

## De Mun and Company on “Blackwater”



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*“Mr. DeMun, by previous education and natural talent . . . [is] well qualified to direct and plan a great work. . . . I much regret that he appears to be lost to the country as an Engineer being engaged in a great Land concern West of the Mississippi.”*

Benjamin Henry Latrobe to U. S. President James Madison  
regarding qualifications of Lewis de Mun  
April 8, 1816, in John C. Van Horne, Editor,  
*The Correspondence and Miscellaneous Papers  
of Benjamin Henry Latrobe*

### French Connections Entice the De Mun Family to the Black River

The name De Mun permeates throughout the territorial history of Lawrence County. Yet relatively few persons are aware that three brothers of French ancestry, Augustus, Jules, and Lewis De Mun, had been engaged, as famed architect of the U. S. Capitol Benjamin Henry Latrobe announced, “...in a great Land concern West of the Mississippi.”<sup>1</sup> Although their “Land concern” was a failed venture, it was the precipitating event that led the De Mun family to the White River Country.

In the late 18th century the relatively undisturbed wilderness of the White River Country was occupied by scattered clusters of Native American settlements and itinerant fur traders as previously described in the *1800 – 1814 Timeline*. One group of French fur trappers and traders of Canadian origins established settlements on the Black River, arriving typically via Kaskaskia, Illinois and St. Genevieve, Missouri. Commerce with downstream merchants formed the basis of their economy. Several entered land claims under the Spanish regime prior to the Louisiana

Purchase.<sup>2</sup> (See also *The Janis Family*.) The De Mun brothers became linked to these early French settlers through their initial pursuits of their “great Land concern.”

The following narrative is drawn from comprehensive research by historian George Lankford and *Erasing Boundaries* contributors Robert A. Myers and Steve Saunders, with supporting sources and graphics from project editors. It provides a fresh historical perspective on the De Muns’ pre-1815 settlement on Black River and sets the stage for their extensive involvement in the founding of Lawrence County.<sup>3</sup>

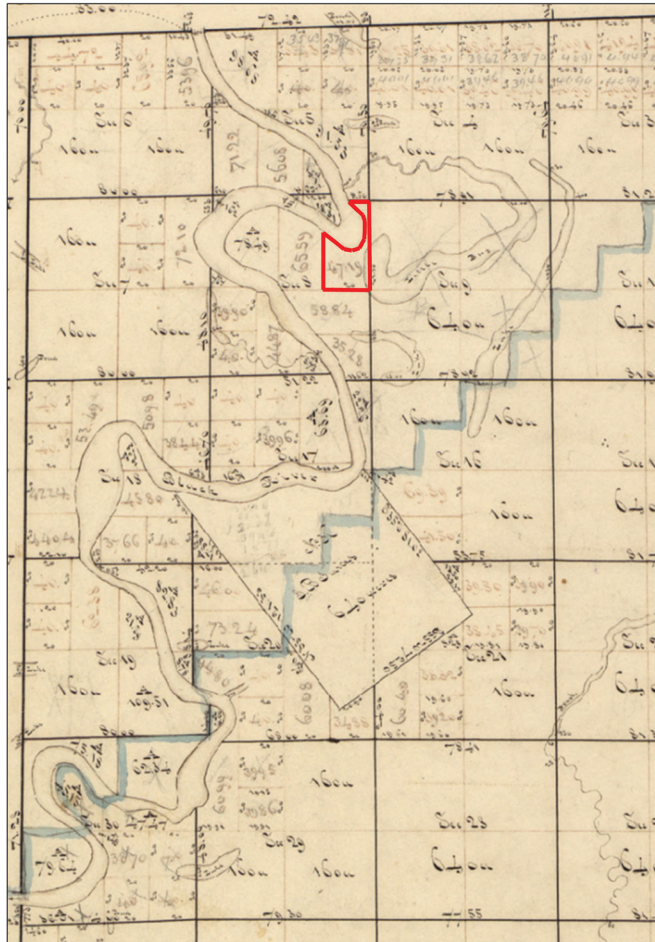
## The Blackwater Settlement (1794-1816): Vincent, Tholozan, and De Mun



Source: “Almost Illinark”: The French Presence in Northeast Arkansas, in *Cultural Encounters in the Early South: Indians and Europeans in Arkansas*.

