# Merchant Representatives and the French River World, 1763-1803

by
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The French empire in North America came to an abrupt end with the signing of the Treaty of Paris in 1763.[1] With the "scratch of a pen," as Colin G. Calloway has explained it, the map of North America was drastically altered.[2] New France and the Illinois Country on the east side of the Mississippi River became British territory, and the Spanish took possession of the west side of the Mississippi and New Orleans. These were the first in a series of changes that would dramatically transform North America's geopolitical landscape in the years between 1763 and 1803. The Royal Proclamation, the Quebec Act, the American Revolution, Jay's Treaty, and the Louisiana Purchase led to a continual redrawing of territorial boundaries and various attempts to control these new borders. However, as Calloway notes, "Imperial politics did not always or immediately alter existing social realities. On the peripheries of empire, many of the same people continued business as usual."[3]

The social reality on the ground was slow to change, and French settlements continued much as they had before—tied together by a commercial system of traders and merchants traveling along the waterways of North America to form what was in essence a French river world. For an entire generation, the numbers of Spanish, British, and Anglo-Americans in the heart of North America remained modest. By the time of the Lewis and Clark expedition (1803), however, the territories west of the Mississippi had begun to enter the mainstream of American consciousness, which ushered in a new era of American

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[1] Despite keeping Haiti and various smaller islands and briefly regaining Louisiana prior to its purchase by the Americans in 1803, France ceased to be an imperial power in North America after 1763.

[2] Colin G. Calloway, *The Scratch of a Pen: 1763 and the Transformation of North America* (New York: Oxford University Press, 2006), xi.

[3] Ibid., 131.

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western expansion. The expedition was a precursor to the waves of western migration that eventually flooded the interior of North America. In the face of these changes, the French river world was notably pliant, adapting and transforming itself as needed. Many of the social and commercial linkages that defined the French river world persisted into the 1830s, buoyed by the hundreds of French Canadian voyageurs who were hired by the American Fur Company of St. Louis.[4] Because the French river world sustained a remarkable continuity of social and commercial exchanges on the ground, it took nearly a century for it to come apart. One might argue that the French river world was far more resilient than the official geopolitical French Empire in North America ever had been.

Historians have traditionally dealt with the post-1763 period in North America within the confines of politically defined boundaries, studying the British, Spanish, and American territories as separate entities.[5] Although recent interpretations have reunited the histories of the east and west sides of the Mississippi—erasing the imaginary line that separated the French people who lived in Spanish Upper Louisiana from their compatriots who lived in the British and American Illinois Country and the Ohio River valley—the U.S.-Canadian border has remained remarkably well-entrenched in the historiography.[6] Eric Hinderaker argues that after 1763 French fur-trade merchants of the Ohio and middle Mississippi River valleys chose to deal primarily with New Orleans to the south, rather than Montreal to the north.[7] Others,

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[4] Nicole St-Onge, in collaboration with William Swagerty, "Trade, Travel and Tradition: St. Lawrence Valley Engagés to the American Fur Company, 1818-1840. Paper presented at the British Association for Canadian Studies Annual Conference, April 2007.

[5] There are exceptions to this of course, such as the works of Charles J. Balesi, W. J. Eccles, and more recently Gilles Havard and Cécile Vidal. However, these authors' works focus primarily on the geopolitical history of the French Empire, portraying the period after 1763 as one of decline after conquest. See Charles J. Balesi, *The Time of the French in the Heart of North America, 1673-1818*, 3d ed. (Chicago: Alliance Française, 2000); W. J. Eccles, *The French in North America, 1500-1783*, rev. ed. (Markham: Fitzhenry & Whiteside, 1998); Gilles Havard and Cécile Vidal, *Histoire de l'Amérique Française* (Paris: Flammarion, 2003).

[6] A good example of this is Jay Gitlin's work on the French bourgeois and their role in the emergence of mid-America, in which he attempts to reintegrate the story of the French who lived in the interior of North America into the American national narrative. Jay Gitlin, "Negotiating the Course of Empire: The French Bourgeois Frontier and the Emergence of Mid-America, 1763-1863" (PhD diss., Yale University, 2002).

[7] Eric Hinderaker, *Elusive Empires: Constructing Colonialism in the Ohio Valley, 1673-1800* (New York: Cambridge University Press, 1997), 177.

such as Carl J. Ekberg, have focused on the grain and flour trade to New Orleans as the predominant economic activity operating out of towns like Ste. Geneviève in the middle Mississippi River valley.[8] The story of the French in the postconquest period has thus been one of either tragic dénouement or of renewal within the creation and expansion of the American nation-state, but neither of these interpretations captures the great continuity of French social and commercial interaction across these newly formed but weakly enforced territorial borders. There are, however, studies that have moved beyond a national paradigm. Focusing primarily on fur-trade and Métis histories, some researchers have explored kinship networks. Susan Sleeper-Smith's study of Catholic kinship groups and Heather Devine's exploration of the extensive Métis genealogy of the Desjarlais family have revealed peoples who were part of a vibrant northern trade, exporting furs and importing British goods.[9] For example, hundreds of French traders arrived each year at Michilimackinac to trade pelts and goods in a Great Lakes trade dominated by Indian women and their French husbands.[10] Between 1763 and 1805 approximately six hundred fur-trade contracts were issued from Montreal for voyageurs bound specifically for the Illinois Country, an additional six hundred contracts were issued for voyageurs headed to Detroit, and another three thousand were distributed to voyageurs destined for Michilimackinac.[11] In 1803 Nicolas de Finiels complained at length about the lure of the fur trade on the Mississippi River and its continued connection with the North in his report to the Spanish governor at New Orleans. He grumbled that traders would "ascend the

[8] Carl J. Ekberg, *Colonial Ste. Geneviève: An Adventure on the Mississippi Frontier* (Gerald, Mo.: Patrice Press, 1985), 126-76.

