

EXHIBIT 3

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
Northern Division

GREAT LAKES EXPLORATION
GROUP LLC

Plaintiff

Civil Action No. 1:04-CV-375

v.

HON. ROBERT HOLMES BELL

The Unidentified, Wrecked and (For
Salvage-Right Purposes), Abandoned
Sailing Vessel, her tackle, apparel,
appurtenances, cargo, etc. located
within a circle having a radius of 3.5
statute miles, whose center point is at
coordinates 45° 32.8' North latitude and
86° 41.5' West longitude,

In Rem

Defendant.

and

MICHIGAN DEPARTMENT OF HISTORY,
ARTS AND LIBRARIES AND MICHIGAN
DEPARTMENT OF ENVIRONMENTAL
QUALITY,

Intervening Defendants

AFFIDAVIT OF JAMES EDWARD BRUSETH

Now comes James Edward Bruseth, 6806 Rio Bravo Lane, Austin Texas, and being first
duly sworn, states as follows:

I am currently the Deputy State Historic Preservation Office for Archaeology, and
Director of the Archeology Division, Texas Historical Commission, Austin, Texas. In these
capacities I served the Texas Historical Commission as an expert in many areas of archeology

related to regulatory and legal issues, bringing 30 years of experience in dealing with the archeological resources of a large, culturally and physiographically diverse state. Principal among the responsibilities of these positions are documentation of prehistoric (prior to the advent of written records and European contact) and historic (post-European contact) archaeological sites and assessment of the historical/archeological significance and physical integrity of these sites on land and under water. In concert with the State Historic Preservation Officer, I am responsible for determining the eligibility of sites for listing in the National Register of Historic Places and supporting actual nomination to the Register of appropriate sites. I am a member of the Society for Historical Archaeology and the Register of Professional Archaeologists. I have directed the excavation of La Salle's shipwreck La Belle, and have directed the historical and archeological researched into all aspects of the shipwreck. I have also directed the excavation and historical research on La Salle's New World colony of Fort St. Louis. I have written the definitive book on the shipwreck of La Belle (with coauthor Toni S. Turner), which provides extensive analysis of historical documents related to La Salle's New World expeditions. I have also published in a wide range of professional journals. My projects have been featured in National Geographic and Smithsonian magazines and in documentary films shown in the United State and abroad.

I hold my present positions on the basis of my training in Anthropology, with specialization in the field of archeology from Southern Methodist University, where I obtained a Ph.D. in Anthropology in 1987, and an MA in 1982, and on the basis of the training and experience reflected in the attached curriculum vita. My dissertation is entitled "Late Holocene Environmental Change and Human Adaptive Strategies in Northeast Texas."

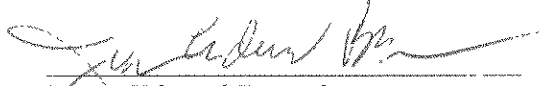
Historical archaeology is the study of the material remains of past societies that also left behind some other form of historical evidence. This field of research embraces the interests of a diverse group of scholars representing the disciplines of anthropology, history, geography, and folklore. In the New World, historical archaeologists work on a broad range of sites preserved on land and underwater. These sites document early European settlement and its effects on Native American peoples, as well the subsequent spread of the frontier and later urbanization and industrialization. By examining the physical and documentary record of these sites, historical archaeologists attempt to discover the fabric of common everyday life in the past and seek to understand the broader historical development of their own and other societies.

In dealing with historic archeological sites, investigators invoke both published and unpublished historical records that will assist in the evaluation of such sites, an option not available with prehistoric sites. These records aid in the developing, testing and evaluating of hypotheses through excavation and analysis of historic archeological sites and the cultural remains contained within them such as artifacts, features (hearths, refuse pits, building foundations, etc.) and human remains and arriving at an understanding and interpretation of the sites. Through my involvement with the La Salle projects in Texas, I have become intimately aware of the documentary record of La Salle's New World ventures and have extensively utilized this documentary record.

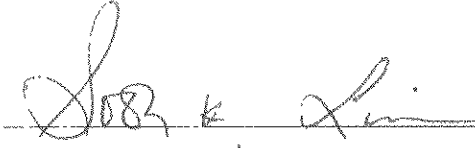
I am competent to testify to the facts and opinions asserted herein and in the attached report, entitled: "Comparison of the Origins and Uses of the Griffon and The Belle, 17th Century Ships Commanded by Robert Cavelier, Sieur de La Salle, in North America." I state the facts

asserted on the basis of personal knowledge and the opinions on the basis of my training, experience, skill and education in the field of Archeology, and on the basis of my application of the reliable principles and methods of that discipline to facts and data of the sort reasonably relied upon by experts in Archeology when forming inferences about subjects of this sort.

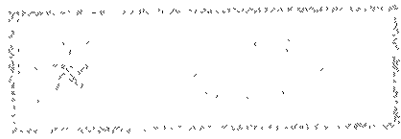
FURTHER, AFFIANT SAYETH NOT.


James Edward Bruseth

Subscribed and sworn to before me
this 28th day of April, 2005


SON R. LIM Notary Public

My Commission Expires: April 22, 2006



Curriculum Vita

of

James Edward Bruseth

6806 Rio Bravo Lane
Austin, Texas 78737

512/288-6053 (*home*)
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Education

1974 B.S., Business Management, University of New Orleans
1982 M.A., Anthropology, Southern Methodist University, Dallas, Texas
1987 Ph.D., Anthropology, Southern Methodist University, Dallas, Texas

Professional Experience

1987 - present Deputy State Historic Preservation Officer for Archeology, and Director of the Archeology Division, Texas Historical Commission, Austin, Texas. Also, Principal Investigator for the *Belle* Shipwreck Recovery and the La Salle Fort St. Louis Colony Excavation.

1987 Adjunct Faculty Member, Department of Anthropology, Southern Methodist University.

1986 - 1987 Director of the Sponsored Projects Office, Southern Methodist University.

1986 - 1987 Research Scientist, Institute for the Study of Earth and Man, Southern Methodist University.

1983 - 1986 Director, Archaeology Research Program, Southern Methodist University.

1982 - 1983 Assistant Project Director, Archaeology Research Program, Southern Methodist University.

1974 - 1981 Project Manager, Archaeology Research Program, Southern Methodist University.

Publications (Abbreviated)

- 1975 *Archaeological Survey and Testing in Lake Fork Reservoir*. Archaeology Research Program, Southern Methodist University, Dallas.
- 1976 *An Assessment of the Archaeology of Lake Fork Reservoir* (with Joseph Bagot and Kimball Banks). Archaeology Research Program, Southern Methodist University, Dallas.
- 1977 *Archeological Research at Lake Fork Reservoir: Site Inventory and Assessment* (with Joseph Bagot, Kimball Banks, and Mary McKinley). Archaeology Research Program, Southern Methodist University, Dallas.
- 1979 Computers in Archaeology, a 1979 Appraisal. *The Record* 35(1):11–15.
- 1980 A Synthesis of the Upper Sabine River Culture History (with Bob Skiles and Timothy K. Perttula). *The Record* 36(1):1–12.
- 1981 *Archaeological Testing at Lakeview Lake, 1979: Human Use of the Land* (with L. Mark Raab and Allan McIntyre). Archaeology Research Program, Southern Methodist University, Dallas.
- 1981 Intrasite Artifact and Feature Patterning at the Claiborne Site, Hancock County, Mississippi. In *Poverty Point and Caddoan Archaeology, Essays in Honor of Clarence H. Webb*, edited by Jon L. Gibson. *Louisiana Archaeology* (5):283–318.
- 1981 *Prehistoric Settlement Patterns at Lake Fork Reservoir* (with Timothy K. Perttula). Texas Antiquities Permit Series, Report Number 2, Austin.
- 1983 A Consideration of Caddoan Subsistence (with Timothy K. Perttula and Cathy Crane). *Southeastern Archaeology* 1(2):89–102.
- 1983 Early Caddoan Subsistence Strategies, Sabine River Basin (with Timothy K. Perttula). *Plains Anthropologist* 28.
- 1983 *Season One Mitigation of Prehistoric Archaeology in the Richland/Chambers Reservoir, Navarro and Freestone Counties, Texas, Interim Report*. Archaeology Research Program, Southern Methodist University, Dallas.
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- 1987 Geophysical Remote Sensing (with William A. Martin and Robert J. Huggins). In *The Bird Point Island and Adams Ranch Sites, Methodological and Theoretical Contributions to North Central Texas Archaeology*, edited by James E. Bruseth and William A. Martin. Volume II, Richland Creek Technical Series, Southern Methodist University, Dallas.