In 1812, a land speculator named Jean Elie Tholozan submitted a land claim for 10,000 arpents (8,448 acres) situated on “black water” in the District of New Madrid. Tholozan, a native of Toulouse, France and a merchant in St. Louis, had purchased the incomplete land title in 1811 from Jacques Vincent in New Orleans.<sup>4</sup> Tholozan submitted a handful of documents that December to the U.S. Recorder of Land Titles in St. Louis. He testified to the Recorder that he had lost some original paperwork while traveling overland between Natchez and St. Louis by way of Arkansas Post. Weak from yellow fever, he had nearly passed out while crossing a creek over a foot log and dropped a saddlebag of papers in the water. At Tholozan’s request, the Recorder had a Justice of the Peace in Ste. Genevieve take the deposition of an important witness, Antoine Janis, who was prevented from leaving Ste. Genevieve because of “extreme old age” and affliction. Under oath in December 1812, Antoine Janis, “residing on the Black Water river, district of New Madrid...” provided a short response:

*“...he well knew the lands claimed by the said Jacques Vincent, on the Black-water river having visited them several times; that he has perfect knowledge that the said Jacques Vincent had caused sundry clearings to be made in the years 1795 and 1796, on the said lands; had built cabins and planted fruit trees, and that he knew that one Charles Logan was inhabiting and cultivating one part of the said lands.”*<sup>5</sup>



## Charles Logan's pre-emption

The sale of Public Lands involved numerous acts by the U. S. Congress over a period of decades. Charles Logan's patent illustrates this fact and importantly, in the present-day, clarifies the 1812 testimony of Antoine Janis. The patent reads: "...according to the previsions of the Act of Congress of the 24th of April, 1820, entitled "An act making further sale of the Public Lands" and also of the Act of Congress of the 3rd of August, 1846, entitled "An act providing for the adjustment of all suspended Pre-emption Land Claims...for the **East fractional half of the North East fractional quarter East of Black River of Section Eight, in Township Sixteen North of Range One West...**" Charles Logan died in 1819, thus the title to land he claimed prior to April 12, 1814 as a Pre-emption was for the benefit of his heirs. The original General Land Office survey, shown left, illustrates the location of Logan's claim in relation to

the Spanish Land Grant of J. B. Janis (John Baptiste Janis) in fractional sections 16, 17, 20, 21.<sup>6</sup> Logan was the New Madrid County agent for St. Louis land speculator William Russell. (See also 1811 – 1812 **New Madrid Earthquakes.**)

**"...at a place commonly called Black-water in the vicinity of a river by that name"**

In May 1794, Santiago Vincent (Jacques Vincent) of New Orleans, a former Surgeon Major in the Spanish army, desiring to settle at the post of St. Louis of Illinois, petitioned Gov. Carondelet for 10,000 arpents at a place commonly called Black-water in the vicinity of a river by that name. Carondelet then ordered Surveyor Trudeau to survey the land so that title could be perfected. Trudeau responded that no surveyor had been appointed for the "Black Islands" and instructed Vincent to keep the approval document.<sup>7</sup>

## Land Claim Changes Under U. S. Ownership

Tholozan's land claim remained pending during the transition period following the 1803 U. S. treaty resulting in what became known as the Louisiana Purchase. An extraordinary St. Louis entrepreneur and land speculator, Jacques Clamorgan, enlisted Tholozan in 1813 to secure title



to about one million acres in land claims. Most of the land was located in the Missouri River Valley, but his largest land grant of nearly half a million acres, offered by Spanish officials to Clamorgan to produce hemp, was located between the Mississippi and St. Francis Rivers and mostly in what became modern-day Mississippi County, Arkansas. Thus, the claim would have bordered what would soon become Lawrence County, Missouri Territory.<sup>8</sup> The elderly Clamorgan placed the land in trust with Tholozan in an attempt to circumvent inheritance laws as Clamorgan's children were both illegitimate and recently emancipated from slavery.



