"Maintaining Mythic Property": The Lost History of Louis Allard and His Grave in New Orleans City Park

Kimberly H. Jochum

University of New Orleans, khjochum@uno.edu

Follow this and additional works at: http://scholarworks.uno.edu/td

Part of the Cultural History Commons, Oral History Commons, and the Social History Commons

Recommended Citation

Jochum, Kimberly H., ""Maintaining Mythic Property": The Lost History of Louis Allard and His Grave in New Orleans City Park" (2013). University of New Orleans Theses and Dissertations. 1693.
http://scholarworks.uno.edu/td/1693

This Thesis is brought to you for free and open access by the Dissertations and Theses at ScholarWorks@UNO. It has been accepted for inclusion in University of New Orleans Theses and Dissertations by an authorized administrator of ScholarWorks@UNO. The author is solely responsible for ensuring compliance with copyright. For more information, please contact scholarworks@uno.edu.
“Maintaining Mythic Property”:
The Lost History of Louis Allard and His Grave in New Orleans City Park

A Thesis

Submitted to the Graduate Faculty of the
University of New Orleans
in partial fulfillment of the
requirements for the degree of

Master of Arts
in
History

by

Kimberly Jochum

B.A. University of New Orleans, 2009

August, 2013
# Table of Contents

List of Illustrations ............................................................................................................. iii
Abstract .............................................................................................................................. iv
  Introduction ................................................................................................................... 1
  The Allards ................................................................................................................... 3
  The Grave ..................................................................................................................... 13
Maintaining Mythic Property .......................................................................................... 17
Preservation ..................................................................................................................... 20
Historiography ............................................................................................................... 24
Naming of the Park ........................................................................................................... 28
Lost Creole Culture ........................................................................................................ 29
Dismantling Mythic Property .......................................................................................... 30
Reaction to Removal ..................................................................................................... 31
Conclusion ....................................................................................................................... 32
Bibliography .................................................................................................................... 35
Appendix A: Allard’s Poetry ............................................................................................. 39
Appendix B: Permission to use photographs .................................................................. 40
Vita ................................................................................................................................... 45
List of Illustrations

Figure 1-Taylor’s 1924 Map of New Orleans from New Orleans Public Library ..............3
Figure 2- A drawing of “An old tomb” in City Park from the Daily Picayune, 1892 ......18
Figure 3- Historic photograph of Allard grave from the State Library of Louisiana ......21
Figure 4- Historic photograph of Allard grave from the State Library of Louisiana ......22
Figure 5- Recent photograph of the Allard grave taken by L. Trucei Jr .........................23
Figure 6- Recent photograph of the Allard grave taken Chris Granger .......................24
Abstract

In the latter part of the nineteenth century, a myth emerged in New Orleans related to a purported grave that lay beneath one of the historic Dueling Oaks in New Orleans City Park. In the grave, said the legend, lay Louis Allard, whose family, from 1784 to 1845, were owners of the land that now makes up the park. Using court, property, and Archdiocese documents, publications both popular and scholarly, as well as contemporary accounts from newspapers and interviews with City Park staff, this paper traces the verifiable life of Louis Allard and his land, to argue that the myths associated with Allard, although changing over time, can point the historian to factual and useful information about the shift of New Orleans to a modern American city.
New Orleans City Park is one of the most historic and picturesque spots in New Orleans. Its origin is lost in the mist of years gone by, and numberless are the legends and traditions of romance, history, chivalry and tragedy, which its stately oaks, ancient and moss-bearded, and its winding paths might reveal to the poet and the dreamer, the historian and writer.

But all of this belongs to the domain of the past, to a period when the city was young and when commercialism and dull matter-or-fact business were unknown.

“City Park,” *The Times-Picayune*, April 19, 1909

In the early part of the Twentieth Century, as New Orleans and the rest of the South were emerging from a Confederate past of “romance, history, chivalry and tragedy” and heading to its new future, a future some saw as “dull matter-of-fact business,” that past was often historicized by writers, poets, and the folk through myths. One such myth related to the life and death of the Creole Louis Allard, a French-speaking Catholic plantation owner who in 1845 lost his home to American businessman John McDonogh. Destitute, Allard asked and was given permission to be buried on his lost property. This passage of the land, a particularly important spot of land to New Orleanians, has served as a metaphor for the passage of New Orleans from its French Creole beginnings to its role as an American port city. For over a century, the people of New Orleans have been identifying with and analyzing the life, death and particularly the grave of Louis Allard that for 165 years was said to lay under the Dueling Oak in New Orleans City Park.

This paper will unwind the complex and contradictory history of this myth and City Park wherein it lay through the chronicling of the Allard family, from 1784 to 1845 owners of land in New Orleans which now makes up the park. Through an investigation of court, property, and Archdiocese documents, publications both popular and scholarly, as well as contemporary accounts from newspaper and interviews, this paper will give new insight into the life of Louis Allard.
Allard and his land, and perhaps his final resting place, and will argue that the myths associated with Allard, and his land, although changing over time, can point the historian to factual and useful information about the shift of New Orleans to a modern city.

Many writings on the Old South conjure visions of aging oaks, plantations, and duels. All of these icons of the southern past can be found at, and associated with, New Orleans City Park, formerly the site of Allard Plantation. The park was created by the Common Council in the 1850s, at the northern outskirts of the original city, City Park was not developed until the 1890s.¹ Today, the park’s 1,300 acres give visitors a retreat within the city limits and is a popular and beloved space used by people of all classes and ethnicities. (See G6 in the illustration to locate City Park.) City Park is home to botanical gardens, a small amusement park, a fine art museum and sculpture garden as well as the natural splendor of the largest gathering of mature live oaks worldwide. Oaks in the oldest grove are said to be over 600 years old.² It is under one such oak, the remaining Dueling Oak, that the grave of Louis Allard was said to lay.³

---

¹ According to the Minutes of the Commissioners of the Consolidated Debt of New Orleans, located at the New Orleans Public Library, the 1852 City of New Orleans Charter created a Common Council, which consisted of the mayor, comptroller, and treasurer, along with the chairmen of the Finance Committees.


³ One of the Dueling Oaks was lost in a hurricane in the 1940s
Figure 1-Taylor’s map of New Orleans, 1924-1925, provided by New Orleans Public Library, City Archive division.

The Allards

In most accounts, historians of New Orleans have claimed that New Orleans City Park was originally a plantation owned from the colony’s earliest days by the Allard family. In fact, the land, on the banks of Bayou St. John, went through a series of owners prior to the Allards. According to a map from 1798, amended by Edna B. Freiberg in 1980, the first proprietors were J. Bonnet and J. Oliver. On August 21, 1731, ownership of the land transferred from Bonnet and Oliver to Louis Turpin. Three years later, the land was donated to Marie Girard and in 1771, Girard sold the land to Francois Hery. Hery “was a contractor and planter who may have

---

4 Edna B. Freiberg, *Bayou St. John in Colonial Louisiana, 1699-1803* (New Orleans: Freiberg, 1980). The map is in the pocket of the last page, the page is unnumbered.
cultivated indigo and probably raised cattle there to provide dairy products to the city.”\(^5\) One source claimed Hery “received title to the land soon after the founding of New Orleans in 1718.”\(^6\) According to Freiberg, on April 25, 1774, Hery conceded the property to Santiago Lorreins. In June of 1784, upon the death of Lorreins, his daughter, Francoise inherited the land.\(^7\) Through the law of coverture, which subsumes to her husband a woman’s legal rights, ownership of the estate transferred to Francoise’s husband, Jean Louis Allard.\(^8\)

According to a range of publications, under the Allards the plantation functioned mainly as a dairy farm, but a small amount of corn and sugar cane were also grown there. Jean Louis and Francoise Allard had three children, Andre Latour Allard, Louis N. Allard and Louise Allard.

