the secular world reveals an implicit and inherent theological claim that God needed race to comprehend the human condition, or in other words, that the divine gaze created the racialized bodies of *mulatas, quarteronas, negras, and blancas*.

This essay examines the relationship between race and baptism in Spanish colonial New Orleans through the lens of Juan Lugar's suit to remove Maria Juana Justis from her position as mother on the baptismal certificate of Rita Josefa Lugar. Using this case, the Sacramental records of the Archdiocese of New Orleans, and other legal cases involving baptism from the Spanish period, I explore the interdependent nature of race and baptism in New Orleans, and how they developed a relationship so close that one could not exist without the other. Yet this story cannot be told in isolation – as a city possessed by the Spanish, French, and American empires, New Orleans is an exemplary city of the Atlantic World, a city whose religious and political development emerged in constant dialogue among European, African, Caribbean, South American, and North

American influences. Even the few cases treated in this essay bear influences and involve people from across the Atlantic world.

This introduction serves to introduce Maria Juana De Justis, Juan Lugar, and Rita Josefa Lugar, the case Juan Lugar filed to alter Rita Josefa's baptismal record, and the broader connection to the Atlantic World of the relationship between race and baptism. The first section of this essay takes a historiographical look at the existing writings on religion and race in colonial New Orleans. There is brilliant recent work on the development of race in New Orleans, and almost all of it uses the sacramental records of the Archdiocese of New Orleans extensively as a catalog of racial differentiation, but few scholars have explored the religious dimensions and the implications of his suit. The second section of this essay returns to Maria Juana Justis and Juan Lugar for a close reading of the case made by Juan Lugar to remove Maria Juana from Rita Josefa's baptismal record. The contention over Rita Josefa's baptismal record and Peleagonzalo's testimony against Lugar's request to have it changed sheds new light on the role of the Roman Catholic Church in the construction of race in colonial New Orleans. The third and fourth sections dig deeper into the individual histories of Maria Juana Justis and Juan Antonio Lugar, and the ways that the relationship between baptism and race affected their lives. Through the introduction of additional legal cases involving contested or missing baptisms, the fifth chapter explores the patterns and practices surrounding baptismal litigation in colonial New Orleans. Finally, the conclusion of this essay seeks to draw out some initial implications of this case for the broader Atlantic

world and suggests further areas of study and research.

2. NEW ORLEANS, RELIGION, AND THE ATLANTIC WORLD

Most modern historians agree that the concept of race was formed in the multicultural encounters of the Atlantic world that began with European navigation off of Africa and into the wider Atlantic Ocean and became codified through the colonization of the Americas and the enslavement of Africans. Consequently, race is a fundamentally transatlantic concept, a child of the Atlantic world that from the beginning was dependent on the enslavement of Africans and subsequent transport across the Atlantic. Colonial Christianity, the Christianity of the European powers as they explored, conquered, and exploited the Atlantic world was fundamental to this construction of race.

On the most basic level, Christianity was the lens adopted to interpret the expansion of the Eurocentric world and to support the project of European primacy in this new geographic reality. This is not to say that all Europeans were devoutly Christian – there is ample evidence that was not the case – but that the close relationship of Englishness and Anglican-ness, for example, meant that the meanings of colonization and enslavement were constructed using religious language and assumptions. Likewise, the Spanish and French colonial empires used Christianity as both a justification for conquest and as one of the fundamental tools to manage the social hierarchies of Natives, enslaved peoples, and creoles in colonial society.

Traditionally, scholarship on religion in the Atlantic world has been divided by the linguistic group of whatever empire a particular scholar was studying. For example, In

The Baptism of Early Virginia: How Christianity Created Race, Rebecca Anne Goetz links the creation of race in America to the intersection of religion and the Atlantic world through the ritual of baptism – the central rite of initiation in Christianity. While Goetz’s analysis of the importance of baptism to the creation of race is compelling and is in many ways the genesis of this project, her use of exclusively English-language sources and the North American colonial context necessarily results in her assertion that race was created by the Anglican English. Similarly, Richard Bailey argues in *Race and Redemption in Puritan New England* that race was created by the spiritual freedoms and limits (including baptism) that were placed on Native Americans and Africans by New England Puritans. He further suggests that faith mattered even more in the creation of race in New England than in the other British colonies yet does not examine the role faith played in the creation of race in the Spanish Atlantic at all.⁷ On the Spanish side, Herman Bennet, in his book *African Kings and Black Slaves*, sets out to delineate “how and under what circumstances Catholic dogma, institutions, and law mattered in the European encounter with Africans.”⁸ Bennet’s focus on Catholicism limits his consideration to the Spanish and Portuguese empires. Likewise, Stuart Schartz’s work *All Can be Saved: Religious Tolerance and Salvation In the Iberian Atlantic World* engages deeply with the consequences of the principle of *extra ecclesiam nulla salus*, the idea that no salvation could be found outside of the Roman Catholic Church⁹ but fails to

⁷ Richard A. Bailey, *Race and Redemption in Puritan New England* (Oxford University Press, 2014), 7.

⁸ Herman L. Bennett, “African Kings and Black Slaves,” pt. 109, accessed May 10, 2020, <https://www.upenn.edu/pennpress/book/15861.html>.

⁹ Stuart B. Schwartz, *All Can Be Saved: Religious Tolerance and Salvation in the Iberian Atlantic World* (New Haven: Yale University Press, 2008), 37.

explore the implications of this in Spanish and Portuguese interactions with the Protestant English empire. All of the works listed above are exemplary and well-regarded, yet they all serve as examples of scholarship on religion and race in the Atlantic world that have remained ensconced within traditional imperial borders.

New Orleans is a city that has troubled and fascinated scholars of the Atlantic world for decades, yet which has also remained absent in the work of most mainstream scholars. Because New Orleans changed hands among the French, Spanish, and American Atlantic empires, the city provides a clear case study in which multiple empires and their attendant religious traditions interacted and cross-pollinated in a single geographic location. The fluidity with which New Orleans passed from French, to Spanish, to French, to American control in its history is unique among major American cities, and deeply influenced the development of its religious culture and history.

Because New Orleans occupies a unique place in the confluence of colonial religion and the transatlantic development of race, it deserves serious investigation as a site for the development of race in North America. This case for the study of religion and race in New Orleans is bolstered by the robust documentary archives that New Orleans provides. Due to the notarial law system used by the French and Spanish, property transfers, wills, the sale of enslaved people, and court cases were all required to be documented and preserved by notary publics in French and Spanish New Orleans. Alongside these secular records, the sacramental records maintained by the Roman Catholic church in New Orleans provide extraordinarily detailed documentation of the people of New Orleans by recording every time they interacted with the sacramental

world of the Catholic church. This means that every baptism, funeral, and marriage was recorded, including information about the participants and their families. The Catholic practice of baptizing enslaved people started centuries before it became common in the English Atlantic world, which means that the sacramental records in New Orleans provide earlier and more comprehensive records than most other American cities for African and African-descended people in North America. Thus, the New Orleans archives deliver a fundamentally different picture of everyday life than those produced by the English common-law system of record-keeping, in which people went to court only for the exceptional things that happened in their lives.

Two recent works place New Orleans in the center of the development of race in the Atlantic world, *Caribbean New Orleans: Empire, Race, and the Making of a Slave Society* by Cecile Vidal, and *Wicked Flesh: Black Women, Intimacy, and Freedom in the Atlantic World*. Vidal takes aim at two common historiographical tenants; that the three-tiered socioracial structure in New Orleans consisting of whites, free people of color, and slaves was a less-severe manifestation of slavery and race than found elsewhere in the Atlantic world, and that there are easily distinguished ontological differences between North American and Caribbean imperial slave societies. While *Caribbean New Orleans* does not highlight the role of religion in its title or methodology, the relationship among slavery, race, and religion is embedded throughout the book and bolstered through Vidal's extensive use of ecclesial archival sources. Crucially, Vidal demonstrates that the development of race in the Atlantic world was neither inevitable

or unanimous; conceptions of race had the potential to develop distinctively (though no less severely) in contexts with different formative religions and geographies.