The October 1813 deed from Clamorgan to Tholozan was signed in Ste. Genevieve and witnessed by a Lewis de Mun. Lewis de Mun's father had operated a sugar plantation in Santo Domingo (now Haiti), and one of Lewis' sisters there married Col. Julien-Joseph de Pestre, the commandant of Port-au-Prince.<sup>9</sup> That island's slave revolution (1791 – 1804) drove both families to the United States about 1799 where their education and connections afforded them unusual opportunities.<sup>10</sup> [For further biographical information on the De Mun family see *The Way West*.]



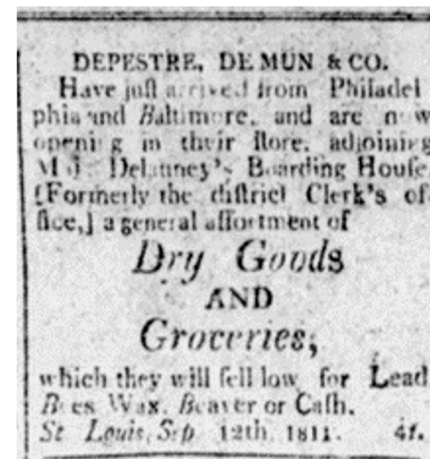
The U. S. Vice-President Aaron Burr appointed De Pestre his chief-of-staff, and Lewis de Mun apprenticed as a draftsman with architect Benjamin Henry Latrobe, designer of the U.S. Capitol and the "father of American architecture." Burr's political career with the U. S. government ended in 1805 and he headed west seeking fame and fortune. His actions immediately raised suspicions of betrayal to the U. S. Using shallow draft boats designed by Lewis de Mun, De Pestre accompanied Burr on a descent of the Ohio and Mississippi Rivers in 1806 which ultimately triggered Burr's arrest and trial for treason. Burr was found not guilty.<sup>11</sup>

Top left, Aaron Burr portrait by John Vanderlyn, c. 1803: [https://en.wikipedia.org/wiki/Aaron\\_Burr](https://en.wikipedia.org/wiki/Aaron_Burr); Bottom left, Benjamin H. Latrobe portrait by Charles Willson Peal, c. 1804: [https://en.wikipedia.org/wiki/Benjamin\\_Henry\\_Latrobe](https://en.wikipedia.org/wiki/Benjamin_Henry_Latrobe)

## Seeking Opportunity in the Trans-Mississippi West

Having survived the Burr trial, De Pestre and De Mun searched for opportunity in the Louisiana Territory with most of the De Mun family first locating at the village of New Bourbon just outside Ste. Genevieve which was founded to attract French Royalist refugees.<sup>12</sup> *The Missouri Gazette and Public Advertiser* announced in September 1811, right, that a new store had opened in St. Louis operated by "Depestre, De Mun & Company" with an assortment of goods newly arrived from Philadelphia and Baltimore although the store closed only a year later. The firm also operated a store at Ste. Genevieve and traded goods such as sugar and salt for lead.<sup>13</sup>

*Missouri Gazette and Public Advertiser*, Sept. 19, 1811



In 1813 or 1814, Lewis De Mun and two of his brothers became business partners with Tholozan in pursuing the 10,000 arpent land claim on the Blackwater (Black River) in what would soon become Lawrence County, Missouri Territory. The partnership agreement cannot be located, but an agreement effectively dissolving the partnership was executed on the last day of 1814 and recorded in St. Louis County:

*“Whereas a Partnership existed between August (Augustus) Demun, Louis (Lewis) Demun, Julius Demun, and Jean E. Tholozon (Tholozan), which it has been mutually agreed shall be dissolved, and whereas a certain deed was passed by said Tholozon for ten thousand arpents of land on black River for the purposes of selling the same. Now be it Known that in consideration of the release of said Tholozon to us of this date, We promise and engage to pay all the debts due pour [sic] said company at our individual costs, charges and responsability [sic], and also to pay the private account of said Tholozon, to Deprestre Demun & Co, and **that within six months from the date hereof Louis Demun shall, by proper deed of quit claim, release to said Tholozon all the rights he now has or ever had in and to said tract of land on black River, and also for tract of land acquired by said Tholozon of Jacques Clamorgan and that the original title papers thereof shall be delivered to said Tholozon if there are any in the hands of said Louis Demun and We do hereby divest & discharge the said Tholozon pour [sic] all demands we have against him for monies paid for him and for all bonds, debts and demands against him whatsoever.**”*