[9] Susan Sleeper-Smith, *Indian Women and French Men: Rethinking Cultural Encounter on the Great Lakes* (Amherst: University of Massachusetts Press, 2001); Heather Devine, *People Who Own Themselves: Aboriginal Ethnogenesis in a Canadian Family, 1660-1900* (Calgary: University of Calgary Press, 2004).

[10] Calloway, *Scratch of a Pen*, 128-29.

[11] Nicole St-Onge, Voyageur Database Project (University of Ottawa, 2007). This ongoing research project, currently being conducted at the University of Ottawa, is aimed at producing a database of at least thirty-five thousand notarized fur-trade voyageur contracts signed in the Montreal-Trois Rivières corridor between 1755 and 1870. This project is funded by the Métis National Council of Canada and is directed by Nicole St-Onge. I was the architect and project manager of the Voyageur Database from its inception in 2004 until 2007. The numbers used in this article represent contracts, not individuals.

Illinois River and trade at Michilimackinac for merchandise that arrives every year from Canada."[12]

Between 1763 and 1803 French merchants and voyageurs freely crossed the newly formed boundaries, not only maintaining but also expanding upon well-established systems of commercial and social exchange in North America. These travelers journeyed on the continent's major waterways, acting as cultural conduits for the maintenance of an informal French commercial empire held together by kinship, commerce, and religion. Consequently, French merchants and those they represented developed an understanding of and a feeling of belonging to a French river world that transcended borders.

The result of this interconnectedness was a mental map of a French river world, where a culture of mobility formed and maintained a very real transnational community.[13] This community was not simply a theoretical construct but a geographical concept as well, which was rooted in the tangible reality defined by the lived experiences of merchants and voyageurs. The goods they transported, the people they encountered, and the communities and individuals they represented were concrete manifestations of a larger collective understanding. The Chicago portage, the settlement at Detroit, and the trading post at Michilimackinac—to name a few sites—became crucial transit points in a collectively conceived French river world in which the waterways of North America comprised the symbolic lifeblood that tied individuals, families, and communities together. Nowhere was this more evident than in the complex forms of representation that defined the concepts of family and community, uniting both the abstract perceptions of space and place and the tangible lived experience of mobility.

This article provides a preliminary examination of mobility and several forms of representation in the French river world. More precisely, it explores the manner in which commercial and legal representation crossed over into the social sphere, tying together disparate French settlements into a larger community. Although this account focuses primarily on French merchant representatives traveling between St. Louis and its environs and the St. Lawrence River valley, similar

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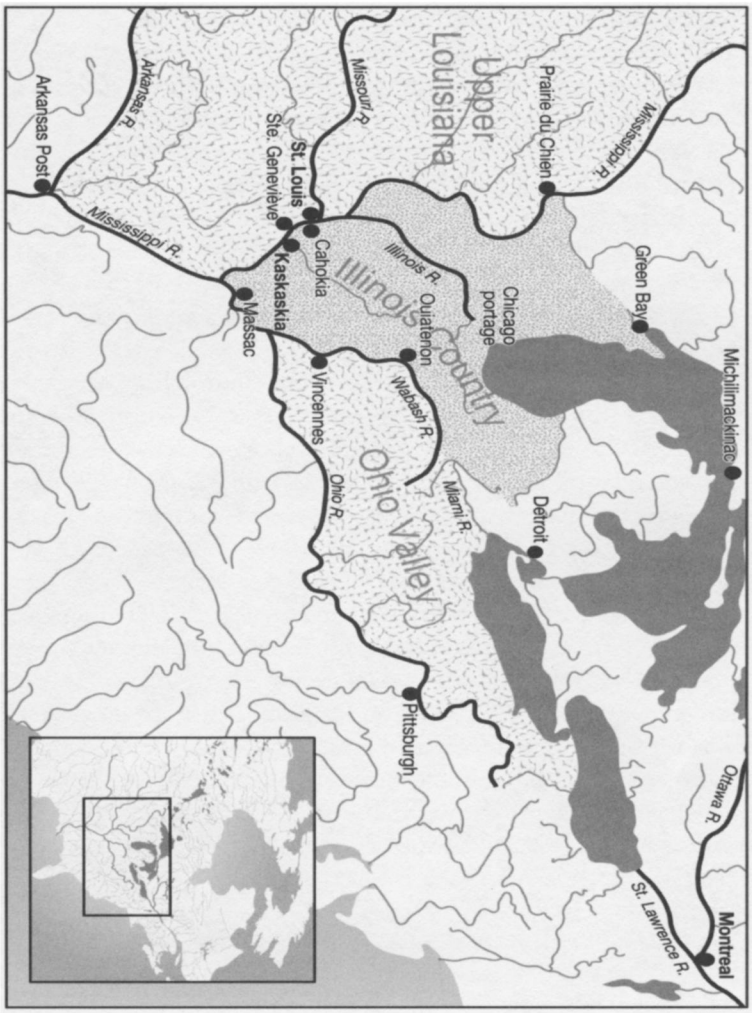
[12] Nicolas de Finiels was a Frenchman employed by Manuel Luis Gayoso de Lemos, the governor of Louisiana, to work as an engineer and surveyor. Nicolas de Finiels, *An Account of Upper Louisiana*, ed. Carl J. Ekberg and William E. Foley (Columbia: University of Missouri Press, 1989), 86.

[13] Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, rev. ed. (New York: Verso, 1996), 5-7.




