

# **The Last Will and Testament of James Rapplye Background and Introduction**

## **Background**

In the spring of 2021, we received a request from Ellen Dauzat, a resident of Avoyelles Parish, to translate a document written in French. Ellen and a colleague of hers were researching a certain female who lived in the 1800s named *Martiene Rappilier*. Hoping to discover the identity of *Martiene*'s father, Ellen located the **Last Will and Testament of James Rapplye** among publicly available documents.

We received a copy of that document written in a very legible manuscript on two and one-half well-preserved pages. Nearly all the words and names were distinct and required very little guesswork before the context of the document made clear the intended word(s). Because it is a legal document, the Will contains most of the usual phrases one finds in similar documents, but there are some unusual and informative historical aspects, ones we wanted to share with our readers.

The document bears the heading, "State of Louisiana, West Baton Rouge Parish," and it is dated September 4, 1832. It was dictated in the presence of Louis Favrot, Judge of West Baton Rouge Parish, and three witnesses. The reason for the presence of the judge and witnesses is not made clear until page 2, lines 75 and 76 of the translation when the testator explains that he "does not know how to write" and that he will be signing the document with his mark (X).

James Rapplye declares himself to be a free man of color (FMC), and therefore not a slave. Free persons of color in places where slavery was legal at the time, as Louisiana was in 1832, are comparatively few in number. By inference, given his land and other possessions, including some slaves, James was a person of considerable wealth. In his Will, he instructs his executor to make certain dispositions of his possessions: his lands, improvements and furniture. Some of his directives specify the liberation of certain slaves, a few of which were his own relatives.

## **Introduction**

That a free person of color would own slaves at all, or even entertain the notion of owning slaves, gives us a powerful insight into this man's thinking about slavery in general. Today, we might guess that free persons of color in those times may have abhorred the very thought of slavery. But this man's slave ownership forces us to take the much wider view that slavery during those times was a very complex and multi-faceted issue.

To assist Ellen's research and to facilitate study from our readers, we have published both the original French document and our English translation together with this background and introduction. For ease of following the French-to-English translation, we have set down the translation in the same lengths of the lines from the original. Further, in the style of a legal deposition, we have numbered the lines in the translation.

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It should be noted that spellings during this time period, especially proper names, were not fixed as they are today, but instead they were often spelled phonetically.

In this manner, both *Rappilier* and *Rapplye* are pronounced very similarly in French, and Ellen wisely thought the two families might be related.

Even more to the point of Ellen's research, on page 2, line 41 of the Will it mentions a negress named *Martine*. Since her last name is not given, we can speculate that *Martine* was likely a slave, the property of the testator, James Rapplye.

A widely practiced custom in those times was to impute the same last name as the slave owner to all of their slaves. In this case, *Martine's* last name would be imputed to be *Rapplye*.

Ellen desires to know the identity of *Martiene Rappilier's* father.

**Q:** Is the *Martine (Rapplye)* mentioned in the Will the same person as the *Martiene Rapplier* for whom Ellen searches?

**A:** We simply cannot know for certain on the basis of this document alone, but we can speculate that they are possibly the very same person.

**Q:** Does the will mention the identity of *Martiene Rappilier's* father?

**A:** No, there is no mention of *Martiene's* father in the Will. If they were the very same person, it is possible that James Rapplye may be *Martiene/Martine's* father, but for now we can only speculate as to whether that is so.

Translating any document from one language to another usually involves expressions which, when translated literally, do not seem to convey what was originally intended. This Will has been translated both literally in some cases and figuratively in others; in this manner, some of the original French meaning and intention is carried into the English translation, but hopefully without leading the reader astray.

Louisiana history reminds us that our part of the world has been ruled under French, Spanish and British flags in earlier times. From its early days, the Louisiana Legislature published all its documents and laws in parallel French and English. Louisiana's first state constitution is an example of that practice. Documents from those different eras were often written in French or Spanish as well as English, and now many of those documents are now available for online viewing.

For our readers who aspire to translate from one language to another, Google has a very good and easy-to-use TRANSLATE function. It allows users to type in the word or phrase needing translation and the result is automatic. It offers translation from a wide variety of both common and not-so-common languages, so have some fun and give it a try.

Etats Unis d'Amérique

Etat de la Louisiane.