Jessica Marie Johnson's book *Wicked Flesh* also places New Orleans as an important nexus in the formation of race in the Atlantic world. Johnson prioritizes the experience of Black enslaved women in her exposition of the development of race in the Atlantic world, highlighting the transatlantic nature of their journey and the ways that these women strategically navigated the religious and legal landscape of colonial New Orleans. Like *Caribbean New Orleans*, religion in New Orleans is central to Johnson's research, and her exploration of baptismal experiences and strategies among these women and their children highlights the religious and political power of the sacraments in the lives of the enslaved. Johnson's discussion of baptism in Saint-Louis and Gorée makes this point clear, as she demonstrates that some women were baptized involuntarily while others sought out baptism as a way to create kinship groups. For Johnson, baptism itself was the rite that connected the Atlantic world, more than any other sacrament or ritual.

Johnson's connection of baptism to the survival strategies of Black enslaved women owes a strong debt to the work of Emily Clark, particularly *Masterless Mistresses: the New Orleans Ursulines and the Development of a New World Society: 1727-1834* and *The Strange History of the American Quadroon: Free Women of Color in the Revolutionary Atlantic World*. In both books, Clark mines the voluminous sacramental records from St. Louis Cathedral and the Ursuline Convent to obtain information about the lives of Black women and free women of color in New Orleans.

Both books use the baptismal and marriage records to trace the construction of new and chosen kinships, both through marriage itself and through the ability to create and strengthen relationships through the choice of godparents at the time of baptism. In these cases, Clark reveals that godparents and marriages were often strategic choices made by free and enslaved Black women in order to navigate the complex racial boundaries of New Orleans society.

Another essential recent entry into the historiography of the development of race in New Orleans is Jennifer M. Spear's book *Race, Sex, and Social Order in Early New Orleans*. Spear specifically sets out to trace the development of race and racial hierarchy in New Orleans, delineating the rise of the tri-partite racial system. As Spear relates, the passage of New Orleans into American control in 1803 counterintuitively led to the codification of free people of color into the law in New Orleans. Again, like Vidal, Johnson, and Clark, Spear's analysis is rooted in the sacramental archives of the Roman Catholic church in New Orleans. Spear points out in her "Essay on Sources," "The richest sources for examining everyday practices [of race] and creating a depiction that is more than just numbers are the Catholic Church's sacramental registries and the city's notarial archives..."¹⁰ These church archives have become the base from which almost all modern research on race in New Orleans is rooted. However, with a few exceptions, these exemplary works pay little attention to the actual religious history of New Orleans or to the theological implications of the sacramental records. Put another way, the

¹⁰ Jennifer M. Spear, *Race, Sex, and Social Order in Early New Orleans*, Early America (Baltimore: Johns Hopkins University Press, 2014), 320.

sacramental records have been used to support and bolster analyses of the development of race in New Orleans, but aside from Emily Clark and Virginia Gould's article "The Feminine Face of Afro-Catholicism in New Orleans, 1727-1852" only rarely have the theological meanings of baptism been seriously considered.

In Herman Bennett's aforementioned book *African Kings and Black Slaves: Sovereignty and Dispossession in the Early Modern Atlantic*, he discusses the importance of political rituals as a window into the priorities and mindsets of the Spanish Empire. He writes, "as sources of authority, spectacles conveyed the mystery of power embedded in Lordship" and continues, "trivializing symbolic enactments, if not overlooking them altogether, results in a distorted geography of power."¹¹ Bennet is writing this most explicitly about political enactments and meetings. He cites, for example, the pageantry recorded at early encounters between the Portuguese and Africans in the 1440s as examples of how historians have underappreciated these moments of ritual, and the respect they show for the sovereignty of African lords the Portuguese met. I think it is crucial to extend Bennett's point about the dangers of trivializing symbol, ritual, and pageantry into the religious realm as well. Unfortunately, the rituals of religious encounter, and especially of religious conversion, that is, baptism, have often been passed over by scholars of the Atlantic world as a serious place of engagement.

¹¹ Bennett, "African Kings and Black Slaves," pt. 691.

Baptism is *the* ritual of religious conversation in Christianity, whether Protestant or Catholic, and this fact positions baptism as the key ritual in the Christian empires of the Atlantic world. Yet for all of its surface-level simplicity – an individual is baptized, the baptism is recorded, that person has been made Christian – the actual embodiment of the ritual of baptism in New Orleans was full of complications because of its interactions with the race-creating apparatus of the French and Spanish empires. The case Juan Lugar filed against the Catholic Church to remove the mother’s name from his daughter’s baptismal record in order to change the race of his daughter is emblematic of how deeply tied baptism was to the creation of race in colonial New Orleans. This link between baptism and race is, as we have seen, a connection that existed throughout the Atlantic world and the European colonial empires. Yet the broad ideological relationship between these two titanic forces worked itself out throughout the Atlantic world through local practices, cases, and actual baptisms. The baptism of Rita Josefa Lugar is a perfect example to study the collision of baptism and race in the lives of individual people, and serves as the central case study as we now turn to a deeper examination of this particular baptism and its implications.

3. DON JUAN LUGAR VS FIRSO PELEAGONZALO: THE CASE

As a one-time ritual, most often conducted at a very young age, it would be hard to claim that baptism was at the center of an individual's life in colonial New Orleans. However, the ritual of baptism, and the subsequent recording of it by a priest in the Roman Catholic Church, played a life-long role for almost every inhabitant of the city. Baptism granted an individual an official presence in the recorded life of the city, and even more than that, a presence in the European Christian empires that dominated the Atlantic world. Unlike the English empire, in which there was some precedent in which baptism could potentially provide a way toward freedom from enslavement, at least in the seventeenth century, the Spanish and French Catholic churches made no such provisions for those who were enslaved under their control.¹² However, baptism, and the baptismal record still played a crucial role in the legal, social, and theological spheres of French and Spanish New Orleans.

A baptismal record in eighteenth century New Orleans contained a record of the date of baptism and sometimes the birth of the child. The parents and godparents of the child were recorded, and the record often included information about the race and slave/free status, as well as where the parents and Godparents were from. These records served as the first official site of the racialization of a child. One layer of racialization took place simply through the location their record was kept; during the

¹² Clark, *The Strange History of the American Quadroon - Free Women of Color in the Revolutionary Atlantic World*, 82.

Spanish period there was one baptismal register for *Blancos* and another for everyone else. This was a departure from the baptismal record-keeping practice of French New Orleans, in which race was still notated and fixed alongside the baptismal record, but during which time only a single baptismal record book was kept. During the Spanish regime, issues of whiteness, or proving whiteness when contested were worked out through *Limpieza de Sangre* cases, court proceedings in which a person sought to prove the purity of their blood by documenting their ancestry. For persons located in the book of baptisms for “colored” people, race was spelled out through a complex but well-known array of terms, including *pardo*, *moreno*, *mulato*, *grifo*, and *quaterona*. Once this designation was given and recorded, it stuck, as the records of the Catholic church served as the most formal record and presence of an individual’s personhood under the Spanish and French legal and religious systems. These factors help explain the importance Juan Lugar placed on the baptismal record of his daughter, Rita Josefa, and why he would have gone to the trouble of attempting to get her baptismal record changed.

The proceedings of Juan Lugar’s case begin with a notarized testimony from September sixth, 1793 by Firso de Peleagonzalo, the priest who baptized his daughter Rita. After a short introduction, the priest provides a certified transcription of Rita Josefa’s original baptismal record.¹³ This is followed by the testimony and petition of

¹³ This case is contained in “Acts of Estevan De Quinones, September 6, 1793, XI, 413-423, ‘Proceedings by Juan Lugar, about Suppressing the Name of the Woman With Whom He Had A Natural Daughter, In the Certificate of Baptism.’”