**Map of the French river world in the heart of North America**

Map by author.

processes touched French communities throughout North America, helping to tie together what Christian Morissonneau has appropriately described as "a people without borders."[14]

With the loss of the French geopolitical structure in 1763, trade and kinship ties united French communities in North America. Eric Hinderaker ably demonstrates that by the time of the American Revolution, three constructions of colonialism overlapped in the Ohio Valley: trade, land, and liberty. He observes that "trade was the oldest imperial form in the region, and evidence of a trading culture remained wherever an observer looked. It still shaped the social and cultural dynamics of Ohio Valley towns, provided a livelihood for many valley residents, and brought diverse peoples together in complementary pursuits."[15]

Transcontinental commerce had important social implications, and the goods of commercial systems such as the fur trade carried cultural meanings and values as well. Carolyn Podruchny argues that the voyageurs brought their world with them.[16] It was a domain defined by a culture of mobility and influenced by those with whom they came in contact. As Podruchny elaborates, "the cultural exchange did not just flow into the St. Lawrence valley. Voyageurs brought the customs and attitudes of the St. Lawrence valley inhabitants with them when they traveled across the continent."[17] It was this reciprocal commercial and cultural interaction between regions of the former French colonial empire in North America that maintained the French river world.

In this world, kinship and commercial ties were largely synonymous. The extended kinship networks explored in the works of Heather Devine, Susan Sleeper-Smith, and Tanis Thorne reveal a complex underlying network of interactions among the French, Native Peoples, Métis, and Creoles.[18] Devine argues that in many ways kinship made this world markedly *Canadien*, particularly in St. Louis and its environs, where many of the large merchant families, such as Cerré, Vallé, and Ménard,

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[14] Christian Morissonneau, "The Ungovernable People: French-Canadian Mobility and Identity," in *French America: Mobility, Identity, and Minority Experience across the Continent*, ed. Dean R. Louder and Eric Waddell (Baton Rouge: Louisiana State University Press, 1993), 28.

[15] Hinderaker, *Elusive Empires*, 176.

[16] Carolyn Podruchny, *Making the Voyageur World: Travelers and Traders in the North American Fur Trade* (Toronto: University of Toronto Press, 2006), 305.

[17] Ibid., 307

[18] Devine, *People Who Own Themselves*; Sleeper-Smith, *Indian Women and French Men*; Tanis E. Thorne, *The Many Hands of My Relations: French and Indians on the Lower Missouri* (Columbia: University of Missouri Press, 1996).

had originally come from Montreal or Quebec City.[19] Jay Gitlin prefers to use the word Creole to characterize French people who lived in the heart of North America.[20] Regardless of the name chosen to describe them, the lingua franca of the people in this region was French and their religion Catholic. In St. Louis it was common for new arrivals from France or New Orleans to access the vast trade networks of North America by marrying into the area's merchant families. Most of those who married into these networks were French, Creoles, Métis, or Native Americans, but a small and increasingly important group of English and Scottish traders also did so, thus joining the French river world. For example, Montreal trader William Grant's brother-in-law, Claude Laframboise, helped him in the fur trade and with other business dealings Grant had with Auguste Chouteau at Michilimackinac.[21]

Marrying into a French family was a convenient way to gain access to a commercial system that was based on kinship and rooted in the French communities of North America. However, there were responsibilities associated with these unions, and to ignore them and behave irresponsibly was unwise and might lead to alienating not merely one's French spouse, but also her extended French family and eventually the larger French community. An extreme example of such a breakdown in relationships can be seen in the case of the English merchant Thomas Bentley. Bentley came to the Illinois Country from London via west Florida and the Mississippi River in 1776.[22] Clarence Alvord's account portrays Bentley as a despicable scoundrel who defrauded the French inhabitants of the Illinois Country and played both sides during the American Revolution.[23] In all probability, some of Bentley's subsequent difficulties stemmed from his own untrustworthy character. On a trip to

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[19] Heather Devine, "A Fur Trade Diaspora: Canadien Merchant Families in St. Louis after the British Conquest," paper presented at a meeting of the Canadian Historical Association, Winnipeg, 2004. The term *Canadien* is used in this context to describe descendants of the French-speaking inhabitants of the St. Lawrence River valley who later became known collectively as French Canadians. Because the English term Canadian refers to citizens of modern Canada, regardless of their language, lineage, or cultural affiliation, I have chosen to use the italicized French term in this article.

[20] Gitlin, "Negotiating the Course of Empire," 1.

[21] William Grant to Auguste Chouteau, September 24, 1798, microfilm, reel 2, St. Louis Fur Trade Papers, Part 1: The Chouteau Collection, 1752-1925 (hereafter SLFTP, Chouteau Collection), Missouri Historical Society, St. Louis.

[22] David G. Thompson, "Thomas Bentley and the American Revolution in Illinois," *Illinois Historical Journal* 83 (Spring 1990): 3.

[23] Clarence Walworth Alvord, ed., *Kaskaskia Records, 1778-1790* (Springfield: Illinois State Historical Library, 1909), 2: xvi-xxv.

Michilimackinac in 1777, Bentley was arrested for providing supplies to the Americans and for allegedly meeting with Lieut. William Linn at the mouth of the Ohio River.[24] He was imprisoned in Canada, and in 1778 he hired Pierre Prévost of the parish of Ste. Geneviève in Montreal to manage his canoes and fur-trading operations in the Illinois Country. Bentley's wife Marguerite Beauvais acted for him while he was detained in Canada, and she assisted in the renewal of the contract with Pierre Prévost, who subsequently acted as her agent in the Illinois Country. Marguerite managed the family finances and represented Bentley in court in Kaskaskia. Thus his kin-based French connections supported Bentley, though ensuing events suggest that he did not fully appreciate or even trust this assistance.