*“Witness our hand and seals, December 31st 1814.”*

*“Demun & Co. LS Augustus Demun LS Julius Demun LS”*

*“Test: Ed. Hempstead. Joshua Barton.”*

*“Recorded this 29th day of Sepr 1817. M.P. Leuc. Ex for Recorder by A.S. McGirh. E for Recorder”<sup>14</sup>*

## De Mun Mills Dam



According to the above agreement, on December 31, 1814, the eve of Lawrence County's creation, the De Muns knew any claim they thought they had to land on Black River was null and void. The exact location of said claim was not clarified in the agreement but it seems that Lewis de Mun, having acquired engineering skills in his apprenticeship with Benjamin Henry Latrobe, was overseeing construction of a grist and saw mill on Black River by 1813. The mills were subsequently listed under the name "Mun & Co." on the 1815 Lawrence County Missouri Territorial Tax List.<sup>15</sup>

## **Hopes for a "great Land concern" Dashed**

The brief partnership with Tholozan had enticed the three De Mun brothers, as the partnership styled De Mun & Company, to pursue several ventures on the Blackwater grant prior to its dissolution on December 31, 1814. Augustus de Mun wrote to his sister-in-law from Ste. Genevieve in May 1814 that her husband, Jules, had just sent word from their settlement on "the Blackwater" where they had 14 arpents of corn under cultivation.<sup>16</sup> Then in February 1815, after the partnership had been dissolved, Jules de Mun wrote his wife from Ste. Genevieve that he was extremely annoyed at not being able to find wagons or carts to send to "the Black Water."<sup>17</sup> It seems likely he was attempting to return his belongings to Ste. Genevieve.

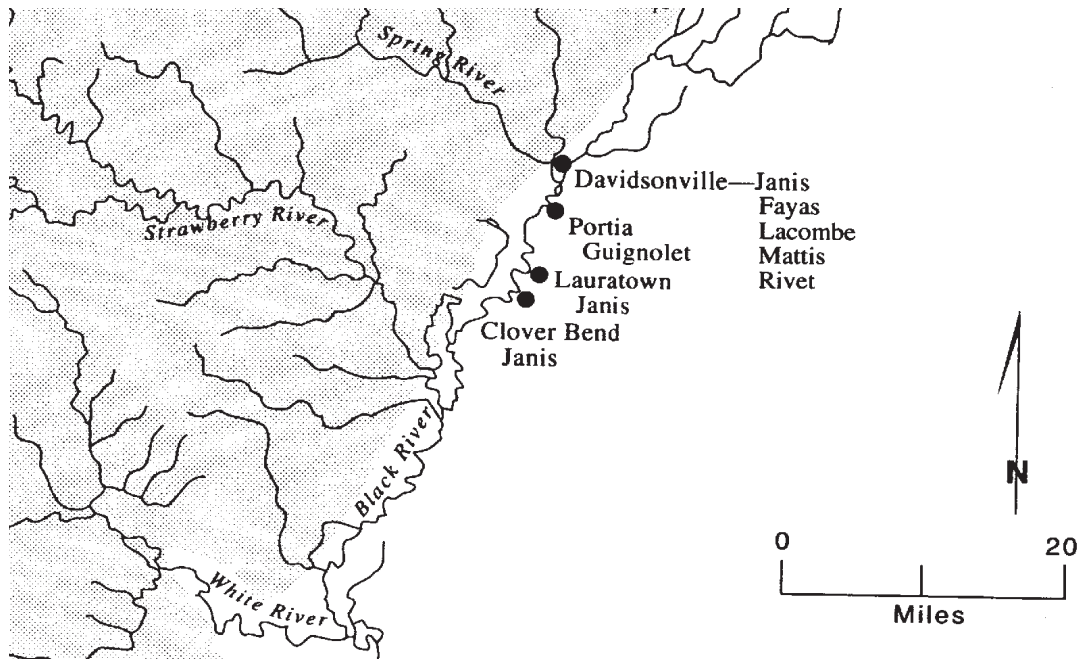
Augustus served as one of three representatives from Ste. Genevieve in the second General Assembly in St. Louis that convened in December of 1814.<sup>18</sup> Therefore, he was in a position to support the legislation that created Lawrence County in January 1815.