Le quatre septembre de l'an de notre Seigneur MDCCLXXXVIII et dans les cinquante septième années de l'Indépendance des Etats Unis d'Amérique:

Pardevant Louis Savot, Juge de la Paroisse Ouest Baton Rouge, Etat susdit, remplissant ce officio les fonctions de Notaire public pour et dans la dite paroisse, et en présence de M. M<sup>rs</sup> William Joyce, Emmanuel Peltier et Henri Bourcier Savot tous trois habitans domiciliés en la susdite Paroisse et témoins requis en conformité de la loi, est personnellement comparu James Rapplie, homme de couleur libre, habitant propriétaire et domicilié en cette Paroisse, lequel étant sain de corps et d'esprit, ainsi qu'il est apparu au susdit Juge et aux témoins susdits: Il dit James Rapplie ayant fait connaître son intention de faire son testament l'a dit dicté au dit Juge, en présence des dits témoins, ainsi qu'il suit:

Je donne et lègue à Meanette et à sa mère Vétine, toutes deux femmes de couleur libres, de cette Paroisse, et en cas de mort de l'une d'elles ou des deux, à leur héritier, le morceau de terre où j'habite maintenant: borné à sa partie supérieure par terre de Gabriel Hébert et à sa ligne inférieure par M<sup>rs</sup> Villeneuve LeBlanc, tel qu'il se comportera avec toutes ses dépendances et améliorations, lors de mon décès.

Je donne aux mêmes et comme est dit ci-dessus à leurs héritiers, tous le mobilier, créances &c. que je pourrais avoir lors de mon décès, en payant mes dettes.

Je déclare par les présentes affranchir des liens de l'esclavage mes neveux ci-après nommés savoir: Joseph nègre âgé de 30 ans, Maximilien nègre âgé de 27 ans, Simon nègre âgé de 22 ans, Pierre nègre âgé de 19 ans; priant mon exécuteur testamentaire ci-après

constitué, de remplir le plus tôt possible, les formalités voulues par la loi, pour l'émancipation des esclaves, si je venais à mourir avant de l'avoir fait moi-même.

Je donne et lègue à mes neveux ci-dessus nommés et à leurs frères et sœurs savoir: Héroïse femme de William Collins, négresse âgée d'environ 25 ans, affranchie par moi le vingt Novembre 1828, et Martine négresse âgée de 15 ans, Antoine nègre âgé de 12 ans; Eulalie griffonne âgée de 8 ans; James griffe âgé de 5 ans et Jules griffe âgé de 3 ans; les cinq derniers nés depuis l'affranchissement de leur mère; le net produit d'un morceau de terre où demeure maintenant William Collins, homme de couleur libre, borné en haut par terre des héritiers Louis Dubardeau et en bas par terre de Gabriel Hebert. désirant que mon exécuteur testamentaire fasse vendre la dite terre, pour le produit en être partagé également entre mes susdits neveux et nièces; et qu'il leur remette leurs portions au fur et à mesure qu'ils seront d'âge et habile à hériter; à moins qu'il juge à propos de l'employer pour leur procurer un état ou métier ou à leurs besoins pendant leurs maladies, telles sont mes volontés.

Je nomme M. Villeneuve St Blans mon exécuteur testamentaire, et en cas de mort M. Victorin Patin.

Je déclare ne rien devoir, qu'une somme de quatre cents piastres empruntée à cette Paroisse des fonds légués à la dite Paroisse par feu sieur Julien Pédras, comme on peut le voir par l'acte d'hypothèque que j'ai souscrit au greff du Juge de la dite Paroisse.

Je révoque et annule tout autre testament ou codicile, déclarant n'en avoir jamais fait d'autre que celui-ci.

Le testament a été ainsi dicté au Juge susdit qui l'a écrit tel qu'il a été dicté et l'a lu ensuite au testateur, qui a déclaré le com-

prendre parfaitement et y persévérer, le tout en  
présence des dits témoins.

Fait et passé en mon greff le jour, mois  
et an que dessus, en présence des susdits témoins,  
et le testateur ayant déclaré ne savoir écrire à faire  
sa marque ordinaire, quant aux témoins ils  
ont signé avec le Juge susdit et sousigné après  
lecture faite du tout.

Signés James Rapplye marque ordinaire x. W.  
Goye. C. Peltier. H. B. Favrot. L. Fauret P. J.

Je certifie la présente copie conforme à l'ori-  
ginal gardé aux Archives et enregistré le 4 Septem-  
bre 1832. En foi de quoi j'ai donné la présente sous  
ma signature et le sceau de mon office, à Ouest  
Baton Rouge, ce dixième jour de Mai Mil huit  
cent quarante sept.

