No. 79

In the City of New Orleans,

IN THE STATE OF LOUISIANA,

1st April 1862
Exchange of Slaves
between B. Salay
&
widow J. B. Keller

Obj 7.50

This First day of April eighteen hundred and ~~fifty~~ sixty two and in the ~~seventy~~ 2d year of the Independence of the ~~UNITED~~ Confederate STATES OF AMERICA,

Before me Antoine Doriocourt NOTARY PUBLIC, duly COMMISSIONED and SWORN in and for this *City* and the *Parish of Orleans*, therein residing, and in presence of the Witnesses hereinafter named and undersigned,

PERSONALLY CAME AND APPEARED:

Mr. Bertrand Salay of this city, and Madam Marie Justine Poché widow Jean Baptiste Keller of the Parish of Jefferson who make the following exchange said B. Salay owner of the slave Aimée aged about forty four years, does by these presents exchange, sell, bargain, assign & transfer the same under all lawful warranty of the titles, vices, maladies prescribed by law, unto the said widow Keller who accepts the same for herself, her heirs & assigns forever, acknowledging delivery & possession thereof,

And said widow Keller, in exchange thereof, does by these presents, grant, sell, bargain, assign, transfer & abandon under all warranty titles & of the vices & maladies prescribed by law, unto said B. Salay who hereby acknowledges delivery & possession thereof of the slave Olivia aged about twenty years, her daughter Adele about two years old.

The slave Olivia is appraised by the parties with her child at the sum of Eleven hundred dollars $ 1100

And the slave Aimée at the sum of Eight hundred dollars 800.

Making a difference of three hundred dollars $. 300.

Paris. — Printed by Morris and Co.

in favor of the said widow Keller and which the said B. Salay has paid to her in cash current funds receipt for which is hereby acknowledged is — Aimé was purchased by B Salay from John Dawson by act passed before the undersigned notary on the 27 November 1860, and Olivia was purchased by widow Keller from John Davenport by act passed before E. Commagere not. Pub. on the 5 Septber 1860 ——

—— From two certificates hereto annexed one from the recorder of mortgages of the Parish of Jefferson dated 27 March 1862, It appears that the slave Olivia is free from mortgage in the name of widow Keller, and the other from the Recorder of mortgages of the Parish of Orleans dated 18 February 1862, it appears that the slave Aimé is free from mortgage in the name of B. Salay. ——

And to these presents personally came and appeared, Madam Carmelite Carcano — of lawful age and wife of the said Bertrand Salay —— acting with his consent, who being out of the presence of her said husband, and after having heard the reading of the above Act, declared that it is her wish and intention to release in favor of the said widow Keller —— heirs and assigns, the above slave Aimé —— from any claim, mortgage or privilege whatsoever, which she has, or hereafter may have, whether resulting from her marriage with the said Bertrand Salay —— or otherwise. ——

WHEREUPON, I, the said Notary, did inform the said Madam B. Salay —— apart and out of the hearing of her said husband, that she has by law, a legal mortgage upon all the immoveable property of her husband: *First* — For the restitution of her dowry or the replacing of the dotal property which she brought in marriage:

Second—For the restitution or replacing of the dotal property which she acquired during her marriage either by succession or donation : *Third*—For the indemnification of the debts to which she bound herself jointly with her husband, as well as for the replacing of her paraphernal property alienated : *Fourth*—For security of the obligations imposed upon her husband, when he has had the use of her paraphernal property, or for returning the price, if her paraphernal property has been alienated by her, and her husband has received the amount of the said property thus alienated, or otherwise disposed of the same for his individual interests.

And I, the said Notary, having, before receiving the signature of the said Madam Bertrand Salay detailed and explained verbally to her, out of the presence of her husband, the nature of her rights, the laws whence they derived and the nature of the contract she agrees to; she the said Madam Bertrand Salay declaring herself to be fully informed of the rights secured to her by law, and of the danger she exposes herself to, by renouncing said rights, avers, that, notwithstanding, she persists in the intention above declared, and that, of her own free will and accord, she formally renounces, by these presents, in favor of the said Justine Poche widow J B Keller her heirs and assigns, all mortgages recorded, legal and tacid and any other right or rights secured to her by law, upon the said B. Salay slave Aimé whether these rights are acquired on account of her dowry, or of her paraphernal property, and that she abandons, relinquishes and renounces the same in favor of the said widow Keller heirs and assigns of whatever kind or nature the said rights may be.

And the said Bertrand Salay being now present, aiding and authorizing his said wife in the execution of these presents, she the said Madam B. Salay did again declare that she did and does hereby make a formal abandonment and relinquishment of, and renunciation to all her rights in favor of the said widow Keller her heirs and assigns, binding herself and her heirs at all times to sustain and acknowledge the validity of this renunciation when and wherever necessary the whole is accepted by said widow Keller

DONE AND PASSED at New Orleans, in my Office, on the day, month and year first above written, in presence of Messers. André D Doriocourt & François Hattier competent witnesses, who have signed these presents together with the said appearer and me, Notary, after due reading thereof.

Mad D Doriocourt

C Salay

B. Salay

A F Hattier

Marie Justine Poché widow J. B. Keller her X mark

Ant. Doriocourt

Not. Pub.

I Register of Conveyances.

Certify that the foregoing Act was this day recorded in my office in Bk 86 fo 378.

New Orleans April 21st 1862.

G Arnoult

Dy Rgr.