1987 Hunter-Gatherers of the Prairie Margin: Summary of the Prehistoric Archaeological Record (with Daniel E. McGregor and William A. Martin). In *Hunter-Gatherer Adaptations Along the Prairie Margin, Site Excavations and Synthesis of Prehistoric Archaeology*, edited by Daniel E. McGregor and James E. Bruseth. Volume III, Richland Creek Technical Series, Southern Methodist University, Dallas.

1987 Late Holocene Paleoecology of the Prairie Margin of Texas. In *Introduction to the Richland Creek Archaeological Project*, edited by James E. Bruseth and Randall W. Moir. Volume I, Richland Creek Technical Series, Southern Methodist University, Dallas.

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1987 The Wylie Focus: Cultural Reality or Archaeological Myth? (with William A. Martin). In *The Bird Point Island and Adams Ranch Sites, Methodological and Theoretical Contributions to North Central Texas Archaeology*, edited by James E. Bruseth and William A. Martin. Volume II, Richland Creek Technical Series, Southern Methodist University, Dallas.

1988 Wylie Focus Pits: A New Look at Some Old Features. *The Record* 42(3):20–35.

1990 *A Study of the Cumulative Impacts of Lignite Coal Surface Mining to Cultural Resources Resulting from Issuance of New Source NPDES Permits* (with Timothy K. Perttula and Nancy A. Kenmotsu). Report submitted to the U.S. Environmental Protection Agency, Region 6, Dallas.

1990 Avocational Archaeologists and the Preservation Planning Process (with Nancy A. Kenmotsu). *SAA Bulletin* 8(5):4–5.

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1990 Archeological Site Preservation vs. Economic Development. *Insight* 4: 8–9.

1991 Texas Archeological Society Field School, the Sam Kaufman Site (412216), Red River County, Texas (with Timothy K. Perttula). *Texas Archeology* 35(2):3,13,14,19.

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- 1991 Hudnall-Pirtle Site: An Early Caddoan Mound Complex in Northeast Texas. *Caddoan Archeology* 2(3):9–15.
- 1991 Poverty Point Cultural Development as Seen at the Claiborne and Cedarland Sites, Southern Mississippi. In *Poverty Point Culture, Local Manifestations, Subsistence Practices, and Trade Networks*, edited by Kathleen Byrd. *Geoscience and Man*, Volume 29, Louisiana State University Press, Baton Rouge.
- 1991 Soldiers of Misfortune: The de Soto Expedition Through Texas. *Heritage* 9(4):12–17.
- 1991 Summary of the 1991 Field School in Red River County. *Texas Archeology* 35(3):1,6–10.
- 1991 The Sam Kaufman Archaeological Site: An Endangered Piece of Our Past. *Heritage* 9(2):21.
- 1992 TAS Field School: Back to the Red River. *Texas Archeology* 36(1):11–13.
- 1992 The 1992 Field School: Soggy but Successful. *Texas Archeology* 36(3):1,7–14.
- 1992 A Crisis of Apathy? *Cultural Resource Management News and Views* 4(2):21–23.
- 1992 Artifacts of the de Soto Expedition: The Evidence from Texas. *Bulletin of the Texas Archeological Society* 63:67–97.
- 1992 *Archeological Investigations at Fort Davis (41SE289), a Family Fort in Stephens County, Texas* (with Nancy Kenmotsu, Timothy K. Perttula, and William A. Martin). Department of Antiquities Protection, Cultural Resource Management Report 2. Texas Historical Commission, Austin.
- 1993 Moscoso and the Expedition in Texas (with Nancy A. Kenmotsu and James Corbin). In *Hernando de Soto's Expedition West of the Mississippi River*, edited by Gloria Young. University of Arkansas Press, Fayetteville.
- 1993 From Nagquatex to the River Daycao: The Route of the Hernando de Soto Expedition Through Texas (with Nancy A. Kenmotsu). *North American Archeologist* 14(3):199–225.
- 1994 Trade and Exchange in Eastern Texas, 1100 B.C.–A.D. 800 (with Timothy K. Perttula). In *Exchange in the Lower Mississippi Valley and Contiguous Areas in 1100 B.C.*, edited by Jon L. Gibson. *Louisiana Archaeology* 17:93–121.
- 1995 Clarence Webb, the Scholar. *Special Bulletin of the Louisiana Archeological Society* honoring Clarence H. Webb.

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- 1995 *Medicine Mounds Ranch: The Identification of a Possible Comanche Traditional Cultural Property in the Rolling Plains of Texas* (with Nancy A. Kenmotsu, Timothy K. Perttula, Patricia Mercado-Allinger, Thomas R. Hester, Sergio Iruegas, and Curtis Tunnell). *Plains Anthropologist* 40(153):237–250.
- 1995 The Sanders Site: A Spiroan Entrepot in Texas? (with Diane Wilson and Timothy K. Perttula). *Plains Anthropologist* 40(153):223–236.
- 1995 *Advances in Texas Archeology, Contributions from Cultural Resource Management*. Department of Antiquities Protection, Cultural Resource Management Report 5. Texas Historical Commission, Austin.
- 1996 Moscoso Expedition. In *The New Handbook of Texas*, Volume 4, The Texas State Historical Association, Austin.
- 1997 Review of *Texas Treasure Coast*, by Tom Townsend, Eakin Press. *Journal of the East Texas Historical Association* 86.
- 1998 Review of *Caddoan Indians, Where We Come From*, by Cecile Carter, University of Oklahoma Press. *Bulletin of the Texas Archeological Society* 70.
- 1999 *Caddoan Native History and Its Place in Southeastern Prehistory* (edited with Timothy K. Perttula). Contributors include Dee Ann Story, James Corbin, Frank Schambach, James Brown, Ann Early, George Sabo, David Kelly, Tristram Kidder, Timothy K. Perttula, and James E. Bruseth. University of Texas, Archeological Research Laboratory, Austin.
- 2000 Découverte et Fouille de *La Belle* (with Layne Hedrick and John de Bry). In *Cavelier de La Salle, L'Expédition de 1684, La Belle*, edited by Jean Boudriot, Collection Archéologie Navale Française, Paris.
- 2001 Archeological Investigations on the Red River and Tributaries: Summary of the Findings of the 1991 and 1992 Texas Archeological Society Field School in Red River and Lamar Counties, Texas. *Bulletin of the Texas Archeological Society* 72:165–250.
2004. A Clash of Two Cultures: Presidio La Bahía as a Deterrent to French Incursion on the Texas Gulf Coast (with Jeffery Durst). *Historical Archaeology* 38(3):78-93.
- 2005 Bruseth, James E., and Toni S. Turner, 2005, *From a Watery Grave: The Discovery and Excavation of La Salle's Shipwreck*, La Belle. Texas A&M University Press, College Station.
2005. The Shipwreck of La Salle's Ship's La Belle. In *Unlocking the Past*. Joint publication by the University of Florida and the Society for Historical Archaeology.