J. V. Duran  
Récorder

8250

United States of America    (*Last Will & Testament of James Rapplye*)  
 State of Louisiana                                      (*dictated 4 September 1832*)

1    The fourth of September of the year of our Lord eighteen hundred  
 2    thirty-two and the fifty-seventh year of the inde-  
 3    pendence of the United States of America.  
 4    In front of Louis Favrot, Judge of the Parish of West Baton  
 5    Rouge, state aforesaid, filling ex-officio functions of  
 6    Notary Public for and in the said parish, and in  
 7    presence of Messr. William Joyce, Emmanuel Peltier  
 8    and Henri Bouvier Favrot all three inhabitants living  
 9    in the aforesaid Parish and witnesses required in conformity  
 10   with the law, have personally accompanied James Rap-  
 11   plye, free man of color, inhabitant owner and  
 12   living in this parish, which being healthy of body  
 13   and spirit, so that he affirms to the said Judge  
 14   and to the witnesses: the said James Rapplye has  
 15   made known his intention to make his testament  
 16   dictating it to the said Judge, in presence of the said witnesses  
 17   as he is.

18   I give and bequeath to Manette and to my mother Helene,  
 19   both free women of color of this Parish,  
 20   and in case of death of one of them or the two, to their  
 21   heirs, the piece of land where I reside now:  
 22   formed at its upper part by land of Gabriel Hebert  
 23   and at its lower part by Mr Villeneuve LeBlanc,  
 24   one which features all the dependencies and  
 25   improvements at the time of my death.

26   I give the same as was said above to  
 27   their heirs, all the furniture, receivables that I  
 28   could have at the time of my death, in overpay-  
 29   ing my debts.

30   I declare hereby to set free from the bonds of  
 31   slavery my nephew below named to know: Joseph  
 32   negro aged 30 years, Maximilien negro aged 27  
 33   years; Simon negro aged 22 years, Pierre negro aged  
 34   19 years, praying my testamentary executor below

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*(Last Will & Testatment of James Raplye)*  
*(dictated 4 September 1832) (continued from previous page)*

35 constituted to fill the earliest possible, the formalities  
36 wanted by the law, for the emancipation of the slaves  
37 if I had just died before I have it myself  
38 I give and bequeath to my nephew above named and to  
39 his brothers and sisters to know: Heloise wife of William  
40 Collins, negress aged around 25 years, freed  
41 by me the 20th of November 1828, and Martine negress  
42 aged 15 years, Antoine negro aged 12 years, Eulalie  
43 griffonne aged 8 years, James griffe aged 6 years and  
44 Jules griffe aged 3 years, the last five born since  
45 the liberation of their mother, the net product of the  
46 piece of land where now lives William  
47 Collins, free man of color bordered above by  
48 land of heir Louis Dubardeau and below by land  
50 of Gabriel Hebert: desiring that my tes-  
51 tamentary executor sell the said land, for produced  
52 in being divided equally between my aforesaid nephews  
53 and nieces; and that he remit to them their portions  
54 as things progress that they will be of age skillful in inheriting  
55 less than he judges appropriate to employ for  
56 procuring for them a state or job to have during  
57 their illnesses, such are my wishes.  
58 I name M. Villeneuve LeBlanc my testamentary executor,  
59 and in case of death M. Victorin Patin.  
60 I declare that I owe nothing, that a sum of four  
61 hundred piastres borrowed from this Parish for Father Julien Poy-  
62 dras, as we can see for the hypothetical act  
63 that I have suscribed to the transplant of the Judge of  
64 the said Parish.  
65 I revoke and annul all other testament  
66 or codicile, declaring never to have made another  
67 than this one.  
68 This testament was so dictated to the Judge aforesaid,  
69 that it is written such that it was dictated and read  
70 next to the testator, who declared it

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*Last Will & Testatment of James Raplye)*  
*(dictated 4 September 1832) (continued from previous page)*

71 to take perfectly and to preserve in there, all in  
72 presence of the said witnesses  
73 Made and passed in my registry the day, month  
74 and year that above in presence of the aforesaid witnesses,  
75 and the testator having declared he does not know how to write, to  
make  
76 his ordinary mark when at once the witnesses  
77 signed with the Judge aforesaid and undersigned after  
78 having read all.  
79 Signed, James Raplye, ordinary mark X, W.  
80 Joyce, E. Pettier, H.B. Favrot, L Favrot. P.J.  
81 I certify the present copy and registration the 4<sup>th</sup> of September,  
82 1832. In witness whereof I have given my office at West  
83 Baton Rouge, this tenth day of May eighteen hundred forty-seven.

S. V. Duralde,  
Recorder