Because the necessities of commerce resulted in regular and prolonged absences by the men of the communities, it was commonplace for wives to act for their husbands in the French river world. As Susan Boyle explains in her study of the women of Ste. Geneviève in the eighteenth century, "the prolonged absences of their menfolk gave wives additional power and ample opportunity to function as deputy husbands, protecting their own interests and those of their families."[25] Therefore, it is no surprise that women at Kaskaskia exercised a great deal of power. Mariane Briant, acting under the authority of a power of attorney from her husband Jacques François Conand, was able to set up an apprenticeship for her twenty-year-old son, Jean-Baptiste Conand, exchange land and houses with other Kaskaskian residents, and even contract out this power of attorney to others in the community to act as her agent.[26] Similarly, Antoine Bienvenu, Jr., gave his wife, Therèse Peltié Antaya, a power of attorney to act on his behalf in all legal and financial matters.[27] Boyle argues, however, that it was predominantly older women who initiated legal

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[24] Thompson, "Thomas Bentley," 5. Lieutenant Linn was part of an expedition, led George Gibson, sent from Fort Pitt to New Orleans during the American Revolution. On their way back to Fort Pitt, the Americans were forced to winter at the Arkansas post (near the confluence of the Arkansas and Mississippi rivers) and later traveled up to the mouth of the Ohio River, where Bentley met with Linn. See Alvord, ed., *Kaskaskia Records*, xviii-xix.

[25] Susan C. Boyle, "Did She Generally Decide? Women in Ste. Geneviève, 1750-1805," *William and Mary Quarterly* 44 (October 1987): 785.

[26] Kaskaskia Manuscripts, 81:4:3:1, 83:9:8:1, 86:8:14:2, Fifth Circuit Court's Office, Randolph County Courthouse, Chester, Ill. The Kaskaskia Manuscripts are catalogued by year (two digits only), month, day, and sequence in the total number of transactions recorded that day.

[27] Ibid., 83:5:20:1.

proceedings and held power in the French community.[28] Marguerite Beauvais found herself saddled with responsibilities unusual for a woman so young and so recently married. Whether because she was inexperienced or because Bentley's immoral business practices caught up with him, delegation failed in this instance. Marguerite Beauvais and Pierre Prévost had difficulty protecting Thomas Bentley's financial interests, failing to win court cases over debts owed to the merchant Elie Beauregard of New Orleans and wages owed to voyageurs who had worked under Prévost.[29] These results dealt Thomas Bentley a serious financial blow.

Bentley escaped from prison and returned to Kaskaskia in 1780 full of anger and suspicion. Upon his arrival, Bentley allegedly kicked in the door of his house, verbally assaulted Marguerite, and threw her out in the street. David Thompson speculates that Marguerite Beauvais and Pierre Prévost may have had an affair, although it is uncertain how much time Prévost could have spent in Kaskaskia given the extent of his responsibilities.[30] Certainly Bentley was convinced of his wife's infidelity; in a letter written "to his enemies" in 1780, he referred to her as a prostitute "who lived publicly in violation of all laws human and divine."[31] After his death, Bentley's friend and agent John Dodge referred to Beauvais's supposed whorish conduct in the legal battle that ensued over Bentley's estate.[32] The basic facts are uncertain. Did Bentley verbally assault Marguerite and throw her out of the house? And if so, was this a reaction to her alleged infidelity or to the decline in his profits during his absence, or to both?[33] The only evidence for the assault is Marguerite Beauvais's complaint in a petition to the court. However, after the alleged assault the court refused even to hear Bentley's cases seeking to collect on notes owed to him. This was such an extreme measure for the court to adopt that it suggests a willingness to believe the worst of Bentley.

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[28] Boyle, "Did She Generally Decide?" 779.

[29] Kaskaskia Manuscripts, 79:6:9:1, 79:9:27:1, 79:9:27:2, 79:9:27:3, 79:9:28:2, 79:11:3:1.

[30] Thompson, "Thomas Bentley," 10.

[31] Thomas Bentley to His Enemies, September 5, 1780, in Alvord, ed., *Kaskaskia Records*, 203-5. In this letter Bentley accuses his enemies of misdeeds and charges that they treated him unfairly; it is a transparent attempt to salvage his reputation.

[32] Kaskaskia Manuscripts, 87:2:7:1, 87:4:21:1, 87:4:23:2, 87:5:22:1, 87:5:30:1, 87:5:30:2.

[33] Thompson notes that neither of these interpretations is conclusive. See Thompson, "Thomas Bentley," 10.

Thomas Bentley's complete loss of standing within the community became still more evident when he appealed. Because the notary, a man named Carbonneaux, refused to record the petitions that Bentley sent to the court, Bentley took his case directly to the governor of Virginia.[34] The residents of Kaskaskia were quick to respond, also sending a complaint to the governor, citing the actions of Bentley and his associates. The couriers sent on behalf of the *habitants* of Kaskaskia were Richard McCarty and Pierre Prévost, Bentley's former agent in the Illinois Country. The document they carried was signed by the most prominent members of the community, including Marguerite's family members Antoine Beauvais and Jean-Baptiste Beauvais. The couriers were further instructed to take the case before Congress if necessary.[35] Regardless of the validity of Marguerite's claim of abuse, Bentley had clearly alienated his wife and broken his connection to the French community of Kaskaskia and the French river world. In doing so, he also lost the support of his former associate Daniel Murray and his old ally Richard Winston.[36] Writing to his enemies in 1780, Bentley referred to his exclusion from, and contempt for, the French river world, stating, "I know that it is a crime for a damned Englishman to attempt to stay among you; Irishmen suit you better; they are equal to you in perfidy, as for lying, flattering, and drinking tafia they can do it as well as any of you."[37]

Thomas Bentley has been analyzed most often in the context of the American Revolution and the controversy over his alleged role as a supplier to the American side. His fierce rivalries with the British agent

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[34] Kaskaskia Manuscripts, 81:1:31:1, 81:2:18:1.