Juan Lugar. Lugar commences his petition by claiming that out of his “fragility,” he had a “natural” child. In this context, natural means that the father is formally recognized, and that the child can therefore inherit property in a succession, but that the child was born outside of a marriage officially endorsed and performed by the Roman Catholic Church. He then relates that at the time of baptism he went to the Parish church (Saint Louis Cathedral) and told the priest, the aforesaid Peleagonzalo, that he wished for his daughter to be recorded as his natural child but did not want to disclose the name of the mother. Lugar argues that it was his understanding that priests, when making baptismal records, were only supposed to write down the information given to them by the parent(s), and that they frequently obscured or omitted the names of parents in the baptismal record when those names were not explicitly given to the priest who performed and recorded the sacrament. He then requests that Patricio Walsh, a Priest, Vicar, and the Ecclesial Judge of the province of Louisiana, remove Maria Juana’s name from the record, order a note to be put in the margin of Rita’s record saying that it was now correct, and move the record to a different folio because of his “powerful and private” reasons for wanting the name of the mother removed.

Although his petition does not explicitly claim that Lugar wished Rita’s record to be put into the *Blancos* baptismal record, the book of baptisms for whites, the context of his request, as well as the responses by Walsh and Peleagonzalo make it clear that this was the substance of his appeal. This suggests, as I have argued above, that the placement and contents of a baptismal record had profound consequences for the

understood and lived race of a person in early New Orleans. Also relevant is Lugar's claim that he understood it to be standard procedure for priests to withhold the names of parents from the baptismal record for various reasons based on implicit or explicit instructions by parents in that regard. While it is certain that Lugar's word should not be taken as to the veracity or prevalence of this claim, the fact that he thought this was a plausible claim certainly supports the idea that at the very least, there was a game to be played with a known series of boundaries and steps around the racial labeling of children.

On the very same day, September 10th, 1793, the initial ruling by Walsh was a favorable one for Juan Lugar: a decision of censure of Firso Peleagonzalo. Walsh thanks Firso for providing the certificate but says he did not comply with the regulations of the church and should have filled out the certificate exactly as Juan Lugar told him, without altering any part of the instructions. After this, the notary public, Estevan de Quinones, notes that he went and delivered this message to Peleagonzalo on the same day, and subsequently records Peleagonzalo's reply in which he states his intention to make a full reply to this reprimand by writing to the tribunal. In this case, the tribunal represented the church's court, led by Walsh. The bulk of the rest of the case is made up of several pages of written testimony by Peleagonzalo, who indignantly rejects the reprimand from Walsh and argues passionately against the petition of Juan Lugar.

Peleagonzalo replied the next day, September 11th, stating that he was now aware of the petition of Juan Lugar and his subsequent reprimand from Walsh and intended to defend his conduct in this case and uncover the deceit of Juan Lugar before the tribunal. He began his defense by acknowledging that when children are presented for baptism with unknown parents that this is reflected in their baptismal certificate, especially in cases in which slander might happen, even if the priest is himself aware of the parents of a child. He also states that this is the common practice and is in alignment with the Roman ritual of baptism and the rules that govern it. However, Peleagonzalo rejected any application of this custom to the case of Juan Lugar because there was no such mandate or rule that the name of a mother who is merely inconvenient to declare should be hidden. He asserted that he could and will only comply with the instructions of Juan Lugar if the tribunal issued a direct order to him to that effect.

In the sacramental records of the archdiocese of New Orleans there are many baptismal records which list the father as a *padre incognito or padre desconocido*, a record in which the father's name was not recorded on the baptismal certificate. When a *padre incognito* record occurred, there was no documentation as to why it was listed in that specific case, but the words of Peleagonzalo provide confirmation that this was a known practice among priests in New Orleans. It is also apparent from his testimony that there were implicit, if not explicit, rules and regulations around the practice. At this point in the case, neither Peleagonzalo nor Juan Lugar had explicitly tied the record-

keeping issues around Rita Lugar to race, but that silence on the issue of race was about to end.

Peleagonzalo began his attack on Juan Lugar by mocking Lugar's claim that out of his "fragility" he had a daughter, and pointed out that this was to make it seem as if Juan Lugar had this child with a person of his same class and color, "a person of honor and respect whose name might be sullied if it were to become known." Peleagonzalo labeled this as a deceitful act before the tribunal, and named the mother as Maria Juana, a *mulata libre*, with whom Lugar had cohabitated for at least four years, a period of time so long and so public that when she came to the church for a blessing after the birth of Rita Josefa, she received the church's full blessing because Peleagonzalo thought she was the legitimate wife of Juan Lugar.

This was likely the pivotal moment in this tribunal's case. Peleagonzalo's naming of Maria Juana turned it from a case about protecting the name of an anonymous but potentially important white woman from scandal (an action that the tribunal originally supported through its reprimand of Peleagonzalo), into a case that was about a white man attempting to redraw the racial identity of an illegitimate child (in the eyes of the church) Juan had conceived with Maria Juana, a *mulata libre*. Instead of challenging the church's ruling on the protection of the social standing of a white woman, now Lugar was challenging the church's encoding of the race of a child, a challenge Peleagonzalo was determined to defeat.

At this stage, Peleagonzalo begins to describe the baptismal ceremony (and subsequent party). What was most important to him as he made his case was the public nature of the baptismal ceremony: there were many guests, the organ and bells were played in the cathedral, and there was a big procession to the party afterwards. Likewise, it was the public nature of Juan Lugar's relationship to Maria Juana that was crucial to Peleagonzalo's argument against removing her from the baptismal record. In fact, Peleagonzalo related a story about a conversation he had with Juan Lugar on the day of the baptism in which he was astonished to learn that Rita Josefa was not to be listed as a legitimate child, but as a natural child because Juan and Maria Juana were not married. Shocked, Peleagonzalo stated that he was enraged when Juan Lugar asked him to put Rita Josefa down as being his natural child and of an unknown mother and warned Lugar about the distress he was causing him. Worse yet, he testified that Juan Lugar told him during that conversation that in a couple years Juan "wanted to go to Spain and bring his daughter with him to pass as white," and that this was the real reason why he wanted her mother to be unlisted on the certificate. At this point, Peleagonzalo ended his conversation with Juan and told him that he could not be more disgusted.

Peleagonzalo's shock and displeasure at this conversation with Juan Lugar permeates his testimony hundreds of years later, and it seems that his relationship with Juan Lugar turned dramatically in the very moment he is describing. In Peleagonzalo's earlier description of his blessing of Maria Juana after her birth, he revealed at least a

cordial relationship with the couple. Yet by this point in his testimony he comes across as angry and betrayed by the actions of Juan Lugar. It is clear that Peleagonzalo was not dismayed by the act of interracial procreation, as came to be prohibited in the 19th century, as he notes that he thought their relationship was “just another” marriage between a white man and a *mulata libre*. What bothered Peleagonzalo, and what led to the ruling against him was Juan Lugar’s challenge to the church’s right to name and certify the parentage and race of a child, along with the church’s custom of doing that work through its baptismal records.