**Comparison of the Origins and Uses
of the *Griffon* and the *Belle*, 17th-Century Ships
Commanded by Robert Cavelier, Sieur de La Salle,
in North America**

by

James E. Bruseth

Introduction

The purpose of this report is to present information about the *Griffon* and the *Belle*, both 17th-century ships used in North America by the French explorer Robert Cavelier, Sieur de La Salle. Historical information is presented first about the *Griffon*, a small sailing vessel built in 1679 along the Niagara River. Primary-source historical documents provide details about the construction and use of the ship. This information forms the basis of an expert opinion concerning ownership of the vessel. Next, information is presented about another of La Salle's ships, the *Belle*, which was lost along the Texas coast in 1686. This vessel was recovered by the Texas Historical Commission in 1997 and subsequently claimed by the French Republic, also in 1997. Finally, the ownership and uses of both ships are compared, resulting in the conclusion that the circumstances surrounding the two vessels are quite different.

The Griffon

Summary

Several primary-source historical documents provide detailed information about the *Griffon*. Most of these documents are presented in Pierre Margry, ed., *Découvertes et établissement des Français dans l'ouest et dans le sud de l'Amérique septentrionale (1614–1754)*, vols. 1–3.¹ Other relevant documents are Father Louis Hennepin's *A Description of Louisiana*, translated from the 1683 edition by John Gilmary Shea (1880)² and Hennepin's *A New Discovery of a Vast Country in America* (1698).³ The veracity of the 1698 edition of Hennepin's work has been called into question,⁴ and as a result it is relied upon the least in this presentation. Secondary sources such as Francis Parkman, *La Salle and the Discovery of the Great West* (1963)⁵ and Anka Muhlstein, *La Salle, Explorer of the North American Frontier* (1994)⁶ were consulted as well. However, these secondary sources were studied primarily to understand how leading historians view La Salle's exploration.

One of the most detailed descriptions of events surrounding the *Griffon* comes from the official account of La Salle's expedition of 1678–1681.⁷ From

¹ Margry, Pierre, ed. *Découvertes et établissement des Français dans l'ouest et dans le sud de l'Amérique septentrionale (1614–1754)*. 6 vols. Paris: D. Jouaust, 1876–86; cited hereafter as Margry, *Découvertes et établissement*. The English translation of Margry in the Burton Historical Collection, Detroit Public Library, has been consulted for this report.

² Published by Readex Microprint Corporation.

³ Reprinted in 1903 from the Second London Issue of 1698, with Facsimiles of Original, Title-pages, Maps, and Illustrations, and the Addition of Introduction, Notes, and Index, vol. 1. Reprinted in 2003 by the University Press of the Pacific, Honolulu.

⁴ "Introduction" by Reuben Gold Thwaites to the 1903 edition of *A New Discovery of a Vast Country in America* by Father Louis Hennepin, pp. xxxv–xl.

⁵ Reprinted from the 1889 edition by New American Library, New York.

⁶ Translated from the French by Willard Wood. Arcade, New York.

⁷ "Relation officielle de l'Entreprise de Cavalier de La Salle de 1678 à 1681," in Margry, *Découvertes et établissement*, vol. 2, pp. 433–543.

this and other historical documents we learn the following essential facts about the *Griffon*. La Salle traveled from Canada to France in 1677 to seek royal permission to explore the western portions of New France: the area of the southern Great Lakes and along the Mississippi River. He received his Letters of Patent⁸ at Saint-Germain en Laye on May 22, 1678, granting permission to explore the land west of Fort Frontenac — but *solely at his own expense*. Louis XIV would put no funds toward the expedition. La Salle, therefore, was forced to borrow the necessary money from his family and others who were willing to invest in the enterprise.

La Salle left France in July of 1678 with a pilot, sailors, ship's carpenters, and others needed to build additional forts and to construct two ships. One ship was to be built along the Niagara River and the other along the Illinois River. He also brought with him anchors, rigging, and fittings for these vessels. These materials and the services of the men were purchased by La Salle from his borrowed funds. The explorer arrived in Quebec in September of 1678 and sent his men and supplies to Fort Frontenac, located at the eastern end of Lake Ontario. In early 1679 he sent ship's carpenters and other men, along with supplies, to construct a fort and build a ship along the Niagara River near its source at the eastern end of Lake Erie. The ship could not be built at Fort Frontenac because the vessel could not be sailed above the falls on the Niagara River.

Over the next several months a barque was constructed at a location about five miles above Niagara Falls. This vessel of about 45 tons was finished during the summer of 1679 and christened the *Griffon* (sometimes spelled

⁸ "Lettres patentes données à Saint-Germain en Laye, le 12 may 1678," in Margry, *Découvertes et établissement*, vol. 1, pp. 337-338.

Griffin), so named because an image of that mythical creature was part of the coat of arms of the governor of New France, the Count of Frontenac.

The pilot of the *Griffon* had trouble sailing the ship upstream on the Niagara River toward the entrance into Lake Erie. La Salle had to take the helm and guide the ship along the river, at times ordering his men to pull it with ropes from the shore. On August 7, 1679, they entered Lake Erie and began to sail across it. Three days later they had traversed the lake and reached the entrance to the Detroit River. Here they sailed up the river through Lake St. Clair and up the St. Clair River and finally entered Lake Huron. The current at the entrance to Lake Huron was sufficiently strong that 12 men had to be put on shore to tow the vessel onto the lake. The *Griffon* then crossed Saginaw Lake and continued northward across Lake Huron and on August 27, 1679, reached the Jesuit mission at Michilimakinac at the strait connecting Lake Huron and Lake Michigan.

The occupants of Michilimakinac were amazed to see a sailing ship appear on the water. La Salle came ashore in a scarlet cloak trimmed with gold lace to attend mass. He also learned that some of his men, sent with supplies as an advance party to settle among the Native Americans living along the Illinois River, were in fact at Michilimakinac. They considered the explorer's plans for exploration to be folly and had abandoned the expedition to live among the Jesuit priests and Indians in and around Michilimakinac. La Salle arrested some of the men and seized what supplies they had left.

On September 12 La Salle sailed the *Griffon* onto Lake Michigan and landed at an island at the entrance to Green Bay. Here he found more of the men from his advance party, but they had been busy obtaining furs from Native

Americans, valued at 12,000 livres. With the imminent approach of winter, La Salle ordered the *Griffon* to be loaded with the furs and sailed back to his storehouse at the eastern end of Lake Erie near the entrance to the Niagara River. The furs would later be transported to Montreal and ultimately shipped back to France for sale. La Salle would use the revenue to pay his creditors and personally profit from the enterprise.

La Salle planned to continue his journey to the Mississippi River by canoe. Since he could not bring all his supplies with him on the canoe journey, he gave orders that the utensils, tools, and rigging intended for another ship (to be built on the Illinois River) be loaded into the *Griffon*, with further orders that these items be unloaded at Michilimakinac for La Salle's later use.

The *Griffon* set sail from Green Bay on September 18 and headed northeast to Michilimakinac — but never arrived. For nearly a year her fate was unknown. Then in the summer of 1680 some Pouteatamis Indians told La Salle that the *Griffon's* pilot had set sail as a storm was developing. The Indians warned the pilot about the storm, but he laughed at their concern and declared that the *Griffon* could handle the winds. The *Griffon* soon encountered the storm, and the Pouteatamis reported seeing her sails furled a short time later, as indeed she was in trouble. Heavy rains fell, and the Indians lost sight of the vessel. Some time later they saw along the shoreline a hatchway, a bit of cordage, and some spoiled beaver skins — all evidence that the *Griffon* had wrecked.

Conclusions about the Ownership and Use of the Griffon

On the basis of the historical documents summarized above, the following conclusions about the ownership and use of the *Griffon* can be made. The *Griffon* was a small barque built by La Salle with supplies obtained at his own expense and with men employed with his own funds. This conclusion is wholly in keeping with the wording in La Salle's formal application to explore the area west of Fort Frontenac, dated April 28, 1677. He asks "no aid from the King . . . [but] the permission to form at his own cost the two settlements"⁹ and to explore the area west of the Great Lakes. In the Letters of Patent of May 12, 1678, Louis XIV granted the permission but explicitly stated "that you perform the whole [of the expedition] at your expense and that of your associates."¹⁰ La Salle subsequently borrowed money from his family and others — further evidence that he used his own funds to finance the expedition.¹¹ With these funds he obtained the men and supplies he needed in France, including "a pilot, some sailors . . . [and] anchors and rigging for the boats he intended to have built."¹² These were the materials, together with wood from local forests around the Niagara River, that he used to construct the *Griffon* in 1679.