[35] Ibid., 81:5:5:1.

[36] Thompson, "Thomas Bentley," 11. Daniel Murray went to the Illinois Country in 1767 as an agent of Franks and Co., a Philadelphia firm, and later formed a partnership with Louis Viviat of Kaskaskia to engage in land speculation. Murray was a business associate and former agent of Bentley. Richard Winston had also previously partnered with Bentley, shipping agricultural goods down the Mississippi River.

[37] Bentley to His Enemies, 203-5. This comment demonstrates Bentley's complete lack of understanding of the French river world, of which his marriage to Marguerite had made him a part. Although his actions, character, and inability to understand the French river world would in themselves have probably led to Bentley's eviction from that world, it is probable that his alleged abuse of his wife was the proverbial straw that broke the camel's back. Bentley found himself outside of a community that was not represented geopolitically and even today continues to lie largely outside of mainstream historiography. The case of Thomas Bentley is a reaffirmation that the French river world existed, that British and Anglo-Americans married into it, and that French families and the French-speaking community were powerful enough to expel someone from that world.

in the Illinois Country, Philippe François de Rastel, Chevalier de Rocheblave, and with the merchant Gabriel Cerré have dominated the narrative. The importance of his marriage to a member of the prominent Beauvais family has thus been remarkably underplayed. David Thompson is probably correct in depicting Thomas Bentley as both a scoundrel and a victim.[38] Bentley's marriage to Marguerite Beauvais in 1776 followed the standard practice of British merchants marrying into French families to gain access to a continental trade network built on kinship and commercial ties to Native Peoples. Not only did wives represent their husbands when they were absent, but they also acted as a bridge between the British and Anglo-American worlds and the French river world.[39] This form of representation gave women a great deal of independent authority. Thomas Bentley proved unable to understand or respect either Marguerite Beauvais's position as his wife or her role as his representative in the French river world.

Marrying into kinship networks and communities to gain access to previously untapped commercial opportunities was a longstanding tradition in North America. Just as Frenchmen had originally married Native American women in order to enter their kinship networks and create trade alliances, a small number of British merchants, particularly Scotsmen, appear to have done the same with French merchant families.[40] French merchants readily welcomed these alliances as the difficulties of maintaining their traditional trading partnerships with La Rochelle and Bordeaux in France became apparent, and as they grew increasingly convinced that British and Anglo-American commercial control of the transatlantic trade would be permanent. Men such as Andrew Todd, Isaac Todd, James McGill, John Jacob Astor, William Grant, John Ogilvy, and the members of the London firm Schneider and Company, became an inextricable part of a system that supported the French river world.

As British and Anglo-American goods replaced French goods, the French traders who dominated the interior fur trade became dependent on these new commercial arrangements. New kinship bonds and

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[38] Thompson, "Thomas Bentley," 3.

[39] This statement builds on the work of Sylvia Van Kirk, placing French women in between instead of Native women. Sylvia Van Kirk, "Women in Between: Indian Women in Fur Trade Society in Western Canada," *Canadian Historical Association, Historical Papers* 12, no. 1 (1977): 30-47.

[40] Other examples include Michilimackinac trader Joseph Howard from England who married Marguerite Réaume, and James McGill, who married Charlotte Desrivières, the mother of trader François Desrivières, after François's father died.

commercial connections with British traders helped to stabilize and nourish a commercial fur trade that doubled as a social network and maintained the French river world. Ironically, however, while these new alliances helped to maintain this world, they also undermined it, leading to its eventual dissolution. In 1800, when the fur baron Auguste Chouteau of St. Louis wrote to his brother-in-law Pierre-Louis Panet about sending his eldest son Aristide to be educated in Montreal, he remarked, "As the English language even now begins to be, and some day will become, absolutely necessary here, I desire that he learn it and that he perfect himself in it."[41] Panet responded later that year, commenting that "the English language is absolutely essential, and you can count on it that your son will return home a master of this language and of what a young man should know when he enters the world."[42] Chouteau and Panet saw firsthand how their world was changing, and they began to prepare themselves and their children for a North America that would become more and more Anglicized.

In this emerging new order, education and the trappings of civility were becoming more important, and the relationship of these attributes to commercial centers and peripheries was being renegotiated.[43] In 1800 Chouteau agonized over parting with his son, but he believed that it was necessary, arguing that "I must send him away from me, from a country where he can never conform himself to the usage of the world and good society, and acquire such talents as would distinguish him in the world or at least make him [the] equal of all that is called good society."[44] Tying a formal education to the concept of entering what Chouteau called good society was a gradual process, and one decidedly linked to the British upper class's emphasis on education. In a letter discussing Montreal trader Jean-Philippe Leprohon, Pierre-Louis Panet noted: "It is unfortunate that, with his natural talents, he did not receive regular education, and the English are sensitive on this point. But this does not prevent him from

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[41] Auguste Chouteau to P. L. Panet, May 10, 1800, reel 2, microfilm, SLFTP, Chouteau Collection.

[42] P. L. Panet to Auguste Chouteau, August 3, 1800, in ibid.