The case against Juan Lugar’s petition concludes with two more pages of testimony from Peleagonzalo in which he moved from recounting the baptism to his own interpretation of the actions of Juan Lugar and the roles and responsibilities of the church around baptism, race, and the construction of the baptismal record. There are four critical rejoinders Peleagonzalo advanced to counter the petition of Juan Lugar. First is that the normal custom of hiding the name of a mother or father for socially powerful reasons is irrelevant because the mother, Maria Juana, did not want her name to be hidden. He claimed this both because Maria Juana was overjoyed at the original baptismal certificate and because the baptism was celebrated with a large public party. Clearly, according to Peleagonzalo, the couple made no attempt to hide Maria Juana’s motherhood of Rita Josefa. Second, Peleagonzalo claimed that the actual reason Juan Lugar wanted to hide the name of the mother was so that Juan could go to Spain and make Rita Josefa pass as white. This, Peleagonzalo asserted, was deceitful to the church

and the tribunal because Juan Lugar had not been forthright about the actual reason why he wished to have the baptismal record changed. Third, he argued that hiding the name of the mother in the baptismal record when the couple made no attempt to hide the birth, the baptism, or the baptismal banquet would make the church obviously and publicly complicit in a lie that everyone would know about. Finally, he made clear that the actual request implicit in Juan Lugar's words to move the record of Rita Josefa to the baptismal record of *blancos*, "with the whole city knowing she was a quadroon, would be an injustice and unfaithfulness that disrupts the sacred legality of the parish records." This, Peleagonzalo contends, would set a precedent by which all free quadroons could seek to enter the white baptismal records by the strategic hiding of non-white parents.

The tribunal concluded its work after the testimony of Peleagonzalo with a few short decrees and acts tendered on the sixteenth of September, about a week after the testimony of Peleagonzalo. In these decrees, Walsh ruled in favor of Peleagonzalo, declaring that the argument of Peleagonzalo was "prudent and powerful" and revoking his previous decree from September 10th that reprimanded Peleagonzalo. Walsh further ordered that the baptismal record should remain unaltered and charged Juan Lugar with paying the court costs and fees associated with this case. The last page of the case is the bill and charges that were given to Juan Lugar by the court's appraiser.

Beyond the significance of his win in this individual case, in which he was clearly and definitively vindicated, Peleagonzalo's testimony against Juan Lugar proves

significant to understanding the relationship between baptism and race in early New Orleans on multiple fronts. One is the strong indication that baptism was not considered to be a personal matter between a person and God, but a public matter that qualified and delineated one's place in the social space of the city of New Orleans and the Spanish Empire at large. The designation of motherhood and race on Rita Lugar's baptismal record was contested because of the indelible effects it would have on her life, and the life of her family, not because of its implications for her relationship with God and the church. It seems clear that Juan Lugar himself was not concerned about the religious dimensions of Rita Lugar's certificate, but rather only about her recorded and perceived race.

On the other hand, the church, at least as it was represented by Peleagonzalo and the decree of Walsh, advanced multiple causes of interest. The church felt the need to protect its duty to accurately certify race through baptismal records. The church also claimed to operate in the broader interest of families and children. In his testimony Peleagonzalo said that it would be to the clear detriment of children if parents were able to be easily hidden in the baptismal records because it would allow parents to manipulate family lineage (who inherits property) as well as race (*quarteronas* seeking to enter the books of the whites). He wrote, "Likewise it is true and undeniable that when the child have parents that are publicly known, and that for particular reasons intend to hide [the parents] to the detriment of the child... the priests are not able nor

their auxiliaries to consent to such pretension”¹⁴ While they admit that in some cases parents would and could be omitted from the baptismal record if they were not known or declared, Peleagonzalo and Walsh make it clear that parental identities that were publicly known were not fair game for manipulation.

The case Juan Lugar brought to the diocese, and the judgement rendered against him by Walsh reverberated throughout the family life of Juan Lugar, Rita Lugar, and Rita’s Mother, Maria Juana Justis. Juan Lugar remained a resident of New Orleans until he died in 1804. Rita lived her entire life in New Orleans as a free woman of color, designated as a quadroon. Maria Juana Justis went on to live a long and prosperous life as a *mulata libre* in New Orleans, having another child with Juan Lugar just two years later, than marrying a different man a few years after that. The third and fourth parts of this essay, to which we now turn, will explore this case and its ramifications from a more personal point of view: a more detailed account of the lives of Maria Juana Justis and Juan Antonio Lugar.

¹⁴ “Acts of Estevan De Quinones, September 6, 1793, XI, 413-423, ‘Proceedings by Juan Lugar, about Suppressing the Name of the Woman With Whom He Had A Natural Daughter, In the Certificate of Baptism.’”

4. MARIA JUANA JUSTIS

It is difficult to imagine what it might have been like to live with a man for four years, to be associated with him so closely that people thought you were married, to have a daughter with him, to baptize that daughter in a grand ceremony with a large, public, party afterwards, and then to have that man petition the church to have your name, the name of the well-known and publicly acknowledged mother, taken off of the baptismal certificate. Maria Juana was, unsurprisingly, not asked to testify or to provide her opinion in this case. Nevertheless, her name enters into it dramatically at two points. The first is when Peleagonzalo reveals her to be the mother of Rita Josefa, a fact that Juan Lugar went out of the way not to mention in his testimony before the court. Presumably, this was an intentional move by Peleagonzalo, and perhaps even a savvy one. By entering Maria Juana's name as the mother into the official record of this case, he ensured that unless the court took the unusual step of destroying or redacting its record of the case, that her name would still be known, and that the ecclesial judge would have had to order the obscuring of a name in the baptismal record that he himself already knew.

The second time her name enters the record is when Peleagonzalo reveals that it was Maria Juana, not Juan Lugar, who asked to see the certification of the baptism. He also asks rhetorically, "What reasons could I have to hide the name of the mother when

she likewise did not want to have it hidden?"¹⁵ Peleagonzalo notes that she showed great joy at the beloved child. In an indirect way then, we do have some access to the feelings of Maria Juana, even as they are mediated through the testimony of Peleagonzao. At the very least it is clear through her participation in the public ceremony of baptism and the large party that accompanied it, as well as her request to see the baptismal record, that she had no desire to hide her status as the mother of Rita Josefa. Thanks to the extensive sacramental and notarial records in New Orleans, there is much more we can learn about Maria Juana than her limited, but crucial presence in Juan Lugar's petition to erase her from the record.

According to every appearance of Maria Juana in the sacramental record she was a native of Havana, Cuba, with the exception of her marriage record, which states she was from Orleans Parish, and her funeral record which states confoundingly that she was from Natchitoches.¹⁶¹⁷ If Peleagonzalo's account is accurate, the earliest record of her presence in New Orleans is his mention that in 1793, she had been cohabitating with Juan Lugar for four years, a timeline that puts her in New Orleans by 1789, at age 31, already having a daughter with her named Margarita Anastasia Perdomo who, like Maria Juana, was regularly listed as being from Cuba. Intriguingly, Margarita Perdomo is listed in Rita Josefa's baptismal record as being present and standing in for the

¹⁵ "Acts of Estevan De Quinones, September 6, 1793, XI, 413-423, 'Proceedings by Juan Lugar, about Suppressing the Name of the Woman With Whom He Had A Natural Daughter, In the Certificate of Baptism.'"

¹⁶ "Funeral Record of Maria Juana Prudomme, Jun. 22, 1816' SLC, F10, 81," n.d.

¹⁷ For examples that specify Maria Juana being a native of Havana, see "Baptism of Juan Decoudreaux, Sept. 4, 1799. SLC, B15, 164," n.d.; "Baptism of Rita Josefa Lugar, June. 24, 1793. SLC, B13, 65," n.d.

godmother, who was not present. Even the contested baptismal ceremony itself was a full-family event. Maria Juana, after her time cohabitating with Juan Lugar, married Joseph Cabaret in 1801. This certificate notes her as being from “this parish,” a claim made no where else in her records.¹⁸

While Maria Juana maintains a vigorous presence in the sacramental record through her frequent presence as a godparent, her marriage, and the baptisms, marriages, and deaths of her children, the most distinctive feature of her presence in the archives of New Orleans is the multitude of names she went by. In the sacramental record of Rita Lugar’s baptism, Maria Juana is listed as Maria Juana Justis.¹⁹ Yet in the record of Petrona Lugar, another daughter with Juan Antonio Lugar who was born just two years later, she is listed as Maria Juana Perdomo.²⁰ For the next several years, Maria Juana appears frequently as a godparent and grandparent in various sacramental records, and both last names are used seemingly interchangeably.²¹ By the early 1800s, she is listed in her succession in the notarial archives as Marie Jeanne Prudomo, and on her sacramental funeral record as Maria Juana Prudhomme.²²

¹⁸ “Marriage of Jose Cabaret and Maria Juana DeJustis, March 10, 1801. SLC, M3, 20.,” n.d.