In the summer of 1815, Jules formed a business partnership with his wife's cousin, Auguste Pierre Chouteau, and left St. Louis that September to cross the Great Plains to trade with Indian tribes on the upper Arkansas River. After entering New Mexico in an attempt to open trade there, the two were imprisoned by Spanish officials in Santa Fe for 45 days and lost \$30,000 in trade goods confiscated there.<sup>19</sup>

When U. S. President James Madison in April 1816 asked architect Henry Latrobe of New Orleans to recommend candidates for Virginia to employ a civil engineer to design roads and canals, Latrobe named a half dozen men in the United States who were qualified specifically in the science of designing canals, including a former employee, Lewis De Mun, who by then lived in Lawrence County, Missouri Territory. Latrobe wrote, "I much regret that he [De Mun] appears to be lost to the Country as an Engineer being engaged in a great Land concern West of the Mississippi."<sup>20</sup> Obviously, Latrobe was uninformed of the failure of the Blackwater grant.

## **Bridging 18th and 19th Century Settlement**

It should be noted that the 1817 owner of Lot # 23 in Davidsonville, the Seat of Justice for Lawrence County, was one Elijah Vincent (Vinsin; Vinson) who played a significant role in territorial history, including providing security for the \$5,000 bond for James M. Kuykendall as county coroner in November of 1821.<sup>21</sup>



The above map shows the relationship of the late 18th century settlement of the Janis family and their connections to present-day Lawrence County communities. Source: "Almost Illinark": *The French Presence in Northeast Arkansas, in Cultural Encounters in the Early South: Indians and Europeans in Arkansas*.

Although a relationship between the late 18th century land claimant Jacques Vincent, a well-known friend of the Janis family, and Lawrence County resident Elijah Vincent has not been determined, numerous interconnections of the Vincent men with the Janis family supports possible extended kinship of these early French settlers on Black River. Pierre le Miux (Lemuex, Lemiuex, Lamew) was listed on the 1798 census at Arkansas Post but soon thereafter was confirmed as living on the east bank of Black River.<sup>22</sup> His 1817 probate records reveal he possessed blacksmith and carpentry tools with client accounts of men in and near Davidsonville.<sup>23</sup> Pierre was married to Marie Victorie Janis, a daughter of Antoine Janis, and Elijah Vincent (Vinson) was married to Pierre Le Miux's daughter Victorie.<sup>24</sup>

Pierre le Miux sold a parcel of land called the "peach orchard" on the Black River to Lewis de Mun in 1816. This deed provides a window into the early French settlement in Lawrence County and, therefore, is included in its entirety below:

*This indenture made this 25th day of September one thousand eight hundred and sixteen between Pierre le Miux of the county of Lawrence and Territory of Missouri of the one part and Lewis de Mun of the same county and Territory of the other part Witnessed that the said Pierre le Miux for and in consideration of the sum of forty dollars to him in hand paid the receipt whereof is hereby acknowledged hath granted bargained and sold and by these present doth grant bargain and sell unto the said Lewis de Mun his heirs – executors and administrators all the rights titles claims and interest which he the said Pierre*



*le Miux his heirs administrators executors and assignees have of in and to a certain improvement made by him said Pierre le Miux in the year 1800 on big black river in the above named County above the mouth of the Currants river which place has been known by the French by the name Petit Barrel and by the Americans generally under the name of the peach orchard – to have and to hold the said improvement and settlement right with all and singular the rights claims benefits and privileges which the said Pierre le Miux has of in and to the same unto the said Lewis de Mun his heirs executors and administrators In testimony whereof I have hereunto set my hand and seal the day and date first above written in the presence of*