The intended purpose of the *Griffon* was quite clear. She was a key part of La Salle's commercial venture and would be used to carry furs, hides, and

⁹ "Mémoire sur le projet du Sieur de La Salle pour la découverte de la partie occidentale de l'Amérique septentrionale entre Nouvelle-France, la Floride et le Mexique," in Margry, *Découvertes et établissement*, vol. 1, p. 336.

¹⁰ "Lettres patentes données à Saint-Germain en Laye, le 12 may 1678," in Margry, *Découvertes et établissement*, vol. 1, p. 338.

¹¹ "Frais de L'Entreprise de Cavalier de La Salle," in Margry, *Découvertes et établissement*, vol. 1, pp. 423-432.

¹² "Relation des découvertes et des voyages du sieur de La Salle, seigneur et gouverneur du fort Frontenac, au delà des grands lacs de la Nouvelle-France, faits par l'ordre de Monseigneur Colbert, 1679-80-8," in Margry, *Découvertes et établissement*, vol. 1, pp. 439.

other cargo across the Great Lakes. Additional evidence of La Salle's purpose in building the *Griffon* comes from a letter to one of his partners, dated September 29, 1680, in which he justifies his decision to use a barque for navigation on the Great Lakes. La Salle stated that the *Griffon* was needed "for bringing back furs and the skins of wild boars and elks if any are found . . . since it is impossible to make use of canoes for that purpose, by which, in three journeys, not more than sixty ox-hides at the most could be conveyed."¹³ The commercial necessity of boats to sail the Great Lakes is repeated in a memorandum about La Salle's expenses from the period 1675 to 1684, in which it is stated that "for this purpose the barques are most necessary, both for facility transport [shipping furs and hides] and for going to meet those of the Indians who would take other routes."¹⁴ This passage shows that ships like the *Griffon* were needed not only to transport large quantities of furs and hides, but also to meet the Indians to acquire the furs and hides in the first place.

La Salle's right to conduct trade with Native Americans and to personally profit from this trade comes directly from his Letters of Patent dated May 13, 1675¹⁵ (Appendix A), and May 12, 1678¹⁶ (Appendix B), and his Letters of Nobility, dated May 13, 1675¹⁷ (Appendix C). In fact, La Salle obtained the last document specifically so that he would have the king's explicit permission to

¹³ "Lettre du découvreur à un de ses associés," in Margry, *Découvertes et établissement*, vol. 2, p. 78.

¹⁴ "Depenses faites par La Salle de 1675 a 1684, au fort Frontenac et au poste établi par lui a l'embouchure de la rivière de Niagara," in Margry, *Découvertes et établissement*, vol. 2, p. 13.

¹⁵ "Lettres patentes de concession du fort de Frontenac et terres adjacentes au profit du Sieur de La Salle, données à Compiègne, le 13 may 1675," in Margry, *Découvertes et établissement*, vol. 1, pp. 283–286.

¹⁶ "Lettres patentes données à Saint-Germain en Laye, le 12 may 1678," in Margry, *Découvertes et établissement*, vol. 1, pp. 337–338.

¹⁷ "Lettres de noblesse pour le Sieur Cavalier de La Salle, Données à Compiègne le 13 mars 1675," in Margry, *Découvertes et établissement*, vol. 1, pp. 286–288.

conduct trade with the Indians. A grant of nobility in Canada empowered the holder to personally profit from trade with the Indians, unlike a title of nobility in France, where the king would normally retain hunting and fishing rights.

The final evidence, once again underscoring the commercial purpose of the *Griffon*, comes from an official account of La Salle's enterprises from 1679 to 1681. This document states that when he met some of his men at Green Bay, who had obtained furs valued at 12,000 livres, he ordered that:

all his furs [be put] on board the barque [*Griffon*] with a clerk and five good sailors. They had orders to proceed at once to the stores [storehouse] which had been built at the end of Lake Erie, where they were to leave the furs and load up with a quantity of goods and other things . . . [to be brought back]."¹⁸

This document clearly shows that La Salle not only had a planned commercial purpose for the *Griffon*, but that the vessel *was actually used* for this purpose.

The Belle

Summary

The following summary of events related to the *Belle*, another vessel La Salle intended to use for exportation in North America, is drawn from information presented in the recent book, *From a Watery Grave: The Discovery and Excavation of La Salle's Shipwreck, La Belle*, by James E. Bruseth and Toni S. Turner (2005). The *Belle* was a three-masted *barque longue*, about 45 tons in

¹⁸ "Relation des découvertes et des voyages du sieur de La Salle, seigneur et gouverneur du fort Frontenac, au delà des grands lacs de la Nouvelle-France, faits par l'ordre de Monseigneur Colbert, 1679-80-8," in Margry, *Découvertes et établissement*, vol. 1, pp. 450.

cargo capacity. She measured 54.3 feet in length and 14.9 feet in width. The ship was built at the royal naval port of Rochefort, France in 1684, and the official document that approved the construction of a vessel named the *Belle* still survives today.¹⁹

The ship was one of four that La Salle took on his 1684 expedition to establish a colony at the mouth of the Mississippi River. A March 23, 1684, memorandum from Louis XIV expressly authorized La Salle to use “a barque of 40 to 50 tons, rigged or in frame with its rigging.”²⁰ The name of the vessel is clearly noted in a diary of the expedition by Henri Joutel, who states:

We set out from the roadstead of Chefdebois at La Rochelle [with four vessels including] . . . a small frigate or barque called the *Belle* of about sixty tons’ burden armed with six guns, commanded by two masters [it had been loaned to M. de La Salle by the King].²¹

The *Belle* and the other three ships set sail from France on July 24, 1684, and headed to the Gulf of Mexico and to the mouth of the Mississippi River. One vessel was lost on the journey when Spanish pirates captured her in the Caribbean. The remaining three vessels made landfall along the Texas coast in January 1685, missing the Mississippi by several hundred miles. The Texas landfall was doubtlessly due to the inability to accurately calculate longitude in the 17th century and the mistaken placement of the Mississippi River in what is now Texas on maps of the day. La Salle finally landed his men at today’s

¹⁹ “Proportion d’une barque nommée La Belle qui a esté construite au port de Rochefort durant les mois de may et juin 1684 du port de 40 a 45 tonneaux,” 1 L 3-19, Folio 88 and Folio 89 recto, Archives du Port de Rochefort, France.

²⁰ “Mémoire de ce qui aura esté accordé au sieur de La Salle, Versailles, le 23 mars 1684,” in Margry, *Découvertes et établissement*, vol. 2, p. 380.

²¹ “Relation de Henri Joutel,” in Margry, *Découvertes et établissement*, vol. 3, pp. 91.

Matagorda Bay, believing it to be part of the system of estuaries and channels that made up the mouth of the Mississippi.

Over time La Salle lost another large supply ship off the Texas coast, and a third vessel sailed back to France. By the summer of 1685 he was left with only a single vessel, the *Belle*. After establishing a temporary settlement and searching by land in vain for the Mississippi River, he decided in late 1685 to load his remaining supplies onto the *Belle* and sail her to the eastern end of Matagorda Bay. Here he left her at anchor while he went by land to find the Mississippi River. The plan was to locate the river and then sail the *Belle* to this new location and establish his permanent settlement on the banks of the Mississippi. La Salle failed to find the Mississippi, and the *Belle* was lost during a storm in February of 1686, wrecked on the southern shore of Matagorda Bay. Some cargo was salvaged, but most remained below the water line and could not be retrieved by the surviving crew members.