¹⁹ “Baptism of Rita Josefa Lugar, June. 24, 1793. SLC, B13, 65.”

²⁰ “Baptism of Petronilda Lugar, March 3, 1795. SLC, B13, 183.,” n.d.

²¹ See “Baptism of Josefa Ramona, Dec. 23, 1800. SLC, B15, 353.,” n.d.; “Baptism of Juan Decoudreaux, Sept. 4, 1799. SLC, B15, 164”; “Baptism of Maria Juana Davieux. April 23, 1815. SLC, B27, 107.,” n.d.

²² See “Acts of Peter Pedesclaux, Aug, 27, 1816, Vol. 72, ‘Succession of Marie Jeanne Prudomo’ NANO,” n.d.; “Funeral Record of Maria Juana Prudomme, Jun. 22, 1816’ SLC, F10, 81.”

By itself, minor name changes are not rare in the sacramental archives of colonial New Orleans. Frequently, names would change between French and Spanish versions as the dominant language changed with the changes in sovereignty. For example, Maria Juana's husband is listed as José Cabaret on their marriage certificate in 1801, but once New Orleans had been sold to America, his name shows up as Joseph Cabaret every subsequent time.²³ However, frequent switching among different last names appears to be rare, though it must be noted that it would also be difficult to track unless a researcher were specifically looking for this phenomenon.

There are a few possibilities to consider surrounding these various names. The first is that minor spelling changes, or changes from Spanish to French versions of similar sounding names may have been predominantly influenced by the notaries and priests who were doing the recording. One possible area of inquiry is to examine these scribes to see if there was consistency in the names used by specific writers. Another possibility is that these name changes were strategic moves by Maria Juana to change how her name sounded or appeared depending on who was in power at the time. One possibility that had to be considered in the course of this research was that there were multiple Maria Juanas, but her notarized succession from 1816 makes it clear that Rita Josefa, Margarita Anastasia, and Petrona Lugar were in fact her three daughters, despite the fact that the mother's name appeared differently on their various records.²⁴

²³ See "Marriage of Jose Cabaret and Maria Juana DeJustis, March 10, 1801. SLC, M3, 20."; "Baptism of Auguste Raimond Boisclair, March 7, 1811. SLC, M3, 41.," n.d.

²⁴ "Acts of Peter Pedesclaux, Aug, 27, 1816, Vol. 72, 'Succession of Marie Jeanne Prudomo' NANO."

The ability of Maria Juana to change her name across various legal documents throughout her lifetime was not unique, even if her particular case may be more extensive than normal. One implication is that the church's baptismal record keeping did not function in an authoritative way over people's names in the way that birth certificates function in contemporary American society. While one's name and racial identity were established by the baptismal record, Maria Juana's story suggests that the church's records had more determinative power on how an individual was racialized than on what they were called.

By all available accounts, Maria Juana was well-known and prosperous. Her spouse, Joseph Cabaret was likewise popular and successful. Both of them appear frequently as godparents in baptisms recorded in the sacramental archives, another reminder of the importance of baptism in early New Orleans. As Emily Clark and Virginia Gould detail in "The Feminine Face of Afro-Catholicism in New Orleans, 1727-1852," godparenting was a nexus between religious belief and the social landscape, and especially for enslaved people and free people of color, was a socioreligious practice that allowed for a measure of strategic social mobility as well as opportunities to entrench one's position in a new status or society group.²⁵ In addition to these social indicators of prosperity, Maria Juana's succession shows that she owned a sizeable piece

²⁵ Emily Clark and Virginia Meacham Gould, "The Feminine Face of Afro-Catholicism in New Orleans, 1727-1852," *The William and Mary Quarterly* 59, no. 2 (2002): 409–48, <https://doi.org/10.2307/3491743>.

of land in the back of the French Quarter, as well as a slave that she freed upon her death. These acquisitions were in addition to the property already owned by Joseph Cabaret before their marriage, and the property they acquired together.²⁶

Maria Juana Justis's life, or as much of it as can be traced from the sacramental records and notarial records in New Orleans was filled with a notable amount of social and material success. The confluence of baptism and race played a profound role in her life, even beyond the case in which Juan Lugar, her partner, tried to erase her name and motherhood from their first daughter's baptismal record. The baptisms of her children reinscribed her own status as a *mulata libre*, and sometimes even her presence as a godparent at the baptisms of other children provided yet another documented reminder of her racialized body, such as when she is described as a *mulata libre* when she served as the godparent of Maria De Los Dolores in 1804 and Eulalia Asmard in 1805 (once as Perdomo, and once as De Justis).²⁷ Yet, some important mysteries are also brought to light by the same sacramental records. Why did her name change so frequently? And, why did her funeral record state that she was from Natchitoches, when every other record places her as a native of Havana, Cuba. These questions remain unanswered within the archive, and remain open for further investigation. In the final accounting of her archival presence, the large family she was a part of through her marriage, the marriages of her daughters, her clear social and material success, push us

²⁶ "Acts of Peter Pedesclaux, Aug, 27, 1816, Vol. 72, 'Succession of Marie Jeanne Prudomo' NANO."

²⁷ "Baptism of Maria De Los Dolores, July 2, 1804. SLC, B16, 246)," n.d.; "Baptism of Eulalia Asmard, March 24, 1805, SLC, B18, 45.," n.d.

to the conclusion that Maria Juana's name was malleable, yet despite all of her social and material success, her status as a *mulata libre* was not.

5. DON JUAN ANTONIO LUGAR

It is no exaggeration to say that Juan Lugar's presence on the baptismal certificates of his children underwent a dramatic reversal at the end of his life. Juan Antonio Lugar was born in Alicante, Spain, as the legitimate son of Don Tomas Lugar and of Doña Ana Maria Benavente.²⁸ From his Louisiana militia record sheet, it appears that he joined the Spanish Navy in 1775, served on the ships *Orán* (1775), *Santísima Trinidad* (1778), *Pensacola* (1781), and was then shipwrecked on the warship *El Dragón* in 1782. Shortly after that, he joined the New Orleans Battalion of Disciplined Provincial Militia, of which he was a member at least until his service sheet was created on Dec. 31, 1797.²⁹ Rita Josefa Lugar was his first daughter recorded in New Orleans, born in 1793, and Petronilda (subsequently called Petrona) Lugar was his second daughter, born in 1795 with the same mother as Rita Josefa: Maria Juana Justis (Perdomo).³⁰ Despite the claim from Peleagonzalo that Juan Antonio intended to leave New Orleans in a couple years with Rita Josefa and return to Spain, it appears that Juan Antonio's journey across the Atlantic world was a one-way trip that ended in New Orleans. The picture his military record, last testament, and appearances in the sacramental records draws of Juan Antonio Lugar is not particularly unique in its broad strokes, but his engagement with the ritual of baptism and the baptismal record was novel.

²⁸ "Acts of Peter Pedesclaux, Jan. 17, 1804, Vol 46, Fol. 41. 'Testament of Don Juan Antonio Lugar' NANO," n.d.

²⁹ Holmes, *Honor and Fidelity; the Louisiana Infantry Regiment and the Louisiana Militia Companies, 1766-1821*, 203.