*his  
Pierre (X) le Miux  
mark*

*Edward McDonald*

*William Harris*

*John P. Maxwell*

*Territory of Missouri County of Lawrence*

*Personally appeared before me William Harris*

*One of the Justices of the Peace in and for the*

*County of Lawrence Pierre le Miux the within*

*Named grantor and acknowledged the within to*

*Be his act and deed and for the uses and purposes*

*Therein mentioned – given under my hand and*

*Seal the 28th day of September 1816*

*William Harris JP*

*Recd and recorded, October 10th 1816 Lewis de Mun clk <sup>25</sup>*

Would the “peach orchard” perhaps be one of the “sundry clearings” Jacques Vincent had made in the years 1795 and 1796, where he “had built cabins and planted fruit trees” according to Antoine Janis’s testimony in 1812?

In August of 1820 the *Arkansas Gazette* announced a sale of land for unpaid Lawrence County taxes for the years 1819 and 1820. Tholozon’s (Tholozan) unconfirmed 10,000 acres of land on Black River was listed with Jac (Jacques) Vincent as the original claimant and \$12.50 due for each year.<sup>26</sup> With Tholozon’s December 31, 1814 dissolution of the land transaction no land claim could be realized even if the past taxes listed had been paid.

John Eli Tholozan is honored as one of the earliest inhabitants of St. Louis with a street near what is now Grand and Gravois named for him.<sup>27</sup>

<b>Land for Sale for TAXES.</b>							
<b>TAXES DUE FOR THE YEAR 1819.</b>							
Persons' names charged with Taxes.	Number of acres of confirmed land.	Number of acres of unconfirmed land.	County in which land lies.	Water course on which land lies.	Original claimant when known.	Dollars.	Cents.
William Russell,	640		Lawrence	Black river.	Jos. Gengolet,	3	84
same,	320		same	White river.	B. H. McFarlin,	3	84
same,	310		same	same	Cha's. Furnash,	2	04
same,	320		same	Black river.	J. B. Janis,	1	92
Jean Eli Tholozon,		10,000	same	same	Jac. Vincent,	12	50
<b>TAXES DUE FOR THE YEAR 1820.</b>							
William Russell,	640		same	same	Jos. Gengolet,	3	84
same,	320		same	same	J. B. Janis,	1	92
same,	320		same	White river.	B. H. McFarlin,	1	92
Jean Eli Tholozon,		10,000	same	Black river.	Jac. Vincent,	12	50
<b>NOTICE IS HEREBY GIVEN,</b> That the undersigned, Sheriff of the County of Lawrence, in the Territory of Arkansas, will sell, on the first Monday of November next, at the Court-House door in the town of Davidsonville, in said County, so much of the above tracts of land as will be sufficient to pay the Taxes and Costs thereon. Davidsonville, August 9, 1820 — 41-53 <b>JOSEPH HARDIN, Sheriff.</b>							