[43] Leslie Choquette has recently called into question our understanding of what the terms center and periphery meant for the French in North America during the New France era. I would argue that the meanings of these concepts were in flux and in the process of being renegotiated soon after the fall of New France. Leslie Choquette, "Center and Periphery in French North America," in *Negotiated Empires: Centers and Peripheries in the Americas, 1500-1820*, ed. Christine Daniels and Michael V. Kennedy (New York: Routledge, 2002), 203; Abraham P. Nasatir, "The Shifting Borderlands," *Pacific Historical Review* 34 (February 1965): 1-20.

[44] Chouteau to Panet, May 10, 1800.

conducting his business as well as others, and I am of the opinion that he will never abuse the confidence of anyone whatsoever, and that he can be of great service to those who employ him."[45]

French merchants in St. Louis, Ste. Geneviève, Kaskaskia, and Cahokia used their connections throughout the French river world to arrange to educate their children in Montreal and New Orleans. Carl Ekberg has made much of the illiteracy of the prominent trader François Vallé of Ste. Geneviève, arguing that in spite of this handicap he was able to become one of the richest men of the region. Yet Ekberg also acknowledges that literacy was becoming increasing important by the beginning of the nineteenth century.[46]

Regardless of the increasing importance of literacy and formal education, there was still a great continuity in the day-to-day life of most "residents" of the French river world. Legal cases and business transactions continued to be overseen by French notaries. In a population still largely illiterate, French notaries held a position of power and prestige within their communities. In 1781 Jacques La Source and Richard Winston fought over the appointment of Antoine Labuxière, Jr., to the position of notary at Kaskaskia.[47] Winston accused La Source of despotic practices in attempting to block Labuxière's selection as notary. He argued that La Source was infringing upon the liberties of the citizens and attempting to control the position of notary.[48] Although this dispute was probably fueled by personal rivalry and philosophical differences over legal protocols and structures, it also illustrates the continuing importance of French notaries. They controlled legal and commercial interactions between French inhabitants, both locally and abroad. American-style courts with elected magistrates were slowly being established in the Illinois Country, but notaries continued to be influential, often acting as clerks for the new courts while continuing their regular duties as notaries. Alterations to the formal legal structure did little in the short term to change actual French dominance. The new courts were conducted in French, and French merchants held the majority of influential positions.[49] An attempt to anglicize the court at Kaskaskia in the late 1780s was met with fierce resistance, leading to a decision by the citizens of Kaskaskia to have only French magistrates on

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[45] Panet to Chouteau, August 3, 1800.

[46] Carl J. Ekberg, *François Vallé and His World: Upper Louisiana before Lewis and Clark* (Columbia: University of Missouri Press, 2002), 283-84.

[47] Kaskaskia Manuscripts, 81:8:17:1

[48] Ibid., 81:8:30:1.

[49] Ibid., 82:9:22:1.

the court.[50] French dominance of legal structures facilitated the maintenance of a North American French commercial network.

Most business within this extended community was conducted by exploiting extended kinship ties. In the absence of a connection by blood, it was crucial to establish a business or personal association with a prominent family. In 1779 the Montreal merchant Toussaint Pothier sent several letters to the prominent Quebec City trader François Baby, requesting assistance in obtaining a southern trading license. Pothier used his personal relationship with François Baby's brother, Jacques Baby (dit Dupéront) of Detroit to encourage François to help him. He offered to take the flour that François Baby's brother had requested to Detroit if he was awarded a trading license.[51] Although François Baby had requested a horse worth 10 piastres in exchange for his help, Pothier instead provided a much better six-year-old black horse that he had bought for 80 piastres.[52] (To emphasize the value of his generosity, Pothier boasted to Baby that it was a steal compared to the sellers' original asking price of 100 piastres.) Pothier undoubtedly saw the hefty price and high quality of the horse as a way of gaining favor with an influential merchant in Quebec and his family in Detroit.

Staying in the good graces of merchants who traveled between the St. Lawrence and Mississippi rivers was crucial as these men did much more than simply help organize fur-trade expeditions. They assisted individuals in the management of their personal affairs by representing them in various locations throughout the French river world. Gabriel Cerré was the epitome of the middleman/merchant, spending most of his time traveling between the valleys of the St. Lawrence and Mississippi rivers. Originally from Montreal, Cerré settled in Kaskaskia before moving across the river into Spanish territory, operating out of St. Louis on the west side of the Mississippi River.[53] He regularly conducted business in both American and British territory, making frequent trips to Kaskaskia on the east side of the Mississippi, and Montreal on the St. Lawrence. Cerré used his kinship ties to the Chouteau