³⁰ "Baptism of Rita Josefa Lugar, June. 24, 1793. SLC, B13, 65"; "Baptism of Petronilda Lugar, March 3, 1795. SLC, B13, 183."

The suit Juan Antonio Lugar brought against the diocese to attempt to force the church to take Maria Juana's name off of the birth certificate of his daughter appears to be unique, at least among the notarial archives in New Orleans. While there are other court cases that deal with contested or undocumented baptisms, none of them seeks to change an already written baptismal record. Generally, they seek to verify undocumented or lost baptisms, or engage other aspects of the record-keeping. These cases will be discussed further in Part Five. The court's response to his suit fits with the fact that they likely had not faced a similar case before. The initial response of the judge, Patricio Walsh was to issue a statement that reprimanded Peleagonzalo but fell short of ordering him to change the actual record. Yet after Peleagonzalo's passionate testimony, the court ruled strongly in favor of preserving the "sacred legality" of the baptismal record and tersely rejected Lugar's plea.

Not to be outdone, more baptismal drama awaited Juan Lugar and his daughters at the end of his life. Juan Antonio was buried on March 6th, 1804 in New Orleans.³¹ In his last testament, given to the notary public Pedro Pedesclaux on January 16th, 1804, while he was on his death-bed, Juan Antonio claims both Rita and Petrona as his natural daughters, but then invalidates his previous wills in which they would have been awarded his estate. Instead, he reveals that at age 48, he has a previously undisclosed ten-month-old daughter, named Martina Constanza, who will now be the beneficiary of

³¹ "Funeral of Juan Lugar, March 6, 1804. SLC, F6, 4.," n.d.

his estate. In fact, Lugar specifically cites that his two daughters with Maria Juana Perdomo will have no right to his succession nor to any contestation of it even though they are his natural daughters.³² The irony in which Juan Antonio moves from attempting to retroactively make Rita Lugar white as an infant to writing her out of his will in favor of a ten month old *mulata libre* is bitter. It only grows when Martina Constanza's birth certificate is examined, as her mother is listed as Maria Josefa Dumuy, *mulata libre* while her father is listed as *padre no conocido* (father unknown).³³ Had Juan Antonio allowed himself to appear on Martina Constanza's baptismal record, she could have been deemed a *cuarterona*, in that context a more desirable and distinguished racial classification.

Juan Lugar never married, and as the father of three "natural" daughters in New Orleans, one of them conceived in his late forties, the religiosity espoused in his last testament might seem a bit incongruous. His first declaration is as follows: "I declare that I am Catholic, Apostolic, and Roman, and that I believe in all the articles and mysteries that are taught by our holy mother Roman Church, and profess that I followed and lived in the same faith until my death." It continues, "I entrust my soul to God, and I give my body to the earth, in order that after I have fallen I should be shrouded in the most humble way possible..."³⁴ Even as a formulaic, or more cynically, optimistic, opening to his will, it reveals that one's relationship to the church was not necessarily

³² "Acts of Peter Pedesclaux, Jan. 17, 1804, Vol 46, Fol. 41. 'Testament of Don Juan Antonio Lugar' NANO."

³³ "Baptism of Martina Constanza Dumuy. April 11, 1803. SLC, B16, 119.," n.d.

³⁴ "Acts of Peter Pedesclaux, Jan. 17, 1804, Vol 46, Fol. 41. 'Testament of Don Juan Antonio Lugar' NANO."

limited or severed by behavior that went against the general wishes of the church. While the church often encouraged marriage, and while some Catholic institutions in New Orleans highly encouraged men to marry, such as the Ursuline Sisters who took a strong pro-marriage and family stance, not conforming to the Catholic church's policies on marriage did not place one outside of the faith.³⁵ Despite Juan Lugar's several children outside of marriage, Antonio Sedella, the parish priest of Saint Louis Cathedral who filled out Lugar's funeral record, was still able to note that he died in good standing having received the sacraments of the church, including confession, Eucharist, and extreme unction at the very end of his life.³⁶ Baptism, as the sacrament that established one's Christianity and guaranteed salvation, was still held to be more powerful than an individual's behavior, even when one behaved contrary to the policies and guidance of the church.

In the hyper-legalized environment of the Spanish Empire and the Roman Catholic Church, it took real audacity or creativity to be involved in a novel legal case. It seems unlikely, given his behavior in the case and the motivations attributed to him that Lugar set out to provoke a legal challenge to the church's means of fixing an individual's race. His temporary success through the initial admonishment of Peleagonzalo aside, his petition was neither systematic nor well-considered. However, the preliminary

³⁵ Emily Clark, *Masterless Mistresses: The New Orleans Ursulines and the Development of a New World Society, 1727-1834* (Williamsburg, Va. : Chapel Hill: Omohundro Institute of Early American History and Culture ; University of North Carolina Press, 2007), 170–76.

³⁶ "Funeral of Juan Lugar, March 6, 1804. SLC, F6, 4."

reprimand is more important than it appears at first glance because it affirmed that parish priests were supposed to follow a strict procedure in how they recorded parental and racial information on the baptismal certificates based on what was presented to them by the family, and not on their own knowledge or suspicions. The decision of the court to repudiate Lugar's attempt to remove Maria Juana from the baptismal certificate even though the court agreed that Peleagonzalo had not precisely followed the expected procedures actually solidified the church's protection of its own procedures. It appears that Lugar lost his case only because his behavior was so egregiously out of the bounds that families were expected to present themselves at baptism that to change the record would have exposed the church to hypocrisy, lying, and potential humiliation.

6. CONTESTED BAPTISMS IN THE NOTARIAL ARCHIVES

Don Juan Antonio Lugar's attempt to revise his daughter's baptism certificate through the tribunal of the Catholic church in New Orleans is unique in that it is the only known case attempting to change an already written baptismal certificate in New Orleans. However, there are several other notable cases in the notarial archives that highlight the importance of baptism in the lives of the inhabitants of early New Orleans and its intimate connection to the development of race in the city.

One of these cases was brought in 1794 on behalf of Eduardo Dejean, a *mulato libre* who was seeking to marry Maria Teresa Louisa, a *negra libre*.³⁷ DeJean had come to New Orleans as a slave of Don Nicholas Maria Vidal, an Auxiliary Governor and War Auditor during the Spanish occupation of New Orleans. Eduardo was born in Martinique, a French colony, then sold and brought to Cartagena de Indias, where he was then bought by the aforementioned Nicholas Maria Vidal, and brought to New Orleans. As a slave who had purchased his freedom seeking to marry a free Black woman, Eduardo's petition sought validation from the church to fully recognize and license his marriage, including the proclamation of bans. Eduardo's problem was that he had no certificate of baptism, and so was not formally recognized as a Christian. In response to his petition,

³⁷ "Acts of Estevan de Quinones, July 5, 1794, Vol 8. Folio 222-227. 'Information Produced for Eduardo Dejean, Mulato Libre, in Order to Contract Marriage with Maria Tereza Luisa, Negra Libre,'" n.d.

his former owner, Vidal, provided extended testimony aimed at supporting Eduardo's claim to be Christian.

Vidal noted that Eduardo had often attended mass, attended the days of holy obligation, and gone to confession, and that Vidal fully believed that Eduardo was fully Catholic, Apostolic, and Roman. Vidal also pointed out that he was confident that Eduardo was single, because Martinique is such a small Island and everyone would have known if he had been married. Finally, Vidal stated that foreigners (the French) did not care about providing baptism certificates for those who are enslaved, and so the fact that Eduardo did not have a certificate was due to no fault of his own.

With the endorsement of Vidal, a prominent figure in the Spanish hierarchy, Patricio Walsh granted Eduardo's petition to be recognized as fully Christian and Roman Catholic, and instructed the priest, Portillo, to marry them. The sacramental records verify this, as a wedding between Eduardo Dejean and Maria Theresa Luisa was recorded on Wednesday, September 10th, 1794.³⁸ The record notes that the bans were proclaimed and confirms the biographical information Eduardo provided in his testimony.