**Louis Allard**

Like all historians, the writers of the life, death, and final resting place of Louis Allard made choices of what to incorporate and what to omit in their accounts. These choices shaped the perception of Allard’s life as a “romantic tragedy.”\(^9\) The account of Louis Allard’s life presented here goes beyond previously written accounts by using original documents as well as following those signposts left during the creation and perpetuation of the myths associated with him, his family and his property. This method not only leads to a fuller recollection of his life,


\(^6\) Ibid., 1

\(^7\) Freiberg, map in pocket of last page, which is unnumbered.

\(^8\) In some sources, Francoise’s husband’s name is Jean Louis Allard, in others, Juan Luis Allard. The spellings reflect the requirements of signatures in the language of the colonial power at the time. Catherine Campanella, *Images of America New Orleans City Park* (Charleston: Arcadia Publishing, 2011).

which has heretofore been unwritten, but also is conducive to a new analysis of the perpetuation and evolution of a central myth in New Orleans history—the myth of the Allard grave. Most sources from the first half of the twentieth century described Allard as a “hermit”\textsuperscript{10} who was and a “dreamer,”\textsuperscript{11} and “a man of letters.”\textsuperscript{12} By 1970s he had become “cultured but impractical.”\textsuperscript{13} For a span of over a hundred years, many writers chronicled what they considered to be Allard’s “sad and romantic”\textsuperscript{14} story, seldom referring to his statesmanship during Spanish, French, and American rule, his commission as captain in the militia of Orleans Territory, or to his scholarly studies and published work.\textsuperscript{15} The various narratives included little background information on Allard, possibly because the telling of the documented life story of Allard did not fit within the myth or history these writers were trying to tell, or perhaps sell. Similarly, it could be possible that the facts of the narrative got in the way of what the people of New Orleans needed to believe about their past or the past of their city at the time. The omission of the documented active, early, and political life of Allard could be a factor that led to the creation of the myth associated with his final days and death. These exclusions can create challenges for the historian, creating tantalizing but problematic hints of factual past.

Along with the mythical elements prevalent in the narratives regarding the life and death of Allard, the particular circumstances of New Orleans only add to this myth’s historic distortion.

\begin{footnotes}
\item[10] “The History and Romance of New Orleans’ City Park,” \emph{The Times-Picayune}, July 26, 1908.
\item[12] “Orleans Parks Are Big Asset,” \emph{The Times-Picayune}. February 12, 1931.
\item[14] Reeves, 2.
\item[15] An exception is Freiberg’s book on Bayou St. John, published in the late twentieth century, in which she argued that Allard was “destined to be an active citizen of the bayou for the next seventy years.” Freiberg, 218.
\end{footnotes}
Due to the frequent changes in governing bodies, from French to Spanish, to French again, then to American rule, Confederate rule, then back to American, historians of New Orleans are presented with a difficult task: unraveling issues of unreliable translations, bias of writers who differed in ethnicity from their subjects, as well as missing, incomplete or damaged documents in several languages. These issues extend to and contaminate secondary sources, causing confictions, unsubstantiated and uncorroborated claims, romanticized notions and opinions stated as facts. These factors make tracing the history of Allard, and the history of many New Orleanians of his time, all the more complicated. However, with persistence and willingness to engage in a complex web of truth and fiction, the story of Louis Allard emerges.

Louis Allard, the second child of Jean Louis and Francoise Allard, was born in 1777. The role of plantation owner did not come naturally to Allard. Instead, evidence suggests he leaned toward politics and poetry. He was educated in France, and in January 1798, after completing his European schooling, Louis Allard returned home to the family plantation in New Orleans.

Allard’s political life, after his return to New Orleans, is subject to conflicting interpretation by historians. According to Freiberg, on January 19, 1798, Manuel Luis Gayoso, the newly-appointed governor of the Spanish colony of Louisiana, selected the 21-year-old Louis Allard as Syndic of Bayou St. John. When New Orleans briefly returned to French rule in 1803, Freiberg claims that Louis Allard was appointed to the Municipal Council by Napoleon’s Governor of Louisiana, Pierre-Clément de Laussat, the last under French colonial rule. Allard’s

16 Freiberg, 316.
17 Ibid., 316.
18 According to Encarta Dictionary, a syndic is a person appointed to represent an area.
19 Spelled Bayu San Juan during the Spanish period of 1763-1803.
duties included inspection of Charity Hospital, regulation of the levees and roads within the
districts of Metairie, Bayou St. John, and Gentilly, as well as oversight of the Board of Health,
which included supervision of bakeries throughout the city.\textsuperscript{20}

The bakers of New Orleans were called to City Hall to make a
statement as to the quality of flour in their warehouses and were
advised to provide . . . Allard with a weekly list of flour bought
and consumed. If, on inspection, it was found to be unwholesome
or unfit, it was to be thrown in the river.\textsuperscript{21}

Jared William Bradley disagrees with Freiberg’s claim. In a content footnote for the same
information used by Freiberg, Bradley states that “Allard, most probably was Jean Pierre Allard,
not Louis Allard,” but upon examination of both authors’ sources, neither claim can be proven to
a certainty, for Chamber’s \textit{A History of Louisiana} and \textit{Territorial Papers of the Territorial
Papers of the United States} only name “Allard” and “Mr. Allard” and neither of the publications
list their sources, making this information impossible to verify.\textsuperscript{22}

At least two sources concur that in December of 1803 Laussat gave a small amount of
gunpowder as a gift to those men who he felt “had shown great affection for
France.”\textsuperscript{23} According to Freiberg this included Louis Allard, but when tracing Freiberg’s source,

\textsuperscript{20} Freiberg’s sources for her claim were: Grace King, \textit{New Orleans: The Place and the People} (New York: MacMillian Company, 1917) 159.; Henry E. Chambers, \textit{A History of Louisiana} 430-432.; Conseil de Ville Proceedings of Council Meetings, WPA 1936 Book I, #1, November 30-1803 to 3/29/1805, 11/30/1803, p 6-7, City Archives, NOPL.

\textsuperscript{21} Freiberg, 342.


one will come to find, again, that an “Allard fils” received the gunpowder. Whether it was Louis Allard or Jean Pierre or another Allard altogether is unclear.

Although Bradley denies that in 1803 Louis Allard was on the City Council, Bradley confirms Allard’s 1805 appointment to the council. He also points out that in May 1806, Louis Allard was made a captain of the militia of the Territory of Orleans, affirming that the poet was also active in politics and military activity. Even though these narratives contain conflicting information, their descriptions of Allard are far from a “hermit” or “impractical.” None of this insight, about the political life of Allard, is reflected in the myth about the end of his life and death.