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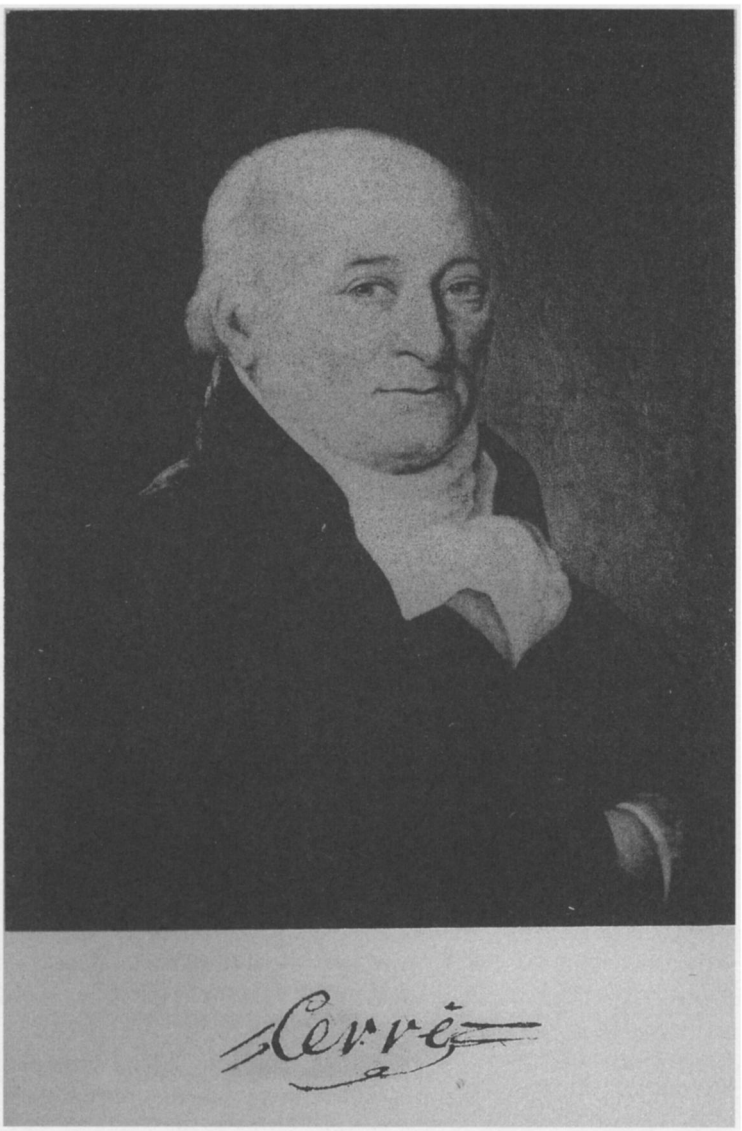
[50] Ibid., 87:1:1, 87:5:18:1, 87:7:7:1, 87:7:8:1.

[51] Toussaint Pothier to François Baby, September 13, 1779, MG24, L3, vol. 8, 4537-40, Louis François-Georges Baby Collection (hereafter Baby Collection), Library and Archives of Canada, University of Montreal division; Toussaint Pothier to François Baby, September 26, 1779, MG24, L3, vol. 8, 4546-47, in ibid.

[52] Toussaint Pothier to François Baby, October 21, 1779, MG24 L3, vol. 8, 4561-62, Baby Collection.

[53] Clarence Walworth Alvord, *The Illinois Country, 1673-1818* (1922; repr., Chicago: Loyola University Press, 1965), 346.




Source: Clarence Walworth Alvord, ed., *Kaskaskia Records, 1778-1790*, vol. 2 (Springfield: Illinois State Historical Library, 1909).

**Gabriel Cerré**
**From a painting in the possession of**
**V. C. Turner, Esq., of St. Louis, Missouri.**

family of St. Louis and the Panet family of Montreal and Quebec City to facilitate business transactions and handle the affairs of numerous French inhabitants. As one of Kaskaskia's richest citizens, and later one of St. Louis's most prominent traders, Cerré's signature graced many of the region's notarial documents. However, it was the frequency with which he held power of attorney for others that best illustrates the crucial role that he and other merchants played in maintaining the French river world.

Business and personal affairs were rarely mutually exclusive, and granting a merchant a power of attorney over one's affairs often combined a crucial legal-financial responsibility with larger family obligations. Many of these agreements were local, such as Marie Vincesne's 1778 request that Cerré be given power of attorney to handle the inheritance of her two children in Kaskaskia.[54] However, Cerré and other merchants frequently represented people in other parts of the French river world. In 1783 Cerré was granted a power of attorney for three Kaskaskian residents to help settle the estates of deceased family members back in Canada. He represented Geneviève Chavallié and Jean-Baptiste Montureur in Montreal, as well as Jacques Bauché (dit Moransy) at Ile d'Orléans, Quebec.[55]

The terms of service for a power of attorney could vary from individual to individual; however, *habitants* usually paid for these services. Payment could be in anything from land to slaves (money might actually change hands, but this was unusual), and in some cases might only cover travel costs or extend to a percentage of the estate to be settled. Representing people throughout the French river world was a marketable service and could be quite lucrative. This legal form of representation was rooted in French civil law and customs based on *la coutume de Paris* (the custom of Paris). However, it was also fundamentally based on unwritten and broadly understood legal conventions that had evolved over the years in the French river world.[56] None of the individuals Cerré represented in 1783 signed their contracts. Instead they followed the practice for illiterate members of the community and marked an X where their signature would ordinarily appear. After the contracts were read to them, these marks indicated

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[54] Petition of Marie Vincesne, April 25, 1778, reel 1, microfilm, SLFTP, Chouteau Collection.

[55] Kaskaskia Manuscripts, 83:4:15:1, 83:5:30:1, 83:6:23:1.

[56] Stuart Banner, "Written Law and Unwritten Norms in Colonial St. Louis," *Law and History Review* 14 (Spring 1996): 53.

that they agreed to the terms and granted the various powers of attorney.[57] This highlights a crucial element underlying this form of representation. Most of the inhabitants of the French river world were illiterate, with the exception of a small group of merchants, clergymen, and civic officials. Yet they commonly relied on this system of legal representation, showing perforce a remarkable faith in the power of contracts that they could not read and also great trust in the people who carried them out.