Above all, this case provides evidence for how seriously the Catholic church took the sacrament of baptism as being the rite of initiation for the Christian religion. Even

³⁸ "Marriage of Eduardo Dejean and Maria Theresa Luisa. Sept. 10, 1794. SLC, M3, 12.," n.d.

though Eduardo claimed to be baptized and participated regularly in Christian rituals, it took an act of the court for him to be licensed to marry in the church because he possessed no proof of his baptism. Without counter-examples, one cannot say how much the status of Nicholas Maria Vidal helped Eduardo's case, but it is difficult to imagine that it was not a useful accompaniment to his petition. Yet even with a powerful sponsor, the fact that Eduardo, a free Black man who had formerly been enslaved, had to follow the rules of required documentation to this degree emphasizes the central importance of baptism in this society.

Another case involving a missing baptism record comes from the opposite end of the social spectrum. Don Rafael Contador was a Captain of a Regiment of infantry attached to Havana, and in 1783 he opened a case with the tribunal of the Diocese of New Orleans on behalf of Doña Josefa de Ulloa in order to get certification that she was baptized in the parish church of New Orleans.³⁹ Doña Josefa de Ulloa was the young daughter of Don Antonio de Ulloa, who served as Auxiliary General of the Royal Spanish Navy and was the first Spanish governor sent to the territory of Louisiana. First, Contador requested certification from the church of Josefa de Ulloa's baptism. When no baptismal record could be found, Contador requested that her baptism be certified by the Bishop.

³⁹ "Acts of Estevan de Quinones, April 23, 1783, Vol. 1, Folio 301-315, 'Information Produced for Don Rafael Contador Captain of the Regiment of Infantry Assigned to Havana about Confirming That Doña Josefa de Ulloa Was Baptized in the Parish Church of This City.,'" n.d.

Through a series of letters and testimonies, Contador presents evidence that Doña Josefa was in fact baptized in New Orleans 1767 by Father Antonino de Mazones, a Capuchin priest and the private chaplain to Governor de Ulloa. Even though the general histories of New Orleans claim that Governor Ulloa did not formally establish himself as governor in New Orleans, and instead stayed in Balise with a small amount of troops, witness after witness states that they remember both the baptism and the banquet that followed at the house of Governor Ulloa and his wife, Doña Francesca Laredo. For several pages, witnesses provide testimony after testimony of their memories of this public ceremony. Eventually, after these testimonies, the tribunal decided to certify the baptism of Doña Josefa as legitimate based on the fact that so many people remembered it happening in a public space. The tribunal, led by Antonio de Sedella, then the Ecclesial Judge of the province of Louisiana, certified the baptism and had it approved by the Bishop of Havana, Cuba, who had recently been put in control of Louisiana.

Like the case of Juan Lugar, the evidence in this case hinged on the fact that it was a public baptism and was witnessed by many reliable people. Therefore, a decision against Doña Josefa would have exposed the church to ridicule among the elite as well as gone against Antonio de Ulloa, who was a powerful scientist, explorer, and government official. Rafael Contador's relationship to Josefa Ulloa is never explained in the court case, a mystery that begs for more investigation, especially since Doña Josefa would have turned 16 at the time of this case.

One final case revolves again around a missing baptismal record, this time from Don Juan de la Villabeuvre. Don Juan petitioned in July of 1794 for a certification of his baptism, and relates that he asked the parish priest to search the baptismal records, but that after a diligent search, no record of his baptism could be found.⁴⁰ Don Juan was well-connected to the Catholic church – his godfather was Bishop Cirillo de Barcelona, the Bishop in charge of Louisiana at this time. After testifying to his birth, that it occurred on June 24th of 1778, and that he was baptized by Antonio de Sedella a few days afterward, and after the certified testimonies of multiple priests that they remember the aforementioned baptism, the tribunal decided to issue a decree certifying his baptism. As this essay moves to its final section, I will investigate the connections among these cases, identify areas for further study, and suggest some implications of these cases on baptism in the wider Atlantic world.

All three of the baptismal cases mentioned in this section that came before the ecclesial court in New Orleans emphasize the fundamental importance of baptism in the social and religious spheres of early New Orleans. From free people of color to white Spaniards, baptism was a ticket to legitimate participation in the public life of the city. One common thread among these cases is that a baptismal record was the key to a legitimate marriage in the eyes of the church. From Eduardo Dejean, a free Black man with an unknown father to Doña Josefa de Ulloa, the legitimate daughter of one of the

⁴⁰ "Acts of Estevan de Quinones, July 24, 1794, Vol 8. Folio 242-250. 'Don Juan De La Villebeuvre,'" n.d.

most renowned and respected Spanish elites in the Caribbean, people of widely varying social stations took to the church court to gain certification of their baptism, often motivated by the desire to marry. In these cases at least, it appears clear that the petitioners already had solidly established racial identities and sought the baptismal certification for reasons other than a certification of their race.

However, race still figured prominently in these cases – the assumed or perceived race of the petitioners influenced which sacramental books the priests would have looked through to search for the records. It is also true that each of these cases, even that of Eduardo Dejean, had a powerful white male sponsor or petitioner leading the case. In fact, the sponsors and witnesses in these cases are a who's-who of early Spanish governors, officials, and priests. This begs a few important questions. Were there barriers to petitioning the court for those who were not elite or who did not have elite sponsors or social connections? Did the court take cases from enslaved people seeking baptismal records? Finally, was certification of baptism ever in doubt for these petitioners? Was it a high legal bar to prove one's baptism, or did well-connected witnesses ensure it was a quick and painless procedure? An obvious additional question is how these court proceedings compared to similar requests during the French and American governances of New Orleans. Finally, although there are not many of these cases, their existence does beg the question as to how often baptisms went unrecorded or missing after the fact. The sacramental records of the Diocese of New Orleans present themselves as exhaustively complete, but with these cases in mind, as well as

the potential barriers to making a formal case around a missing baptismal record, it could be imagined that there may be more invisible holes in the archive than commonly thought.

In many ways, these three court cases make the case of Juan Lugar appear even more exceptional. While propertied and Spanish, Juan was certainly less important than the luminaries that dominate this second set of cases. He also sought a unique redress to his solution, the changing of an already completed baptismal record. Another unique factor may have been that Juan Antonio was actively moving away from the sacrament of marriage in his petition. Rather than seeking baptismal records as a path toward marriage, Juan Antonio was trying to run away from a relationship and separate his daughter from her mother. These three cases, along with the case of Juan Lugar and the lives of Juan and Maria Juana Justis, provide a solid foundation for an examination of the role of baptism in New Orleans and the Atlantic world that I will now turn to.

7. CONCLUSION

Maria Juana Justis and Juan Antonio Lugar, one a *mulata libre*, the other a white Spaniard, lived lives that were bounded by the sacrament of baptism as practiced by the Roman Catholic church. Even though it is unlikely they consciously thought about baptism on a daily basis, the sacrament nevertheless had a steady, and sometimes dramatic influence on their lives. Their racialization in the Atlantic world of the late 18th century was codified by their original baptisms, then frequently reinforced as they appeared in the sacramental records of the diocese of New Orleans. Even as Maria Juana's last name fluctuated from Justis to Perdomo, to De Justis, to Prudomo, to Prudhomme, each entry stamped her as a *mulata libre*. To baptize her daughter, to serve as a godparent, even to get married meant a new and formal imprint of race on her life and in the archive. The power of the Catholic archive in New Orleans was not just that it codified and certified an individual's race through the ceremony of baptism, but that it reified that racial classification at every step and milestone of life.