In 1828, the New Orleans Argus ran an article calling for nominees for the state legislative election that were “as strong men as Louis Allard & Co.”. The article speculated that in order for the Jacksonites to have a winning candidate on the ticket, they would have to find a man as “formidable” as Allard and the other men included on the ballot. This claim situates Allard as firmly in the role of opposition to the Jacksonites, the Democratic party that supported states rights and slavery’s extension to the west. The Jacksonites of New Orleans were not able to produce such a candidate, thus Allard went on to win a seat in the State Legislature. From


26 Bradley, 315. The appointment of Louis as captain in the militia is listed in Register of Appointments in the Militia of the Territory of Orleans, May 8, 1806, TP, 9:633.

1824-1826, and 1831-1832, Allard served as a state representative for the Parish of Orleans. During his time as a state representative, Allard’s colleagues in the state house included well-known New Orleanians such as W. C. C. Claiborne, Louisiana’s first governor, and Charles E. A. Gayarre, historian and author of Louisiana’s early history. Allard’s role as opponent to the iconic figure of Andrew Jackson further solidifies the Creole heritage of Allard vs. the incoming Americans as represented by McDonogh, a flourishing Baltimore businessman.

In 1939, a New Orleans local newspaper recounted a story of Allard’s hospitality 100 years earlier. According to the paper, in early 1839, Richard Clayton, the first balloonist to use coal gas in the United States, landed on Allard’s plantation. Allard reportedly entertained Clayton at the plantation on Bayou St. John. This recollection, along with Allard’s service to the New Orleans City Council and the Louisiana State Legislature, argues that Allard was, at least at this period of his life, far from a reclusive hermit hiding in his home. In contrast, these acts show Allard to be dynamic, a “formidable” politician, and gracious host.

Despite the evidence of Allard’s participation in social, political, and economic worlds of New Orleans, the myths of his life persisted. For instance, narratives of Louis Allard often ignore his political and military career and emphasize his role as a poet, although the details of publication of his work are rarely mentioned. In 1847, only days after his death, Allard’s collective work of poetry was published in French, however not under his name. In 2004, the English translation of the original publication was republished by Norman R. Shapiro and M.

---


31 See appendix A for samples of Allard’s poetry.
Lynn Weiss under the title *Creole Echoes*.\textsuperscript{32} The English language edition claimed that some historical distortion surrounding Allard’s poetry could be found in the preface of the original publication, *Les Epaves*, in that its title page only named the author as “*un Louisianais,*” and that “this stratagem supported the ruse suggested in the preface, which claimed the collection to be beached wreckage from the steamboat *Hecla*. The *Hecla* sank in early 1847. Here the term *epaves* [in the title of the original publication] means ‘flotsam.’ ”\textsuperscript{33} Due to the close proximity of his death to the publication of his poetry under the name “*un Louisianais,*” a title with which Allard would have identified, one could question whether Allard himself was planning on publishing the work before his death.

In the midst of running for office and hosting a balloonist, Louis Allard was beginning to have some financial difficulties. According to the records of the Supreme Court of Louisiana, in *Andre Latour Allard v. Louis Allard and another*, 1884, dissension among the Allard heirs began in the 1820s.\textsuperscript{34} After the deaths of Francoise and Jean Louis Allard, their land was divided equally among their three children, Andre Latour, Louis, and Louise. In May 1825, Andre took temporary residence in France for seven years. He gave Louis his power of attorney over his land before departing. Andre was already in debt to Louis and Louis received no payments towards this debt while his brother was abroad, added to the financial strain placed on Louis by the plantation. In February 1829, Louis sold Andre’s land to Jean Francois Robert, the husband of their sister Louise. Two months later, Louis purchased back half of the land he had sold to Robert. This sale left the Allard land divided equally between Louis and Robert. Louis and


\textsuperscript{33} M. Lynn Weiss, introduction and notes of *Creole Echoes* (Chicago: University of Illinois Press, 2004). p. 3.

\textsuperscript{34} *Andre Latour Allard v. Louis Allard and another.* ( S. Ct. L A. 1844).
Robert negotiated these sales to mortgage the Allard plantation “to the Consolidated Association of the Planters of Louisiana for $27,500,” \(^{35}\) in order “to secure their shares of stock,” which allowed them to pay off debts. \(^{36}\) It seems that in the face of losing all his family’s land, Louis Allard made some hard choices to ensure the land stayed within his family, if only temporarily. Although Andre returned from France in 1832, he did not bring legal proceedings against his brother until 1840. So far as the record shows, Louis had never called upon Andre to pay the debts owed to him, even after Andre sued Louis. Andre had claimed that Louis could not legally sell the land to himself, and wanted the contract annulled between Louis and Robert. In January 1844, the Louisiana Supreme Court ruled that the plaintiff, Andre Latour Allard, had failed to make his case, but this situation demonstrates that Louis Allard held his family’s land dear, and he did not turn against his family, even when his brother left him in debt and filed a claim against him. \(^{37}\)

In 1923, a newspaper source claimed that “bit by bit his plantation lands were sold, until at last there remained only a fragment of the original broad acres.” \(^{38}\) Whether he lost the land “bit by bit” or not, in 1845 the remaining property was sold in a sheriff’s sale, due to a default on the mortgage that had been taken out in 1829. \(^{39}\) The sale included “654 acres with 19 slaves, 10


\(^{37}\) For other Supreme Court of Louisiana cases involving Allard see: *Allard & AL. v. Loubau.* (S. Ct. LA. 1824); *Orleans Navigation Company vs. Allard ET ALS.* (S. Ct. LA. 1831); *Orleans Navigation Company vs. Allard ET ALS.* (S. Ct. LA. 1834); *Allard vs. De Brot; Merle & Co., Garnishees.* (S. Ct. LA. 1840); *Jean Antoine Bourgerol v. Louis Allard and another.* (S. Ct. LA. 1844); *Louis Allard and others v. The New Orleans Navigation Company.* (S. Ct. LA. 1846). All above mentioned sources can be located in the Louisiana and Special Collections at the University of New Orleans.


\(^{39}\) Perhaps, the default can be attributed to the Panic of 1837, which lasted seven years. See record 38 (January 23, 1845 to May 18, 1846) in the Conveyance Office. There was a seizure sale of Allard’s property in the name of Consolidated Association of the Planters of Louisiana on June 11, 1845.
horses and mules, and 140 head of cattle for $40,500.\textsuperscript{40} Prosperous Baltimore businessman John McDonogh was the purchaser.

The contrast between the Creole Allard, poet, romantic, "\textit{un Louisianais}," and McDonogh, portrayed in New Orleans lore as a "millionaire miser" and cutthroat businessman, is a resistant theme in the Allard myth.\textsuperscript{41} The alleged dynamic between the political and poetic Creole Allard and the wealthy American McDonogh could be considered symbolic of what Lynnell Thomas calls the "romanticism of a dying way of life for white Creoles…"\textsuperscript{42} The myth associated with Allard can serve as a metaphor for the idealist, elite, romantic French, of a fading New Orleans culture. To complete the image, Allard, who thrived during Spanish and French rule but withered during American rule, was superseded by a businessman, the "miser" McDonogh, who could be drawn as the perfect metaphor for the New South—the realist, the capitalist, the American. One source described McDonogh as a "sad misanthrope."\textsuperscript{43}

McDonogh’s reputation, like Allard’s, has lain in the hands of the writers of his life, leading to the same historical distortions that can be found throughout the writings of the life of Allard. The two have become representatives of a stereotype: the romantic Creole and the "dull, matter-of-fact" American businessman. In fact, after Allard’s loss the land, McDonogh agreed to let Allard continue to live on the property, which could be described as a generous act, unfitting of a miser.\textsuperscript{44} Just two years later, on May 17, 1847, Allard died and was buried the next day. His

\textsuperscript{40}Ibid.