In 1995 archeologists with the Texas Historical Commission discovered the *Belle*. The following year they began excavation, and over a seven-month period recovered the *Belle's* cargo and the hull of the ship. The more than one million artifacts found, including numerous glass trade beads, represent a kit for building a colony in the 17th-century New World. The artifacts and hull are currently displayed in museums or are being conserved at Texas A&M University.

During the summer of 1997, after the *Belle* had been fully excavated, the French Republic, through its Ambassador to the United States, claimed the vessel and her cargo in an official letter to the U.S. Department of State dated July 5, 1997. The letter reads, in part:

The longboat '*La Belle*' was constructed in Rochefort in 1684 and appears as such in the inventory of vessels, frigates, fire ships and other royal ships of the port of Rochefort (annex 1). *La Belle* continues to figure after its sinking, in the registers of the Royal Navy of April–May 1689 (*sic*, should be 1688) [annex 2], with the following notations appearing in the margin: "no crew is assigned to this vessel as its pilot says that it exists no longer and Monsieur de La Salle brought her to Mexico, whence she has not returned." By a commission of April 14, 1684, Monsieur Robert Cavelier de La Salle was invested with the power to command in North America in the name of King Louis XIV of France (annex 3). The preceding elements attest to the fact that this vessel, entrusted to Monsieur Cavelier de La Salle as part of an official mission, was the property of the King of France. It is therefore proven that said vessel enjoyed the status of a ship of State sailing under the French flag. Pursuant to the principle of international law, a State's right to a ship of State flying under its flag endure, regardless of the period elapsed since the ship was reduced to wreckage. France is consequently honored to claim ownership of the shipwreck.

Discussions ensued between the U.S. Department of State and the French Republic, and also involved the Texas Historical Commission and the Musée national de la Marine. A formal agreement between France and the United States over ownership of the *Belle* was reached (Appendix D). This document, signed on March 31, 2004, states that the *Belle* was an "auxiliary vessel of the French Navy," and the "French Republic has not abandoned or transferred title of the wreck of *La Belle* and continues to retain title to the wreck of *La Belle*."²² The document further states that the "wreck of *La Belle*

²² "Agreement Between the Government of the United States of America and the Government of the French Republic Regarding the Wreck of *La Belle*," March 31, 2003, U.S. Department of State, Washington, D.C.

shall remain in the custody of the [Texas Historical] Commission for a period of ninety-nine years from the date of entry into force of this agreement, which period shall be automatically renewed unless the Parties agree otherwise.” An associated administrative agreement between the Musée national de la Marine and the Texas Historical Commission was also signed, which outlined how the hull and cargo would be treated by the State of Texas.²³

Conclusions about the Ownership and Use of the Belle

On the basis of primary-source historical documents and recent agreements among the Texas Historical Commission, the U.S. Department of State, the French Republic, and the Musée national de la Marine, it was determined that the *Belle* was an official royal naval vessel of King Louis XIV. The bases for this position are the archival documents that list the *Belle* as an official naval vessel of the king and the accounts of the expedition. One document, dated 1688, identifies royal navy vessels from the port of Rochefort.²⁴ One page lists a *barque longue* called *La Belle*, of fifty tons and with six cannons, and notes that she is “in Mexico under the command of Mr. de La Salle.” A marginal note states that a copy of the register had been sent to the royal court at Versailles. A few pages later, another entry appears: “*La Belle* - 50

²³ Administrative Agreement Between the Texas Historical Commission and the Musée national de la Marine Concerning the Wreck of La Belle, March 31, 2003, copy on file at the Texas Historical Commission, Austin.

²⁴ 1 L 3-20, Folio 25 recto and Folio 32 verso, Archives du Port de Rochefort, France.

tons - 6 cannons - [built in] Rochefort - [by] H. Mallet - [draft] 7 feet." A marginal note states that "Mr. de La Salle has taken her to Mexico from which she has not yet returned," and the number of months of food supplies is given as two and a half. Another note states that "the size of the crew is not given for this vessel because the pilot who has just returned says she no longer exists."

The *Belle* was an existing vessel in the port of Rochefort at the time La Salle obtained materials for his expedition.²⁵ La Salle borrowed her for his voyage, but the historical documents clearly show that she continued to be considered an official naval vessel several years after her loss in North America.

Comparison of the Griffon and the Belle

The evidence from primary-source historical documents related to La Salle's 1678-82 expedition in and around the Great Lakes shows that La Salle used his personal funds to construct the *Griffon*. She was not an official vessel of the king of France, and no documents are known to exist to support such a position. In fact, because La Salle built the vessel in North America for his personal commercial venture, it is doubtful that the king or his ministers even knew she existed. The *Griffon* was La Salle's personal vessel, to be used for commercial trade in furs and hides obtained by commerce with Native Americans living along the southern Great Lakes and the Illinois River. La Salle intended to ship furs and hides back to France for sale and to profit personally from the sale. The historical documents clearly show this to be the case.

²⁵ In fact, she was in pieces and was assembled during May and June 1684 for La Salle's expedition to North America.

The *Belle*, in marked contrast, was an official royal naval vessel, as identified on official listings of 1688 and supported in narrative accounts of La Salle's 1684 expedition to find the mouth of the Mississippi River. The *Belle* was not built by La Salle and his employees — as was the case with the *Griffon* — but instead was constructed at the royal naval port of Rochefort by employees of Louis XIV.

In conclusion, the two ships had different circumstances of origin and use. The *Griffon* was the personal property of La Salle, built for enriching himself personally and paying back the creditors who underwrote his 1678–1682 expedition. The *Belle* was the king's vessel, on loan to La Salle to help colonize the Mississippi River.

Appendix A

“Lettres patentes de concession du fort de Frontenac et terres adjacentes au profit du Sieur de La Salle, données à Compiègne, le 13 may 1675,” in Margry, *Découvertes et établissement*, vol. 1, pp. 283–286. Following this document is the English translation from Margry, *Découvertes et établissement* in the Burton Historical Collection, Detroit Public Library.

Lettres patentes de concession du fort de Frontenac et terres adjacentes au profit du sieur de la Salle, données à Compiègne, le 13 may 1675.

Louis, par la grâce de Dieu, Roy de France et de Navarre, à tous présens et à venir salut. Nostre cher et bien amé Ro-

bert Cavelier, sieur de la Salle, nous a très-humblement fait remonstrer qu'il s'est habitué depuis quelques années dans le pays de la Nouvelle France, où il a fait passer une partie des effets qu'il avoit en ce royaume, et comme l'exposant pourroit augmenter son établissement en attirant des habitans dans ledit pays de la Nouvelle France, il nous a représenté qu'il s'y porteroit volontiers, s'il nous plaisoit luy accorder des terres en titre de fief et seigneurie et quelques autres avantages pour l'indemniser des despenses qu'il sera obligé de faire pour le défrichement des terres. A ces causes, désirant contribuer de tout nostre pouvoir à l'augmentation des colonies qui se sont establies en nostre dit pays de la Nouvelle France et traiter favorablement ledit Cavelier, nous luy avons fait et faisons don, par ces présentes signées de nostre main, de la propriété, fonds et superficie du fort appelé de Frontenac, basty sur le lac Ontario ou de Frontenac, situé dans nostre dit pays de la Nouvelle France, avec 4 lieues de pays le long des lacs et rivières, et au-dessus et au-dessous dudit fort, à une demi-lieue au dedans des terres, chacune lieue composée de 2000 toises, ensemble des isles nommées Ganoukousnot et Kaouenesgo et islots adjacents, avec le droit de chasse et de pesche. Voulons et nous plaist que ledit Cavelier, ses hoirs, successeurs et ayans cause, jouissent du titre de fief et tous droits de seigneurie et justice, à la charge des foy et hommage que ledit Cavelier, ses hoirs, successeurs et ayans cause seront tenus de nous rendre à chaque mutation, comme le tout relevant de nous et de nostre couronne, et de payer les droits et redevances accoustumées suivant la coustume de la prévosté et vicomté de Paris, et que les appellations du siège de ladite seigneurie qui sera establi audit fort de Frontenac ressor-