Handling both business and personal affairs over long distances required an intricate communication network and mutual understanding of how these dealings should be handled. Many individuals could be involved in a single transaction. For example, consider the case of Michel Antaya of Kaskaskia. He was represented by his father, Jacques Antaya, who was a voyageur. The elder Antaya collected a note for 200 livres from the Canadian merchant Joseph Hyrague. Hyrague was acting on behalf of François Cathara of Kaskaskia, and the exchange was certified by a notary named Guillaume Monforton at Michilimackinac in 1778.[58] Occasionally, given the difficulties caused by distance and geography, it was necessary to subcontract the power of attorney to other individuals, creating an extremely complex form of third-party representation. In July 1788 Michel Voyer signed a document in St. Louis that gave Gabriel Cerré power of attorney to handle the estate of Voyer's recently deceased parents in Quebec City.[59] Two months later in Chicago, Cerré contracted out the task to his Montreal agent Jean-Philippe Leprohon.[60] By November, the power of attorney originally given to Cerré had changed hands once again, this time in Montreal, where Leprohon contracted it out to Pierre-Louis Panet, Cerré's son-in-law, who had important family connections in Quebec City.[61] In December 1789, nearly seventeen months after Michel Voyer signed his original power of attorney with Cerré, the process came full circle

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[57] Kaskaskia Manuscripts, 83:4:15:1, 83:5:30:1, 83:6:23:1.

[58] Ibid., 78:11:26:1

[59] Power of Attorney by Michel Voyer to Gabriel Cerré, July 23, 1788, MG24 L3, vol. 39, 24982-89, Baby Collection.

[60] Transfer by Gabriel Cerré to Jean-Philippe Leprohon, September 3, 1788, MG24 L3, vol. 39, 24982-89, in ibid. The Chicago portage was an important meeting place for expeditions and brigades traveling between regions. Thus, it was also a reasonable spot to exchange documents and goods.

[61] Transfer by Jean-Philippe Leprohon to Pierre-Louis Panet, November 17, 1788, MG24 L3, vol. 39, 24982-89, Baby Collection.

as he received a letter from Cerré detailing the settlement of his family's estate.[62] Michel Antaya's and Michel Voyer's cases illustrate the complex and highly integrated system of social and economic interaction spread across vast distances and involving numerous individuals, within which commercial and kin connections employed widely understood conventions of legal representation to maintain the fabric of French North America.

This sophisticated system did not always run smoothly, however. Confirming one's legitimate claims to a deceased family member's estate could be fraught with difficulties. An example of this can be found in the case of Marguerite Biset of Canada, who had given Gabriel Cerré power of attorney in order to claim a share of the estate of Guillaume Biset in St. Louis. The claim's legitimacy was challenged in 1775 both by the executor of the estate, Pierre Laclède Liguest, and the estate's primary beneficiary, Paul Biset, which forced Cerré to prove that Marguerite's claim was well-founded.[63] Although there is no indication of how this was to be proven or the eventual outcome of the dispute, one can imagine that obtaining the documentation necessary to prove such a claim could be both difficult and costly over such vast distances. Nor was this a particularly fast process. A frustrated Louis Baby wrote from the Arkansas post to Auguste Chouteau in 1794, explaining the difficulties that he had encountered during the previous two years in trying to ensure that his own share of his uncle's estate was transferred to his mother. After being informed that letters were not sufficient to arrange such a transfer, Baby requested and received the legal forms from Joseph Perrault of Montreal and asked Chouteau to name someone trustworthy to accept a power of attorney to handle this task for him. In addition, Baby requested that Chouteau collect several notes that were owed to him, and he also asked Chouteau to procure passage to Arkansas for Baby's mother if she wished to travel there.[64]

As this article illustrates, legal and commercial representation was widely used and a vital part of the French river world. Family ties were crucial to this process, and those needing help often worked through their extended kinship networks or made use of a close association

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[62] Gabriel Cerré to Michel Voyer, December 6, 1789, MG24 L3, vol. 11, 6108-9, in ibid.

[63] Kaskaskia Manuscripts, 75:2:2:1.

[64] Ibid., 94:5:27:1.

they had forged with a powerful family. Women were frequent participants in this system, at times exerting a great deal of control over family, commercial, and financial interests. As education and the rise of literacy slowly changed the French river world, the use of these commercial and kinship networks to arrange the education of merchants' children in Montreal and New Orleans helped to maintain it. Although this article has provided evidence of a continued connection between the middle Mississippi and the St. Lawrence valleys, these forms of representation at a distance functioned well beyond this single corridor. For example, they allowed Mme. Trépanier of New Orleans and Antoine Pillet (dit La Sonde) of the Appeloussas to be represented in Kaskaskia in order to settle family estates.[65]

The French river world did not conform to the geopolitical boundaries envisaged by colonial administrators, and yet too often expressions of this culture of mobility have been overlooked by historians. Should we find it odd to discover that in 1774 Philipe La Chenay and his wife Marguerite Texier of Kaskaskia requested that Gabriel Cerré arrange to have masses said for them in Montreal after their deaths?[66] Perhaps, given these vast continental networks, it is not all that surprising that in 1779 Auguste Chouteau of St. Louis sent a gift of six marten furs and one black fox fur from Hudson's Bay to the wife of Manuel Luis Gayoso de Lemos, the governor of Louisiana, resident in New Orleans.[67] In a world reliant on mobility, these examples stand out, not because they were exceptional but because they were so normal. As we have seen, those who had long-distance family business to conduct often used fur-trade merchants as go-betweens, connecting regions over a large geographical expanse.

When the French river world is viewed as a highly mobile system of communication, exchange, cultural contact, and cultural reaffirmation, then the links between the settlements and trading posts become as crucial as the nodes of population themselves. The voyageurs and merchants who traveled the river highways of North America held together an economic, social, and cultural community that spanned the shifting boundaries imposed by empires and republics. The processes of representation and interaction that took

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[65] Ibid., 74:6:12:1, 74:10:31:1.

[66] Ibid., 74:8:2:1.

[67] Auguste Chouteau to Manuel Luis Gayoso de Lemos, April 14, 1799, SLFTP, Chouteau Collection.

place near these rivers tied disparate French-speaking communities together, and ultimately they made the waterways of the continent the lifeblood of a transnational community called the French river world.

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