\textsuperscript{41} James M. Augustine, “The History and Romance of New Orleans' City Park,” \textit{The Times-Picayune}, July 26, 1908.


\textsuperscript{43} “All Saints’ Day of the Purchase Centennial,” \textit{The Times-Picayune}, November 2, 1903.

\textsuperscript{44} Frank Schneider, “The Pride of New Orleans Needs You There,” \textit{The Times-Picayune}, April 9, 1987.
burial marks the beginning of the myth surrounding the grave in City Park under the Dueling Oaks, the site of numerous duels in New Orleans during the eighteenth and nineteenth centuries.

The Grave

In her book *The Myth of New Orleans in Literature*, Violet Harrington Bryan called New Orleans “an American city that . . . has always been a center of myth and legend.”\(^4^5\) The myth of Louis Allard’s final resting place could be seen as a paradigm of a myth being used as a metaphor of the changes taking place in the South, particularly New Orleans, during the mid-1800s.

The most enduring account of the Allard myth is that “The tomb of Louis Allard lye yawning and gaping in the shadow of the duelling [sic] oaks in the City Park. Yet the memory of the…poet is a gentle one and it would be hard to tell of colonial customs and days without referring to him and his once princely plantation, that occupied the site of present City Park. But he gave it up in part payment of a debt to John McDonogh, who allowed him to remain there, Mr. Allard making the reservation that he should be buried in this spot, under his favorite tree. His wishes where carried out.”\(^4^6\)

In fact, the existence of the tomb was not mentioned in print until almost fifty years after Louis Allard’s death. An article published in 1892—one of the earliest published histories of City Park—mentioned the “long-ruined tomb of the Allards, whose Plantation this park use to be. The front is caved in and the coffin is gone; it is as if the grave cried out with an open


A drawing of the decrepit tomb was included in the article. Whether or not the grave was indeed Allard’s, from the time of this mention, the grave was accepted as such.

The appearance in the 1890s of the romantic story of the grave parallels the growth of tourism in New Orleans after the Civil War and the city policymakers’ decision to sell its romantic Old South past to visitors through myths and places that conjure the divergent history of the city, particularly its French and Creole roots. As Mark Souther wrote:

In the 1870s and 1880s, writers such as Lafcadio Hearn and George Washington Cable contributed to the city's emergent aura in the pages of Harper's, Scribner's, and Century Magazine. Blurring the boundary between fiction and nonfiction, they depicted a city evoking the Mediterranean or Caribbean, where a visitor could see the world by strolling New Orleans's streets. The

---


48 Ibid., drawing shown.
1884–85 World's Industrial and Cotton Centennial Exposition increased the city's popularity as a tourist destination. By that time many railroads and steamboat lines served New Orleans, bringing more than one million attendees … Expo promoters issued a series of tourist guides extolling the city's unique architecture, cuisine, and local lore. These guidebooks prescribed highly selective paths through the city, teaching tourists to know the city by seeing its landmarks, literally turning sites into sights.49

In the early part of the Twentieth Century, the Allard myth was mentioned often in the press, and tourist books, most with a mix of documented facts and fanciful legends. In 1908, The Times-Picayune ran an article that claimed “Allard’s remains were removed to Greenwood Cemetery and in 1861 were shipped to France, to be laid to rest with his ancestors.”50

In 1920, an article in The Times-Picayune also mentioned Greenwood Cemetery. The article contains several documented items, such as it named Allard and Robert as joint owners of the plantation, and acknowledged that the land had been lost due to foreclosure. However the writer named Robert rather than Louis as the Allard buried in the grave, and presented other variations that deviate considerably from the most accepted and reprinted myth, for instance omitting the role of McDonogh, and Louis Allard’s appeals to be buried under his favorite tree.

Sometime before 1832, Robert died and was buried beneath the protecting branches of the solitary oak that still stands beside the empty tomb in the extreme eastern portion of the park. There are living witnesses to the presence of the tomb at that spot in 1832, as well as to the existence near and surrounding it, of the graves of several slaves. In the course of time hunters, by repeatedly using


50 “The History and Romance of New Orleans' City Park,” The Times-Picayune, July 26, 1908.
the face of the tomb as a target, succeeded in exposing the remains in the element. This is a statement made by an unimpeachable authority. Another is that the deceased, Robert, had buried his money under the oak tree and when dying, although unable to speak, pointed with his last expiring effort to the spot, as if indicating his desire to be buried there. Be this as it may, his remains were disinterred and given a temporary resting place in Greenwood cemetery and later, between 1861 and 1863, were shipped to New York or Paris, where, it is piously hoped, his oft-disturbed bones eternally rest.\footnote{To Make City Park Finest In All America,” \textit{The Times-Picayune}, July 4, 1920.}

Articles such as these, with their distortions along with a scattering of historical fact, can lead to the question, should, and if so how, can historians use myth? Historian William McNeill suggested:

\begin{quote}
Myth and history are close kin inasmuch as both explain how things got to be the way they are by telling some sort of story. But our common parlance reckons myth to be false while history is, or aspires to be, true.\footnote{William McNeill, \textit{Mythistory and Other Essays} (Chicago: The University of Chicago Press, 1986), 3.}
\end{quote}

We are left to question whether all histories could be considered myth. McNeill argues that some histories are based upon “shared truths—truths that differed from time to time and place to place with rich and reckless variety.”\footnote{Ibid., 7.} In McNeill’s conclusion he suggests that “with a more rigorous and reflective epistemology, we might also attain a better historiographical balance between Truth, truths, and myth. The result might best be called “mythistory.”\footnote{Ibid., 18.} This paper will argue that the narratives regarding the life and death of Louis Allard have created one such “mythistory.” Narratives containing erroneousness information can act as signposts to
documented facts and only add to the perpetual dialogue that goes toward the development of the “mythistory” that shapes the culture and identity of New Orleans.

While the facts behind the story of Allard’s grave are still under historical review, research substantiates that rather than lying beneath the oak, Allard was likely buried in St. Louis Cemetery Number Two, in a nearby neighborhood of New Orleans.\textsuperscript{55} According to the cemetery index, Allard was “buried Tuesday, May 18, 1847, in a private tomb built upon site #16, in third alley to the right on leaving the main, in the center and facing the rising sun, between Conti and Bienville streets.”\textsuperscript{56} A visit to the cemetery and a search for the grave proved fruitless, for after following the outlined steps, one comes to a grave that can no long be identified, due to erosion. Despite the cemetery records of St. Louis Cemetery Number Two, the grave in the park, and the myth, were maintained by New Orleanians for 165 years, until the grave’s removal in September 2011 by City Park officials.

\textbf{Maintaining Mythic Property}

The act of removal by the board of City Park in 2011 countered more than a century of maintenance of the tomb and its myth. In 1892, the \textit{Daily Picayune} boasted that “the old, dismantled tomb, so picturesque in its fern-bound ruins, is being appreciatively protected as a ‘feature,’ attributed to the “splendid record of the New Orleans City Park commissioners,” and shows that the pioneering commissioners of City Park believed that the grave was worthy of preservation.\textsuperscript{57} The City Park board’s concern for the grave continued into the twentieth century.


\textsuperscript{56}\textsuperscript{56} Cemetery index of St. Louis Cemetery Number Two, located at the Louisiana State Museum, in the U.S. Mint.

\textsuperscript{57}\textsuperscript{57} New Orleans City Park. A Bit of History as to What is Olden,” \textit{Daily Picayune}, March 13, 1892.
In early 1904, “Commissioner A. P. Noll offered a resolution that a suitable inscription be placed on the old tomb in the park ground, which is an object of interest to visitors, the inscriptions to be of a character to instruct strangers for what purpose the tomb, which is now empty, was originally constructed.” At the next board meeting it was proposed that with regard to the inscription which was ordered to be placed on the old tomb in the park, the Executive Committee reported that the following had been decided upon: ‘Robert Allard, Died 1837.’ Superintendent Ansemen, however, stated that the year of death was not the correct one, while another member stated that he had heard it reported that none of the Allards had been buried in the tomb. Mr. Dreyfous was of the opinion that no inscription at all should be placed on it. There was a kind of mystery about the tomb, and he thought that this very fact would in itself be a matter of interest, so he thought it would be better not to attempt to raise the veil, but to leave the people who visited the tomb figure out or solve the enigma. At all events, it was better not to place any inscription than to give the public false information.

In 1908, a commissioner of the park suggested that the park purchase an “iron fence to surround the old tomb in City Park,” which illuminates a pattern of concern for the grave by the early administration of City Park. In 1908, therefore, the board considered the grave mysterious and meaningful—factors that could have aligned themselves with the tourism movement of the era.

Although some publications claim that as early as the turn of the twentieth century, members of board of commissioners had discovered that the grave was empty, the organization continued maintenance of the grave for another 100 years. As late as 1984, journalist Sharon Litwin wrote of the grave in The Times-Picayune, justifying its maintenance, whether empty or

---


60 “City Park Improvement,” The Times-Picayune, June 18, 1908.

61 Today, the board of commissioners is also known as the City Park Improvement Association.
not. In Litwin’s article she references an interview with Betty Bagert, a board member of the Friends of City Park, an organization whose mission is to uphold and enhance the culture of City Park. According to Bagert, and supported by publications produced by City Park in the twentieth century, around the late-1800s and early-1900s, when the park started to be developed, the staff at City Park knew of the existence of the grave and opened it. Bagert claimed that according to legend “when the grave was opened, there was no coffin, although some time later a casket lock and handles were found. To this day it is still a mystery. What happened to Allard’s body?” Litwin went on to write that the “romance and mystery surrounding the oaks is just one of the reasons why the Friends of City Park devote so much time to this community green space.”

While this article enhanced the mystique of the myth, it also provided evidence that the myth may contain some truth, as well as some fiction. The author stated that her favorite story associated with the oaks in City Park “is the one associated with the Allard Oak. Legend says that is where Louis Allard’s grave was.” However, the grave, empty or not, lay beneath what are called the Dueling Oaks, not the Allard Oak, as the article states. (The Allard Oak is located in another area of the park.)

Once again we are left to question why the story of the life and death of Louis Allard has been so resistant to correction. Despite the pervasive circulation of the story through books, newspapers, or pamphlets, including some published by the staff of City Park, no work exists that gives a comprehensive and well-researched account of Louis Allard’s life and death. The persistence of this myth can have several interpretations. If myth is, as Bryan argues, “related to

---


63 Ibid.

64 Ibid.
'the historical moment’ during which it was created, then perhaps the perpetuation of the myth surrounding the grave of Allard could have had several functions: a mechanism to help New Orleanians, at least in part, memorialize a fragment of the lost heritage of this once French colonial place while they embrace their new identity as Americans, a “Southern self-fashioning,” or a strategy to use the myth to attract tourism for economic development, or myriad other uses that reflect a particular “historical moment” including, perhaps, for the purpose of preservation.

**Preservation**

The recorded details of the existence of the grave were not the only elements that changed over time: the grave itself has also been altered. The photographs below show the grave to be in better condition in the 1930s than the drawing from the 1890s, evidence that at one time, the administration of the park felt the grave was worthy of preservation. This could reflect the strong movement towards preservation in New Orleans in the 1920s culminating in the founding of the Vieux Carré Commission in 1925 in order to preserve the French Quarter and its Creole history, making the French Quarter the second site in America to fall under a historic preservation law. In the 1920s there were serious debates by public officials on tearing down the then-dilapidated French Quarter, including the Pontalba Building and the Cabildo. To combat these plans, a group of preservationists came together to prevent this loss and “safeguard the

---

65 Bryan, 2.

historical character and heritage of the French Quarter” which remains its mission today. Evidence to corroborate the physical changes to the tomb over the years includes several photographs and drawings from a range of publications.

Figure 3- Photograph from the State Library of Louisiana, taken in the 1930s. Object file name: wp003143.

Figure 4- Photograph from the State Library of Louisiana, taken in the 1930s. Object File Name: wp003126.

Close up of the grave in the previous picture.
The description of the previous two photographs by the State Library of Louisiana perpetuates the Allard myth:

The Dueling Oak and the grave of Louis Allard in New Orleans. Allard owned the City Park site and sold it to John McDonogh in 1817. Destitute in declining years, Allard was buried beneath the City Park oaks.

In fact, there are no other known sources that claimed McDonogh bought the land in 1817. This type of mistake, especially when made by a state institution, adds to the historicizing of the myth.

Figure 5-This photograph was taken in 2008, by Lawrence Tucei Jr., for the Native Trees Society.
Historiography

Some historians have been opposed to using myths to analyze historical events. In historian W. Fitzhugh Brundage’s *The Southern Past: A Clash of Race and Memory*, Brundage quoted a statement of an unnamed early graduate of Johns Hopkins’ University who reasoned that “history cannot depend upon the memory of men; it cannot depend upon folklore nor upon traditions that come to us from word of mouth. History rests upon the documents.”68 Homer C. Hockett’s *Introduction to Research in American History*,69 and J. Franklin Jameson’s *The American Historian’s Raw Material* advise the graduate student and serious academic to shun “legend, and tradition, and folklore,” all seen as foul words in the “lexicon of historiography” in

---


the early and mid-twentieth century. Some historians have posited that myth and history can work hand in hand. In 1964, George B. Tindall advocated using mythology as a device for analyzing the “ambiguities, ironies, and paradoxes” innate in southern history. In fact, he speculated that myth is one of the more important determinants of southernism. The recognition that myth could be a significant component in the historical process was affirmed by Gersters and Cords, who wrote “history is the dual product of documentation and imagination—both a record of the past and the dialogue among historians.” This argues that dependence solely upon documents could ignore the many ways communities are created through their myths and that use of both fact and myth might lead to a more well-rounded and inclusive historical account.