tiront par-devant le lieutenant général de Québec. Voulons aussy que ledit Cavelier soit et demeure gouverneur pour nous dudit fort de Frontenac sous les ordres de nostre lieutenant général audit pays de la Nouvelle France, et pour cet effect les présentes luy serviront de lettres pour ce nécessaires. Et pour faire connoistre combien nous est agréable l'augmentation des colonies dudit pays, Nous, en considération des soins et despenses que ledit Cavelier a faites et fera cy-après, avons iceluy anobli et anoblissons. Voulons qu'à cette fin toutes lettres de noblesse luy soient expédiées. Permettons néantmoins à tous les habitans ou autres qui s'y establiront cy-après de traiter avec les Sauvages en la manière accoustumée, suivant les réglemens de police et arrest de nostre Conseil de Québec, sans que, sous prétexte de la présente concession, l'exposant puisse les empescher en quelque sorte et manière que ce soit ; laquelle concession nous avons accordée audit Cavelier aux charges, clauses et conditions portées par l'arrest dudit Conseil donné, Nous y estant, en date de cejourd'huy, attaché sous le contrescel de nostre chancellerie ; lequel entretien ledit exposant sera tenu de faire à ses seuls frais, et depuis, tant et si longuement qu'il n'y aura que luy ou ses successeurs établis dans ledit fort de Frontenac et autres terres et seigneuries de la présente concession. Et en cas qu'il soit accordé cy-après par nous ou nos successeurs Rois des concessions de seigneurie au-dessus du long sault nommé Goronouoy, ceux au profit desquels les dites concessions seront faites seront tenus de contribuer à la despense ordinaire et extraordinaire de la garnison et entretien des fortifications dudit fort de Frontenac à proportion des terres et héritages qui leur seront concédez. Si donnons en mandement à nos amés et féaux les gens tenant nostre Conseil

souverain à Québec, et autres nos officiers et justiciers qu'il appartiendra. que ces présentes nos lettres de don et concession ils ayent à faire lire et enregistrer le contenu en icelles, faire jouir et user ledit Cavalier, ses hoirs, successeurs et ayans cause, pleinement et paisiblement et perpétuellement, cessant et faisant cesser tous troubles et empeschement qui pourroient leur estre mis ou donnez au contraire. Car tel est nostre plaisir. — Afin que ce soit chose stable, ferme et à toujours, nous avons fait mettre notre scel à ces dites présentes.

Donné à Compiègne, etc.

Letters patent granting the fort of Frontenac and adjacent lands for the use and benefit of the Sieur de la Salle, given at Compiègne on the 13th of May, 1675.

Louis, by the grace of God, King of France and Navarre, to all that are and shall be, Greeting! Our dear and well beloved Robert Cavellier, Sieur de la Salle, has caused it to be most humbly represented to Us that he has settled for some years in the country of New France, to which he has sent over some of the property which he possessed in this Kingdom; and as the petitioner would be able to enlarge his settlement by attracting settlers to the said country of New France, he has represented to Us that he would willingly devote himself to that object if it should please Us to grant him lands as a fief and seigniorie and certain other advantages, to indemnify him for the expenses which he will have to meet for clearing the lands. For these reasons, desiring to contribute with all Our power to the increase of the colonies which have been established in Our said country of New France, and to deal favourably with the said Cavellier, We have made and do hereby make him a gift, by these presents, signed with Our hand, of the ownership, both of the land and buildings, of the fort called Frontenac, built on Lake Ontario or Frontenac, situated in our said country of New France, with four leagues of land along the lakes and rivers, both above and below the said fort, by half a league in the interior of the lands, each league consisting of 2000 toises.

together with the islands called Canoukoesnot and Kaounesgo and the adjacent islets, with the right of hunting and fishing on the said lands and in the said Lake Ontario or Frontenac and the neighbouring rivers; of which fort, and islands, islets, hunting and fishing. It is Our will and pleasure that the said Cavalier, his heirs, successors and assigns should stand possessed as a fief and of all rights of seigniorie and legal jurisdiction subject to the fealty and homage which the said Cavalier, his heirs successors and assigns shall be bound to render unto Us on each succession, the whole being holden of Us and Our crown, and to pay the usual fees and dues according to the custom of the provostship and viscounty of Paris, and that appeals from the court of the said seigniorie which shall be established at the said fort of Frontenac shall be heard before the Lieutenant General of Quebec. And Our will is also that the said Cavalier be and remain governor for Us of the said fort of Frontenac under the orders of Our Lieutenant General in the said country of New France, and to ~~that end these presents shall serve him~~ as the letters necessary in that behalf. And in order to make known how pleasing to Us is the growth of the colonies in the said country, We, in consideration of the services rendered and of the expenses incurred by the said Cavalier, and of those which he will hereafter render and incur, have ennobled and do ennoble him; And Our will is that for that purpose all letters of nobility shall be sent to him. Permitting, nevertheless, all settlers in the said country, or others who shall hereafter settle there, to trade with the Indians in the customary manner in accordance with the regulations of police and the decrees of Our Council of Quebec; and the petitioner shall not, under plea

of this present concession, have the power to prevent them in any manner whatsoever; which said concession We have granted to the said Cavalier under the conditions provisoes and stipulations set forth in the decree of the said Council, given in Our presence, dated this day, attached under the counter seal of Our chancellor; which maintenance* the said petitioner shall be bound to continue at his sole cost and expense so far and so long as himself only or his successors shall be settled in the said fort of Frontenac and other lands and seigniories of this present concession. And in case there shall hereafter be made by Us or the Kings our successors grants of seigniorie above the long falls called Geronouoy, those for whose advantage the said grants shall be made shall be bound to contribute to the expenses, ordinary and extraordinary, of the garrison, and the maintenance of the fortifications of the said fort of Frontenac, in proportion to the lands and hereditaments which shall be granted to them. We therefore give it in command to those, Our trusty and well beloved, ~~who hold Our Supreme Council at Quebec,~~ and to all others Our officers and justiciaries whom it may concern, that they do receive these presents Our letters of gift and concession and do cause them to be read and the contents thereof to be registered, and do give use and enjoyment of the same to the said Cavalier, his heirs successors and assigns, completely, peaceably and in perpetuity, ceasing and causing to cease all disturbance and hindrance which might be set up against them or caused to the contrary. For such is Our pleasure. And in order that this matter may be steadfast, valid and perpetual, We have caused Our seal to be affixed to these said presents.

Given at Compiègne, etc.

Appendix B

"Lettres patentes données à Saint-Germain en Laye, le 12 may 1678," in Margry, *Découvertes et établissement*, vol. 1, pp. 337-338. Following this document is the English translation from Margry, *Découvertes et établissement* in the Burton Historical Collection, Detroit Public Library.