**Arkansas Gazette Saturday August 26, 1820**



# Endnotes

1. B. Henry Latrobe to James Madison, April 8, 1816, in John C. Van Horne, Editor, *The Correspondence and Miscellaneous Papers of Benjamin Henry Latrobe*, vol. 3, 1811-1820, (New Haven and London: Yale University Press, 1988), 754.
2. George Lankford, "Almost Illinark": *The French Presence in Northeast Arkansas, in Cultural Encounters in the Early South: Indians and Europeans in Arkansas*, compiled by Jeannie Whayne (Fayetteville: University of Arkansas Press, 1995), 95; <https://www.genealogy.jkurlandski.com/aubuchon/document/Lankford.pdf>
3. Ibid.; Robert A. Myers, "Lawrence County Research Report," Unpublished; Robert A. Myers, "The Davidsonville Debacle: Land Title and the Demise of Lawrence County's First County Seat, 1815-1830," NEARA Award for Exemplary Archival Research, 2019; Steve Saunders, "Dissecting Davidsonville 1815-1829: A Postmortem of Arkansas' First Nine Blocks," NEARA Award for Exemplary Archival Research, 2014.
4. Record of Land Titles of French and Spanish Land Grants, Vol. F 1805-1829: 138-139; Frederic L. Billon, *Annals of St. Louis in Its Territorial Days from 1804 to 1821* (St. Louis: privately published, 1888), 287-288.
5. U.S. Congress. Senate 1836, Document 17: 9-13.
6. Source for GLO and Charles Logan's 1848 patent: <https://glorerecords.blm.gov/>
7. Record of Land Titles of French and Spanish Land Grants, Vol. F 1805-1829: 138-139.
8. Clamorgan Land Association 1838; Shall 1854.
9. "From the Washington City Gazette" 1819: 2.
10. John Morrill Bryan, Robert Mills: America's First Architect (New York: Princeton Architectural Press, 2001), 59; T. Carpenter, *The Trial of Col. Aaron Burr on an Indictment for Treason: Before the Circuit Court of the United States, Held in Richmond, (Virginia), May Term, 1807*, Vol. III (Washington, D.C.: Westcott & Co, 1808), 315-317.
11. Ibid.
12. Walter A. Schroeder, *Opening of the Ozarks: A Historical Geography of Missouri's Ste. Genevieve District, 1760-1830* (Columbia: University of Missouri Press, 2002), 14, 246.
13. Eugene C. Barker, ed., *The Austin Papers, Annual Report of the American Historical Association for the Year 1919*, Vol. II, Part 1 (Washington, D.C.: Government Printing Office, 1924), 228.
14. De Mun to Tholozan (Tholozan), Dec., 21, 1814, in: City of St. Louis, Recorder of Deeds, French & English Documents Volume F, between Documents 419.
15. Territory of Missouri Collectors Accounts Lawrence County 1815 – 1819; Missouri State Archives, Jefferson City, Missouri; Digital copies of the original tax lists also available at the Northeast Arkansas Regional Archives, Powhatan, Arkansas.
16. Augustus de Mun to Isabelle de Mun, May 14, 1814, in De Mun Papers; Missouri History Meseum Archives, St. Louis.
17. Jules de Mun to Isabelle de Mun, May 14, 1814, in De Mun Papers; Missouri History Meseum Archives, St. Louis.
18. Louis Houck, *History of Missouri, from the Earliest Explorations and Settlements until the Admission of the State into the Union* (Chicago: R. R. Donnelley and Sons, 1908), Vol. III 5-6.
19. Thomas Maitland Marshall, ed., "The Journals of Jules de Mun, Part II", Missouri Historical Society Collections, Vol. V, No. 3 (June 1928) 167–205, 311-325.
20. B. Henry Latrobe to James Madison, April 8, 1816, in John C. Van Horne, Editor, *The Correspondence and Miscellaneous Papers of Benjamin Henry Latrobe*, Vol. 3, 1811-1820, (New Haven and London: Yale University Press, 1988), 754.
21. Marion Stark Craig, comp., *Early Lawrence County Records 1817-1830* (Conway, Ark.: Arkansas Research, 1995), 31, 12.
22. George Lankford, "Almost Illinark": *The French Presence in Northeast Arkansas, in Cultural Encounters in the Early South: Indians and Europeans in Arkansas*, compiled by Jeannie Whayne (Fayetteville: University of Arkansas Press, 1995); <https://www.genealogy.jkurlandski.com/aubuchon/document/Lankford.pdf>
23. Pierre Lemuex (Lamew) Probate, Lawrence County Probate Records\_ MSNE\_B22\_F1242; Northeast Arkansas Regional Archives, Powhatan, Arkansas.
24. Lemiux Family History.
25. LeMeux to de Mun, Sept 25, 1816; Deed Book A, pages 24-25: Lawrence County Courthouse, Walnut Ridge, Arkansas.
26. *Arkansas Gazette*, August 26, 1820, p. 3.
27. Source: The Streets of St. Louis: *A History of St. Louis Street Names*