Given that myths are often transmitted orally through generations of people and families, historians have recognized that myths could be based on factual events that have been altered in some way, or have taken on emblematic significance. In this way, myths may be considered signposts that can lead us to factual events.

Richard Slotkin contends that “myths are stories drawn from a society’s history that have acquired though persistent usage the power of symbolizing that society’s ideology” and that the “original mythic story is increasingly conventionalized and abstracted until it is reduced to a deeply encoded and resonant set of symbols, ‘icons,’ ‘keywords,’ or historical clichés.”

---


foundation of myth-making stems from our ability to compose and use metaphors, through which we endeavor to understand an event by its semblance to some remembered experience or event.

The French literary theorist Roland Barthes perceived *myth* as

speech stolen and restored. Only, speech which is restored is no longer quite that which was stolen: when it was brought back it was not exactly in its place. It is this brief act of larceny, this moment taken for a surreptitious faking, which gives mythical speech its benumbed look.\(^\text{74}\)

How then can narratives with mythical qualities such as the Allard grave be used by the modern historian? Historian Neil Godfrey addresses that question by pointing out that noted historian “Eric Hobsbawm himself. . . has made abundant use of mythical or legendary material.”\(^\text{75}\) Godfrey informs his reader of methods of using myths, and states that “the rigorous application of precisely articulated criteria … dig[s] beneath the surface of unprovenanced mythical tales to discover the probable historical nugget at the root of them all,” and highlights “the use of even fabricated material, however inauthentic its specific details, in order to arrive at the true historical ‘gist’ of the historical person at the centre of the narrative.” Godfrey elaborates on historian and writer Eric Hobsbawm’s use of mythical or legendary material during Hobsbawm’s research on banditry:

[Hobsbawm has] relied largely on a rather tricky source, namely poems and ballads. So far as the facts of banditry are concerned, these records of public memory and myth are of course quite unreliable, however remotely based on real events though they give much incidental information about the social environment of banditry, at least in so far as there is no reason why this should be distorted. In no case can we infer the reality of any specific ‘social bandit’ merely from the ‘myth’ which has grown around him. In all


cases we need independent evidence of his actions. In any case, the identifiable men around whom such myth formed were in real life often very unlike their public image. In short, balladry, like the types of oral history, is a very slippery source, and, like oral traditions, it is contaminated by the way in which it passed through generations. Nevertheless, it can and must still be used for certain purposes.\textsuperscript{76}

Thom Absalom, a writer for the online history magazine \textit{New Histories}, posited that “over the past century, historians have moved from recording facts and dates in political or economic histories into the more abstract realms of society and culture. This has led historians to the study of myths and legends, stories that societies told themselves about themselves.”\textsuperscript{77} Absalom claimed that myths had informed our ancestors and influenced historical narrative throughout the last century, if not longer. Absalom maintained that historians enable myths, and that, in theory, all works of recorded history are innately mythological, due to the fact that authors omit and integrate facts of their choosing. These omissions have helped create and perpetuate the historical revisionism that is inherent in some myths and historical accounts.

The myth of the tragic life of the Creole Allard, and predominantly the story of his final resting place, with various revisions, has persisted in New Orleans, for over a century and a half. The many versions of the history of the Allard grave in various publications throughout time add to the many uses of the myth and to the grave’s mythical qualities—by white Creoles to perpetuate a lost past, by policymakers to promote tourism, by preservationists to counter the destruction of historic sites. The myth has been useful to New Orleans by different groups for different reasons at various stages of history. The perpetuation of the myth of the grave could be said to show respect for the past or it may have helped citizens hold on to or showcase a

\textsuperscript{76} Eric J. Hobsbawm, \textit{Bandits} (London: Weidenfelf and Nicolson, 1969).

distinctive identity. City Park has been a site onto which New Orleanians have sought to implant their identity more than once.\footnote{For more on the emotions attached to preservation sites in New Orleans, see Melinda Milligan, “Ambivalent Passions and Passionate ambivalence: Emotions and the Historic Preservation Movement.”}

### Naming of the Park

When John McDonogh died in 1850, he left his land, the former Allard Plantation, to the cities of New Orleans and Baltimore. Only one year after McDonogh’s death, New Orleans Mayor Abdiel Daily Crossman and City Surveyor Louis H. Pilié advocated for the use the Allard land as a public park.\footnote{Reeves, 3.} In 1852, the New Orleans Common Council concurred with Crossman and Pilié’s recommendation, and announced their intent to create a public park on the oak-covered land. This came to fruition in 1854, when the Fourth District Court ruled in favor of development of the land into a public park.\footnote{Fourth District Court for the Parish of Orleans, No. 6037.} Three years later the Cities of New Orleans and Baltimore came to an amicable resolution, which provided New Orleans with the deed to the land. However, the park remained largely undeveloped until the 1890s.\footnote{For more information on the political struggle to develop City Park, see Peggy Usner, “The Reconstruction Era and the New Orleans City Park” (New Orleans: University of New Orleans, 1987), 10-36.}

In the late 1890s and the first part of the 1900s, there was a movement to change the name of City Park to McDonogh, Bienville or Behrman Park. Citizens on all sides of the fierce debate believed that their choice most accurately reflected the park’s history and grandeur. Some citizens of New Orleans wanted to choose a name to show respect for past New Orleanians who helped shape the city and its culture.\footnote{Another park in uptown New Orleans, called Upper City Park, was renamed Audubon Park in 1898.} Other citizens wanted the name to remain the same,
because they thought of the name, albeit simple and rather generic, as a symbol that was known worldwide. The park and its stories held meaning to the people of New Orleans and both sides wanted their history and the history of their city to be reflected in the name. This heated debate continued for several years, demonstrating how symbolic places that commemorate history and are endowed with mythical meaning can offer a sense of identity in place and time, linking history and geography to myth and memory, and can have great meaning to people in that place.

**Lost Creole Culture**

In contrast to the typical lost history of the South, or in addition to it, is the story of the lost Creole culture. Like the Old South, the Creole culture of New Orleans changed forever, but even more radically in the nineteenth century. In 1803, the Louisiana Purchase transferred the French colony to the United States; this transfer marked the influx of English-speaking Protestant Anglo-Americans into the region, which caused a cultural confrontation. The cultural and linguistic climate of the newly acquired territory, which included the prevalence of French language and Catholicism, the large free class of mixed-race people, and the public expressions of African customs of the enslaved peoples, was alien to the rest of the country at that time—America’s first encounter with a “foreign” people. The new governor W.C.C. Claiborne was pressured to Americanize the new colony, causing a long struggle between the Americans and Creoles for cultural ascendancy, a struggle that eventually the Americans, at least partially, won.

---

Therefore, the city of New Orleans, called in the 1850s the “Queen of the South,” had a dual personality and history—a Southern city and a Creole City, overlain with its new identity as an American city.84

The Allard myth reflects the city’s transition from French to American, a change that did not occur without conflict. The push to change the identity of New Orleans could be seen as a signpost of ideological contention in which myriad groups, classes, and individuals sought to manage the city with their own meaning. A study of this myth could lead historians to a deeper understanding of the depths of disruption of local culture during the period and the grief of loss of that culture through the creation and maintenance of the myth of Allard and his grave.

Dismantling Mythic Property

Through the twentieth century, the administration of City Park maintained and even publicized the story of the grave. However, later in the twentieth century, some park publications began to express doubt of the veracity of the Allard story, culminating in the quiet and unceremonious removal of the grave in September 2011. Although the administration at the park has been resistant to answering questions about the removal, a local contact at the park stated that although park officials had come across publications claiming the grave once held a body, in fact it did not and may have not ever been a grave. The staff member stated, “I think it’s just a urban legend kind of thing.”85 Another contact on the park’s board claimed that the grave had been considered a hazard and therefore needed to be removed. In the twenty-first century, historical accuracy and liability seem to outweigh preservation of the grave and its myth.


85 Electronic message from Amanda Frentz to Kimberly Jochum, October 10, 2011.
Reaction to Removal

Some New Orleanians have resisted what they see as the desecration of the grave and the resultant desecrators of its “deeply encoded and resonant set of symbols, ‘icons,’ ‘keywords,’ or historical clichés.” On March 1, 2012, historian and preservationist Russell B. Guerin wrote to The Times-Picayune objecting to the removal of the grave.

City Park publications have made clear that the history of the tomb could not be verified. This fact does not negate the entire history of the structure. It was obviously a tomb, built with care and precision out of ancient New Orleans bricks and mortar. It was built for someone. Perhaps his or her remains were transferred to another site. We do not know. Because we cannot know something does not invalidate it totally. But that is what has been concluded. I have been in touch with an official of the park, who informed me that the decision came from top management. The fact that it needed repair should not have led to only one solution, that being to remove it unceremoniously. What has gone with it is the mystery that was there for all lovers of the park to experience.  

In his letter, Guerin shapes the myth as a cultural product owned and valued by the people of New Orleans, which the park officials had no right to take. His argument: a city’s culture is shaped by the myths ascribed to it. Guerin related that when he spoke with City Park Chief Development Officer John Hopper, Hopper argued that the park administration’s belief, that Louis Allard was buried in a local cemetery, negates the grave’s historic significance, so the park administration decided to remove it. Consequently, City Park officials claim that the grave’s lack of historical accuracy renders the grave as worthless. On the other hand, for Guerin, the grave and its myth hold great meaning, and the people of New Orleans hold an ownership of these iconic places. Guerin related that he had hoped to pass along the history of the grave to his grandson, as his grandfather had passed the myth to him many decades before. His disappointment by the grave’s absence was the catalyst that prompted him to write the letter.

---

quoted above. Guerin, along with many New Orleanians, believe that their local myths and stories hold a cultural value that is not diminished by historical fact.

On November 2, 1903, an article in *The Times-Picayune* stated that Allard “left no one to bear his name: that has become extinct. His gentle memory alone survives in song and story.”

However, more than his “gentle memory” survived in the memories of many New Orleanians. The story of his grave has spanned centuries, continually written about and passed down by families who, through the generations, have visited the park and come upon the grave. Beyond the economic or political motives of others, perhaps they have perpetuated this myth as a way to mourn their dying culture as their own distinctive “self-fashioning”—a way for some New Orleanians to memorialize, and interpret, the transitions of the culture of New Orleans since its genesis, situating themselves among people in their region, allowing a *raison d’être* to their lives and pasts.

**Conclusion**

In Diane Barthel’s *Getting in Touch With History*, she argues that “historic preservation is playing an increasingly important role in shaping collective memories.”

If future visitors to the park will no longer be able to gaze upon the grave, will the myth live on or will the collective memories of New Orleanians change? Just as publications and oral accounts have given life to the death of Allard through the last 165 years, will these stories continue to be passed down to future generations without the physical presence of the grave?

---

87 “All Saints’ Day of the Purchase Centennial,” *The Times-Picayune*, November 2, 1903.

According to historian Cindy Southerland, “Tombstones are considered an outdoor archive and may be the last surviving document to record the existence of the person buried there,” or at least is believed to have been buried there at some point. This paper seeks to not only ponder the past, but also to question a future without the Allard grave, a metaphor that helped create the myth through which New Orleanians might understand their complex past—a past more complex than other Southern pasts and one that may need McNeil’s “mythistory” to unravel. Although historians may have to navigate through a labyrinth in order to find the facts behind any myth, the journey may reveal more truths than could a single document. Historical actuality engages not only that which is arguably true, but also what one accepts as true. George Tindall informs us that:

The historian has a dual role: He remains at once a ‘custodian of the past and keeper of the public memory’ . . . Thus, in determining the dimensions of the southern experience, the historian must reckon not only with peculiar regional characteristics but also the myths which have conditioned them. As a significant unit of the region’s experience, myth supplies an internal structure and a sustaining symmetry to our understanding of the South.

So myth and reality can act as corresponding factors in the historical record. A historian’s job, it could be said, is to use historical sources to find the origin and facts behind a myth in order to reach a fuller understanding of the history of a people.

In seeking historical accuracy, the administration of City Park dismantled the Allard grave, a metaphor for a lost French Creole South, and in doing so may have loosened a thread of understanding of the South as more diverse than traditional southern historiography has

---


90 Tindall, 1.
chronicled—ironically altering historical fact for historical accuracy. As Diane Roberts has written, “Keeping up mythic property is hard work.”

---

Bibliography


“All Saints’ Day of the Purchase Centennial.” The Times-Picayune. November 2, 1903.


“City Park Improvement.” The Times-Picayune. June 18, 1908.


Fourth District Court for the Parish of Orleans. No. 6037.


“Membership in the Louisiana House of Representatives 1812–2012.”


“The New Orleans City Park: A Bit of History as to What is Olden.” *Daily Picayune*. March 13, 1892.


Record 38 (January 23, 1845 to May 18, 1846) in the Conveyance Office. There was a seizure sale of Allard’s property in the name of Consolidated Association of the Planters of Louisiana on June 11, 1845.


“The History and Romance of New Orleans' City Park.” *The Times-Picayune.* July 26, 1908.


“To Make City Park Finest In All America.” *The Times-Picayune.* July 4, 1920.


On Chloe
Widow of seven mates, notorious,
Chloe decided that one tomb
Should house them all, concerning whom
She writ upon the gravestone thus:
"'Tis I who buried them here at."
Can one aught better boast than that!

The Wrestler
More than the victor, I prefer
The vanquished, who-defeat, his lot-
Laid low, yet, braving death, cries: "Sir,
I die, but I surrender not."
Appendix B
Permission to use photographs

Kimberly Jochum
5419 Canal Blvd
New Orleans, LA 70124
kjochum@uno.edu
May 20, 2013

Dear Lawrence Tucei Jr.:
This letter will confirm our recent email. I am completing a master’s thesis at The University of New Orleans entitled “Myth as Metaphor: The Lost History of Louis Allard and His Mythic Grave in New Orleans City Park.” I would like your permission to reprint, in my thesis, photographs of the following: the grave under the Dueling Oak.

The photo to be reproduced is: [Image]

The requested permission extends to any future revisions and editions of my thesis, including non-exclusive world rights in all languages, and to the prospective publication of my dissertation by UMI Company or any company. These rights will in no way restrict republication of the material in any other form by you or by others authorized by you. Your signing of this letter will also confirm that you own [or your company owns] the copyright to the above-described material.

If these arrangements meet with your approval, please sign this letter where indicated below and return it to me.

Thank you very much.