III

PERMISSION

AU SIEUR DE LA SALLE DE DÉCOUVRIR LA PARTIE OCCIDENTALE
DE LA NOUVELLE-FRANCE

*Lettres patentes données à Saint-Germain en Laye,
le 12 may 1678.*

Louis, par la grâce de Dieu, Roy de France et de Navarre, à nostre cher et bien amé Robert Cavelier, sieur de la Salle, Salut. — Nous avons receu agréablement la très-humble supplication qui nous a esté faite en vostre nom de vous permettre de travailler à descouvrir la partie occidentale de la Nouvelle-France, et nous avons d'autant plus volontiers donné les mains à cette proposition, qu'il n'y a rien que nous ayons plus à cœur que la descouverte de ce pays, dans lequel il y a apparence que l'on pourra trouver un chemin pour pénétrer jusque au Mexique; à quoy l'application que vous avez donné à faire dessricher les terres que nous vous avons accordé par l'arrest de nostre conseil du 13 may 1675 et lettres patentes dudit jour, à former des habitations sur lesdites terres et à mettre en bon estat de deffense le fort Frontenac, dont nous vous avons accordé la seigneurie et le gouvernement, nous donne tout lieu d'espérer que vous réussirez à nostre satisfaction et à l'avantage de nos sujets dudit pays. A ces causes et autres à ce nous mouvans, nous vous avons permis et permettons par ces présentes, signées de nostre main, de travailler à la descouverte de la partie occidentale de nostre dit pays de la Nouvelle-France, et pour l'exécution de cette entreprise, de

construire des forts aux lieux où vous estimerez nécessaire, desquels nous voulons que vous jouissiez aux mesmes clauses et conditions que du fort Frontenac, suivant et conformément à nos dites lettres patentes du 13 may 1675, que nous avons en tant que de besoin confirmé et confirmons par ces présentes, voulons qu'elles soient exécutées selon leur forme et teneur, à condition néanmoins que vous achèverez cette entreprise dans cinq années, — à faute de quoy les présentes seront nulles et de nul effet; — que vous ne ferez aucun commerce avec les Sauvages appelez Outaouacs et autres qui apportent leurs castors et autres pelleteries à Montréal; que vous ferez le tout à vos despens et à ceux de vostre compagnie, à laquelle nous avons accordé par privilége le commerce des peaux de Cebola^r. Mandons au sieur comte de Frontenac, gouverneur et nostre lieutenant général, et aussi du Chesneau, intendant de justice, police et finances, et aux officiers tenant le Conseil souverain audit pays, de tenir la main à l'exécution des présentes, — car tel est nostre plaisir. — Donné à Saint-Germain en Laye le 12^e de may 1678 et de nostre règne le 35^e.

Letters Patent given at Saint-Germain en Laye,

May 13th, 1678.

Louis, by the grace of God King of France and of Navarre,
To our dear and well beloved Robert Cavalier, Sieur de la
Salle, GREETING: We have favorably received the most humble
petition presented to Us in your name, to permit you to en-
deavor to discover the Western part of New France; and We have
the more willingly assented to that proposal as there is nothing
We have more at heart than the Discovery of that Country, where
there is a prospect of finding a way to penetrate as far as
Mexico, the success of which, to Our satisfaction and the
advantage of Our subjects in that Country, We have every reason
to expect from the application you have exhibited in clearing
the lands We granted you by the Arrêt of our Council of the
13th May, 1675, and Letters Patent of the same date, in form-
ing Settlements on said lands, and in placing Fort Frontenac,
whereof We have granted you the Seigniory and government, in a
good state of defence. These and other causes Us moving here-
unto, We have permitted, and by these Presents signed ^{by} Our hand,
do permit you to labor in the Discovery of the Western part of
New France; and for the execution of this undertaking, to con-

struct forts in the places you may think necessary, whereof
We will that you enjoy the same clauses and conditions as of
Fort Frontenac, according and conformably to Our said Letters
Patent of the 13th May, 1675, which We have, as far as necessary,
confirmed and by these Presents do confirm. We will that they
be executed according to their form and tenor; on condition,
nevertheless, that you complete this enterprise within five
years, in default whereof, these presents shall be null and
void; and that you do not carry on any Trade with the Savages
called Outaouacs and others who carry their Beavers and other
peltries to Montreal; that you perform the whole at your
expense and that of your associates, to whom We have granted,
as a privilege, the trade in Cibola skins. We command Count
de Frontenac, Our Governor and Lieutenant-General, and Sieur
Duchesneau, Intendant of Justice, Police and Finance, and the
Officers composing the Sovereign Council in said Country, to
aid in the execution of these Presents, For such is Our
pleasure. Given at St. Germain en Laye, the twelfth day of
May, 1678, and of Our reign the 35th.

Louis.

Colbert.

Appendix C

“Lettres de noblesse pour le Sieur Cavelier de La Salle, Données à Compiègne le 13 mars 1675,” in Margry, *Découvertes et établissement*, vol. 1, pp. 286–288. Following this document is the English translation from Margry, *Découvertes et établissement* in the Burton Historical Collection, Detroit Public Library.

*Lettres de noblesse pour le sieur Cavelier de la Salle,
Données à Compiègne le 13 mars 1675.*

Louis, par la grâce de Dieu, Roy de France et de Navarre, à tous présens et à venir salut. Les Roys nos prédécesseurs ayant toujours estimé que l'honneur estoit le plus puissant motif pour porter leurs sujets aux généreuses actions, ont pris soin de reconnoistre par des marques d'honneur ceux qu'une vertu extraordinaire en avoit rendus dignes. Et comme nous sommes informez des bonnes actions que font journellement les peuples de Canada, soit en reduisant ou disciplinant les Sauvages, soit en se deffendant contre leurs fréquentes insultes et celle des Iroquois, et enfin en *mesprisant les plus grands périls pour estendre jusqu'au bout de ce Nouveau Monde*

nostre nom et nostre empire, nous avons estimé qu'il estoit de nostre justice de distinguer par des récompenses d'honneur ceux qui se sont les plus signalez, pour exciter les autres à mériter de semblables grâces. A ces causes, désirant traiter favorablement nostre cher et bien amé Robert Cavelier, sieur de la Salle, pour le bon et louable rapport qui nous a esté fait des bonnes actions qu'il a faites dans le pays de Canada, où il s'est establi depuis quelques années, et pour autres considérations à ce nous mouvant et de grâce spéciale, pleine puissance et autorité royale, Nous avons anobli et par ces présentes, signées de nostre main, anoblissons et décorons du titre et qualité de noblesse, ledit sieur Cavelier, ensemble sa femme et enfans, postérité et lignée, tant masles que femelles, nez et à naistre en loyal mariage. Voulons et nous plaist qu'en tout acte, tant en jugement que dehors, ils soient tenus, censez et réputez nobles portant la qualité d'escuyers et puissent parvenir à tous degrés de chevalerie et de gendarmerie, acquérir, tenir et posséder toutes sortes de fiefs et seigneuries et héritages nobles de quelque titre et qualitez qu'ils soient, et qu'ils jouissent de tous honneurs, autoritez, prérogatives, prééminences, privilèges, franchises, exemptions et immunités dont jouissent et ont accoustumé de jouir et user les autres nobles de nostre royaume, et de porter telles armes qu'elles sont cy-empreintes ¹, sans que pour ce ledit Robert Cavelier soit tenu nous payer ny à nos successeurs Roys aucune finance ni indemnité, dont à quelque somme qu'elles se puissent monter nous l'avons deschargé et deschargeons et luy avons fait et faisons donner par ces dites présentes, le tout pour les causes

¹ Escu de sable à un levrier courant d'argent, surmonté d'une estoile à huit rais d'or. Cet escu timbré d'un casque de profil orné de ses lambrequins d'argent de sable et d'or.

et raisons portées en l'arrest de nostre Conseil de cejourd'huy donné, Nous y estant, dont copie demeurera cy-attachée sous le contre-scel de nostre chancellerie.

Si donnons en mandement à nos amez et féaux conseillers, les gens tenant nostre Cour de Parlement de Paris, Chambre des Comptes, Cour des Aides audit lieu, que ces présentes lettres d'anoblissement ils ayent à registrer et du contenu en icelles faire souffrir et laisser jouir et user ledit Robert Cavalier de la Salle, ses enfans et postérité nez et à naistre en loyal mariage, pleinement, paisiblement et perpétuellement, cessant et faisant cesser tous troubles et empeschemens, nonobstant tous édits et déclarations, arrestz, réglemens et autres choses à ce contraires, auxquels nous avons dérogé et dérogeons par ces présentes. Car tel est nostre plaisir. Et afin que ce soit chose ferme, stable et à tousjours, nous y avons fait mettre nostre scel.

Donné à Compiègne, le 13 may, l'an de grâce mil six cent soixante-quinze, et de nostre règne le 33^e.