By the end of the 18th Century, race could not exist in New Orleans without baptism. From the different books of sacramental records to the delicate dance of *padre* and *madre incognitos* and *desconocidos* that created the recorded race of a child, baptism was the empire's tool of race-making *par excellence*. Perhaps more controversially but no less accurately, baptism in 18th Century New Orleans could not exist without race. By this time, the theological implication that the God saw humans as inherently raced was

entrenched, a trend that had been growing for centuries. Colonial Christianity would not have reached New Orleans except through the Christian exploration, conquest, enslavement, and exploitation of the people of the Atlantic world. While the Spanish empire did not doubt the ability of Africans or Indigenous peoples to become Christian in the same way as England's empire, the dominant strand of Roman Catholicism in the Spanish empire tied the racialization of people so closely to the ceremony and record-keeping of baptism that they became functionally inseparable. Being baptized was the only ticket for any non-Spaniard to participate fully in the Spanish Empire's religious and legal system, and as these cases show, even the white elites of Spanish society were required to have their baptism properly documented.

There are several critical implications from this conclusion that require further exploration and research. First, there are other cases involving baptism in the notarial archives in New Orleans, even though they were beyond the scope of this particular paper. There are several recorded abjurations in the archive in which persons of other faiths or denominations renounced their previous religious background in favor of Roman Catholicism. In each of these, the subjects are asked about their baptism and if they can produce any proof that they have been baptized. Likewise, there are several *limpieza de sangre* cases, court proceedings in which men sought to prove their whiteness through the purity of blood of their ancestors. Both of these types of cases may shed more light on the connections in New Orleans between baptism and race, and deserve deeper scrutiny.

Given that every single baptism in the 18th Century in New Orleans was performed by a man, the gender dynamics of baptism and race promise to be a fruitful field for further exploration. Emily Clark provides the most detailed existing examination of gender, baptism, and race in New Orleans in her book *Masterless Mistresses: The New Orleans Ursulines and the Development of A New World Society, 1727-1834*, but subsequent scholars, even those who have focused on gender and race in New Orleans, have failed to take up her focus on religion with equal rigor. Areas to study further might include the relative prevalence of mothers and fathers listed as *incognito or desconocido* in the sacramental archives as well as how common it might have been for the names of women and men to change in the archives over time. The absence of testimony from Maria Juana Justis in a tribunal case that directly involved her motherhood also raises questions about the lack of archival presence of women in cases surrounding baptism.

The movements of Juan Lugar and Maria Juana Justis across the Atlantic world (and in Juan's case the Atlantic Ocean) serve as a crucial reminder that New Orleans was deeply connected to the broader Atlantic world through the movement of ideas, goods, and people. A wider examination of baptismal cases in ecclesial courts is also necessary, especially in the Caribbean jurisdictions such as Havana that would have influenced the religious climate and decisions in New Orleans. Tracing the movements of the priests that came to New Orleans and finding the educational and ecclesial environments that formed them may also provide insight into the decisions and customs of Catholic New

Orleans. Finally, a most difficult question remains. In what ways was the relationship of baptism and race in New Orleans a mirror of its relationship in the Atlantic world at large, and in what ways did New Orleans mirror and influence the interrelated nature of baptism and race in the Atlantic world. It is my hope that the four cases analyzed in this paper will propel further study on the questions and conclusions they raise regarding the role of baptism in the making of race, and the role of race in the theology and praxis of baptism.

Bibliography

“Acts of Estevan de Quinones, April 23, 1783, Vol. 1, Folio 301-315, ‘Information Produced for Don Rafael Contador Captain of the Regiment of Infantry Assigned to Havana about Confirming That Doña Josefa de Ulloa Was Baptized in the Parish Church of This City.,’”

“Acts of Estevan de Quinones, July 5, 1794, Vol 8. Folio 222-227. ‘Information Produced for Eduardo Dejean, Mulato Libre, in Order to Contract Marriage with Maria Tereza Luisa, Negra Libre.,’”

“Acts of Estevan de Quinones, July 24, 1794, Vol 8. Folio 242-250. ‘Don Juan De La Villebeuvre,’”

“Acts of Estevan De Quinones, September 6, 1793, XI, 413-423, ‘Proceedings by Juan Lugar, about Suppressing the Name of the Woman With Whom He Had A Natural Daughter, In the Certificate of Baptism.’” NANO.

“Acts of Peter Pedesclaux, Aug, 27, 1816, Vol. 72, ‘Succession of Marie Jeanne Prudomo’ NANO,”

“Acts of Peter Pedesclaux, Jan. 17, 1804, Vol 46, Fol. 41. ‘Testament of Don Juan Antonio Lugar’ NANO,”

Bailey, Richard A. *Race and Redemption in Puritan New England*. Oxford University Press, 2014.

“Baptism of Auguste Raimond Boisclair, March 7, 1811. SLC, M3, 41.,”

“Baptism of Eulalia Asnard, March 24, 1805, SLC, B18, 45.,”

“Baptism of Josefa Ramona, Dec. 23, 1800. SLC, B15, 353.,”

“Baptism of Juan Decoudreaux, Sept. 4, 1799. SLC, B15, 164,”

“Baptism of Maria De Los Dolores, July 2, 1804. SLC, B16, 246),”

“Baptism of Maria Juana Davieux. April 23, 1815. SLC, B27, 107.”

“Baptism of Martina Constanza Dumuy. April 11, 1803. SLC, B16, 119.”

“Baptism of Petronilda Lugar, March 3, 1795. SLC, B13, 183.”

“Baptism of Rita Josefa Lugar, June. 24, 1793. SLC, B13, 65,”

Bennett, Herman L. “African Kings and Black Slaves.” Accessed May 10, 2020.
<https://www.upenn.edu/pennpress/book/15861.html>.

Clark, Emily. *Masterless Mistresses: The New Orleans Ursulines and the Development of a New World Society, 1727-1834*. Williamsburg, Va. : Chapel Hill: Omohundro Institute of Early American History and Culture ; University of North Carolina Press, 2007.

———. *The Strange History of the American Quadroon - Free Women of Color in the Revolutionary Atlantic World*. The University of North Carolina Press, 22.
https://doi.org/10.5149/9781469607535_clark.

Clark, Emily, and Virginia Meacham Gould. “The Feminine Face of Afro-Catholicism in New Orleans, 1727-1852.” *The William and Mary Quarterly* 59, no. 2 (2002): 409–48. <https://doi.org/10.2307/3491743>.

“Funeral of Juan Lugar, March 6, 1804. SLC, F6, 4.”

“Funeral Record of Maria Juana Prudomme, Jun. 22, 1816’ SLC, F10, 81,”

Holmes, Jack D. L. *Honor and Fidelity; the Louisiana Infantry Regiment and the Louisiana Militia Companies, 1766-1821*,. Louisiana Collection Series of Books and Documents on Colonial Louisiana, 1. Birmingham [Ala.: Birmingham Ala, 1965.

“Marriage of Eduardo Dejean and Maria Theresa Luisa. Sept. 10, 1794. SLC, M3, 12.”

“Marriage of Jose Cabaret and Maria Juana DeJustis, March 10, 1801. SLC, M3, 20.”

Schwartz, Stuart B. *All Can Be Saved: Religious Tolerance and Salvation in the Iberian Atlantic World*. New Haven: Yale University Press, 2008.

Spear, Jennifer M. *Race, Sex, and Social Order in Early New Orleans*. Early America. Baltimore: Johns Hopkins University Press, 2014.

“Succession of Marie Jeanne Prudomo, April 27th, 1816. Pedro Pedesclaux, Notary Public.”

The Collins C. Diboll Vieux Carré Survey - a project of The Historic New Orleans Collection. “The Collins C. Diboll Vieux Carré Survey: Property Info.” Accessed April 28, 2021. https://www.hnoc.org/vcs/property_info.php?lot=23171-01.

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