Sincerely,

Kimberly Jochum

PERMISSION GRANTED FOR THE USE REQUESTED ABOVE:

[Signature]

Lawrence Tucei Jr.

Date: JUNE 13, 2013
Release Form for Reproduction of Materials

Date: 10/11/13
Name of Requesting Party: Kimberly Jochum
Address: 5419 Canal Blvd
         New Orleans, LA
Phone: 985 707 8152  E-mail: kjochum@yahoo.com

Please check appropriate items:
☐ Digital file(s) provided by the Louisiana Division/City Archives
(Burn to CD/DVD ☐; FTP ☐)
☐ Outside photographer or scanner used (provide name & address below)

USE TO BE MADE OF MATERIAL REPRODUCED (check the statement that applies):
☐ These reproductions are for personal use only or for use in research, teaching, or private study. I agree to take responsibility for any unauthorized copy or public display of the reproduction.
☐ These reproductions are for publication, broadcast and/or public display. I have read and agree to comply with the TERMS OF USE stated below. Further, I am aware of my responsibility in the case of copyright infringement.

DESCRIBE THE SPECIFIC USE TO BE MADE OF THE REPRODUCTION(S):
photograph will be added to my thesis

TERMS OF USE

Permission to reproduce items from Louisiana Division/City Archives special collections is granted for personal use or for use in research, teaching, and/or private study.

Permission to reproduce items for ANY OTHER USE is subject to the following conditions:

1. Permission to publish, broadcast, or display is granted only so far as the rights of the Louisiana Division/City Archives are concerned. In many cases the Louisiana Division/City Archives claims only physical ownership of material in its collections and does not own copyright or other intellectual property rights to this material. In such cases, all responsibility for possible copyright infringement arising from use of reproductions of this material will be assumed by the requesting party.

2. Permission to reproduce materials is granted for one-time use only. Any re-use of the materials without permission of the Louisiana Division/City Archives is forbidden. This permission is not transferable to any other party.

3. Negatives or digital files supplied by the Louisiana Division/City Archives or produced by the requestor or the requestor’s designee may not be transferred to any party for any use not stated in this agreement.
4. Any negatives made in the process of reproduction will be returned to the Louisiana Division/City Archives immediately upon completion of the reproduction process. A copy of any digital file produced by an outside party (in-house or off-site) will be supplied to the Louisiana Division/City Archives.

5. Reproduction (whether digital or otherwise) may be done only by an individual, a photographer of reproduction company approved in advance by the Louisiana Division/City Archives, whether material is reproduced off-site or in-house.

6. Alterations to the original image are not allowed in the publication of the Louisiana Division/City Archives materials without permission.

7. All published, broadcast or displayed reproductions of Louisiana Division/City Archives material must be properly credited as follows: Louisiana Division/City Archives, New Orleans Public Library.

8. A copy of any publication, documentary, CD/DVD, etc. containing reproductions of Louisiana Division/City Archives materials will be sent without charge to the Louisiana Division/City Archives.

Signature of requesting party: [Signature]
Date: 10/11/13

Approved by: [Signature]
Date: 10/11/13

DESCRIPTION OF MATERIALS TO BE REPRODUCED

(To be filled in by the Louisiana Division/City Archives. Off-site users, please attach copies of the items requested, printed from our website, or supply the URL for each image, as the URL appears on the website.)

COLLECTION: Louisiana Map Collection

IMAGE NAME/DESCRIPTION: Taylor's map of New Orleans, Edition 1924

mom724_2001.jpg

FEES: No charge - using lower from website

scan(s) @ $5.00 each $ (i.e., material already available in high resolution)

scan(s) @ $10.00 each $ (i.e., material that has not yet been scanned or must be rescanned)

Total amount due $

[NPOL use: Paid Cash Check] Revised 10/2010
Mr. Granger,

I am a graduate student in the History program at UNO. I am interested in using a picture you took of the "dueling oak" and the grave underneath in my thesis, "Myth as Metaphor: The Lost History of Louis Allard and His Mythic Grave in New Orleans City Park."

The cut line stated: CHRIS GRANGER / THE TIMES-PICAYUNE The "dueling oak" in City Park in New Orleans on Tuesday, September 6, 2011. The photo ran on Nola.com on September 12, 2011. I have copied the picture below.

I would use a cut line naming and approved by you. Your consideration in this matter is greatly appreciated. Please contact me with any questions or concerns you may have.

Best regards,

Kimberly Jochum

Hi Kimberly,

Sound's like an interesting thesis! Sure, you can use my photo for your paper. I've always been fascinated by the history of that spot. Would love to one day read what you discovered in your research.

Good luck!

Chris Granger
Application for Reproduction Permission
State Library of Louisiana, Louisiana Collection
P. O. Box 131 • Baton Rouge, LA 70821 • Telephone: 225-342-4914 • Fax: 225-342-2791

Please complete, sign and return to the State Library of Louisiana. A countersigned copy will be returned when permission is granted. The amount due, if applicable, is listed on the bottom of this form. Payment must be made prior to processing the order. Images are scanned at 300 DPI. The price depends on both the category of purchaser and the use of the image. Refer to the chart below to determine prices.

<table>
<thead>
<tr>
<th>Entity</th>
<th>Use</th>
<th>Price per Image</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual</td>
<td>Personal/Educational</td>
<td>$10</td>
</tr>
<tr>
<td>Non-profit</td>
<td>Editorial</td>
<td>$20</td>
</tr>
<tr>
<td>Non-profit</td>
<td>Film/video/advertising</td>
<td>$50</td>
</tr>
<tr>
<td>Commercial</td>
<td>Editorial</td>
<td>$50</td>
</tr>
<tr>
<td>Commercial</td>
<td>Film/video/advertising</td>
<td>$100</td>
</tr>
</tbody>
</table>

Applicant: Kimberly Jochum
Company/Organization: University of New Orleans

Type of entity: Individual
Address: 5419 Canal Blvd
City: New Orleans
State: LA
Zip: 70124
Telephone: 985-374-152
Fax: 985-374-152
E-mail: kjochum@uno.edu

If Used in a Publication or Production
Title of publication/production:
Title of article:
Expected date of publication:
Volume/Year:
Publisher:
Address:
City:
State:
Zip:

Object File Name and Description of Image
WPC03126 - Duelling Cane and Allard grave
WPC03127 - Duelling Cane and Allard grave in City Park

Distribution rights desired: United States rights
World rights - language:

Credit line must read: State Library of Louisiana

I have read the State Library of Louisiana’s Conditions Governing Reproductions attached to this form and understand the requirements and restrictions by which I am bound in the event that permission is granted and that are expressly incorporated into this Application for Reproduction agreement by reference. I further agree to promptly pay all applicable fees.

Applicant’s signature: Kimberly Jochum
Date: 06/20/13

Print name: Kimberly Jochum
Title:

Permission granted to reproduce the above mentioned object(s) for one-time use and subject to the conditions attached.

Rebecca Hamilton, Assistant Secretary

Date: 06/20/13
Vita

The author was born in 1982, in New Orleans, Louisiana. She obtained her Bachelor's degree in Education from the University of New Orleans in 2009. She began a graduate curriculum at the University of New Orleans in 2011, and is currently a candidate for a Master's degree in History with a concentration in Public History.