LETTRE
Ministère des Colonies. Colonies. E.6 74-75. fol. 29.

Letters of nobility for the Sieur Cavalier de la Salle;
Given at Compiègne on the 13th of May 1675.

Louis, by the grace of God King of France and Navarre,
to all that are and shall be, greeting! The Kings Our predecessors, having always considered that honour was the most powerful motive for inclining their subjects to generous actions, have taken care to recognize by marks of honour those whom extraordinary virtue had made deserving thereof: And as We have been informed of the worthy deeds which the people of Canada do daily, whether in subduing and disciplining the Indians, or in defending themselves against their frequent attacks, and those of the Iroquois, and finally in scorning the greatest dangers in order to extend Our renown and Our dominion to the end of that New World, We have considered that it behooved us of Our justice to distinguish with rewards of honour those who are the most noted, in order to encourage others to merit the like favours. For these reasons, desiring to deal favourably with

Governor of La Guadeloupe, General Frebault, speaking in the tribune in March 1874, said, with only too much reason, that "men who, individually, are full of generosity, sensibility and intelligence, become very different when they are inclosed in that grip of steel which we call 'esprit de corps', and cease to think or act in accordance with their natural dispositions".

My desire to preserve the calm and impartial character which befits a collection of documents does not permit me to dwell upon this, from which, however, a baleful shadow seems to fall upon certain parts of this history.

It is not that I find in it any reason for astonishment. In enterprises which have for their object the introduction of a social system on unknown ground, in which the leaders have no conception of life ~~without~~ without the light of a doctrine which inspires, guides and strengthens it, the civil and the religious elements go together and take an equal share in them; that is why the explorer advances in company with missionaries. But in every aggregate there is both good and evil, good men and bad; it is necessary therefore to see which has the mastery before we judge, and not to condemn the whole on account of a part which offends us.

Now, if we consider the matter closely, we see that the shadow cast by the conduct of the monks, in obstructing and attacking La Salle and trying to dispossess him, serves only to throw into greater relief the conduct of the ecclesiastics and missionaries who protect him or accompany him. The more bitterly the first are bent against him, the more devoted do the others appear. When the hostility against him was the greatest, we see the Récollets and the Sulpicians in America risking, and even

Our dear and well-beloved Robert Cavalier, Sieur de la Salle, on account of the good and praiseworthy report which has been made to Us of the worthy deeds he has done in the country of Canada, where he has been settled for some years, and on account of other considerations moving Us hereunto, and of Our special grace, plenary power and royal authority, We have ennobled and by these presents, signed by Our hand, We do ennoble and adorn with the title and rank of nobility the said Sieur Cavalier, together with his wife and children, posterity and lineage, both males and females, born and to be born in lawful wedlock. Our will and pleasure is that in all deeds, whether judicial or otherwise, they be held esteemed and reputed noble, having the rank of esquire and shall be capable of advancing to every degree of chivalry and military rank; of acquiring, holding and possessing all kinds of fiefs, seignories and hereditaments of nobility of whatever rank and standing they may be; and that they may hold all honours, authority, prerogatives, preeminence, privileges, liberties, exemptions and immunities which the other nobles of our Kingdom enjoy and have been accustomed to hold and enjoy; and to bear arms such as are here depicted, the said Robert Cavalier not being bound on that account to pay to Us nor to the Kings Our successors any tax or indemnity, of which, to whatever sum they might amount, We have acquitted him and do acquit him, and have made and do make a gift to him by the said presents; the whole

for the reasons and causes set forth in the decree of Our Council made on this day, in Our presence, a copy of which shall remain hereto annexed, under the counter-seal of Our chancellor.

Therefore we give it in command to our trusty and well-beloved counsellors holding Our Court of Parliament at Paris, Court of Exchequer, Court of Aids at the said place, that these present letters of nobility they should receive for registration and the contents thereof cause to be admitted, and to give use and enjoyment of the same to the said Robert Cavellier, his children and posterity, born and to be born in lawful wedlock, fully peaceably and in perpetuity, ceasing and causing to cease all troubles and hindrances, notwithstanding all edicts and declarations, decrees, regulations and other matters to the contrary, which We have abrogated and do abrogate by these presents. For such is Our pleasure. And to the end that thus may be steadfast, unshaken and perpetual We have caused Our seal to be affixed hereto.

Given at Compiègne on the 13th day of May in the year of Grace One thousand six hundred and seventy-five, and the 33rd. year of Our reign.

Appendix D

“Agreement Between the Government of the United States of America and the Government of the French Republic Regarding the Wreck of *La Belle*,” March 31, 2003, U.S. Department of State, Washington, D.C.

AGREEMENT
BETWEEN
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
AND
THE GOVERNMENT OF THE FRENCH REPUBLIC
REGARDING THE WRECK OF *LA BELLE*

The Government of the United States of America and the Government of the French Republic (hereinafter, "the Parties"),

Considering that the vessel *La Belle*, which had been provided to Cavalier de La Salle, by the King of France in 1684 to establish a colony at the mouth of the Mississippi River, sank in 1686 in what is now Matagorda Bay, in the State of Texas of the United States of America;

Recognizing that the Texas Historical Commission, an agency of the State of Texas (hereinafter, "the Commission"), located the remains of *La Belle* in July 1995 and that the State of Texas is currently in possession of the hull of *La Belle* and its associated artifacts (herein, "the wreck of *La Belle*");

Recognizing also the historical and archaeological importance of the wreck of *La Belle*, the site of the sinking, and the related documentation;

Desiring to preserve and conserve the remains of the wreck of *La Belle*, and excavation records as well as the site of the sinking in order to transmit to future generations the historical evidence of the exploratory mission of Cavalier de La Salle in what is now Texas;

Considering further that, to this end, cooperation in the field of research, preservation and display of the wreck of *La Belle*, in particular through the organization of exhibitions throughout the world, is necessary and that this can not be possible without a prior agreement on ownership of the wreck of *La Belle*, its use and any other legal issues of this nature;

Have agreed as follows:

Article 1

1. At the time of its sinking, *La Belle* was an auxiliary vessel of the French Navy.
2. The French Republic has not abandoned or transferred title of the wreck of *La Belle* and continues to retain title to the wreck of *La Belle*.

Article 2

1. The French Republic does not desire the return of the wreck of *La Belle* to its territory.
2. The wreck of *La Belle* shall remain in the custody of the Commission for a period of ninety-nine years from the date of entry into force of this Agreement, which period shall be automatically renewed unless the Parties agree otherwise.
3. Artifacts may be placed on temporary loan for public exhibition as agreed between the parties to the administrative arrangement referred to in Article 3.
4. Artifacts in the custody of the Commission shall not be subject to seizure.

Article 3

1. The *Musée national de la Marine*, a public agency under the authority of the French Ministry of Defense, and the Commission shall negotiate and conclude, consistent with this Agreement, an administrative arrangement relating to the curation (including the security, storage, preservation and conservation), research, documentation, and exhibition of the wreck of *La Belle*.
2. The arrangement shall also provide for a regime applicable to publications relating to the wreck of *La Belle*.
3. Treatment and burial of human remains from La Salle's exploratory mission to Texas shall be as agreed between the Ambassador of France to the United States or his designee and the Commission.

Article 4

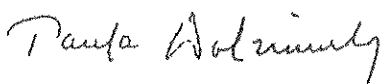
All activities and commitments undertaken under this Agreement by the Parties and any administrative arrangement entered into pursuant to this Agreement shall be contingent upon the availability of funds.

Article 5

1. This Agreement shall enter into force on signature and shall be of unlimited duration.
2. The Agreement may be terminated only by mutual agreement of the Parties.

DONE at Washington, D.C., on the thirty-first day of March, 2003, in duplicate, in the English and French languages, both texts being equally authentic.

FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA:



FOR THE GOVERNMENT OF THE
FRENCH REPUBLIC:

