

NEW ORLEANS NOSTALGIA

Remembering New Orleans History, Culture and Traditions

By Ned Hémard

The Lady with the Sword

One of the most recognizable legal icons in this country is that of Justice. She has come to be the personification of the fair and equal administration of the law, absent corruption, prejudice, greed or favoritism. Since the Renaissance, Justice has been portrayed most frequently as a blindfolded woman (usually bare-breasted) carrying a sword and a set of scales. During John Ashcroft's tenure as Attorney General under President George W. Bush, \$8,000 was spent to drape Justice's bosom in the Great Hall of the Justice Department.



Sometimes Justice is not blind

The iconography of Justice dates back to ancient Greek and Roman images of *Themis* and her Roman counterpart *Justitia*. *Themis* the Greek goddess of justice and the law was known for her clear-sightedness. It is difficult to be clear-sighted with a blindfold, but this has come to be symbolic of complete fairness and a lack of bias. Justice's current attributes have come from those of several goddesses, including *Fortuna*, who was often depicted veiled and blind. She was the personification of luck and fate, hopefully good, but (in the case of the famous main character in John Kennedy Toole's "Confederacy of Dunces", Ignatius J. Reilly) usually bad. Ignatius complained that *Fortuna* had spun him downwards on her wheel of luck, forcing that bloated and slovenly New Orleans eccentric to have to seek work for the first time.



Fortuna's Wheel

Fortune, luck, justice and a lady with a sword all came together in New Orleans one evening a very long time ago. The lady's name was Marie Bonne Emma von Troxler, the daughter of Pierre Troxler and Marie Pélagie Mélanie Bossièr. Emma's father was German, descended from the early German settlers in Louisiana. In fact, the name Troxler would eventually become Trosclair (a significant name in South Louisiana). Emma was married on October 26, 1824, to the distinguished Judge Joachim Bermúdez. Their home was located on

Bayou Road between Rampart and Burgundy. That residence was to be the scene of intense drama and conflict on a September night in 1836.

It all came about due to what was known as the Giquel-Brooks affair. Mr. Brooks was a member of the Washington Guards and a prominent individual among the American citizens of New Orleans. A dispute developed between him and a Monsieur Giquel, a Créole. Brooks challenged Giquel to a duel, which led to charges being filed by Giquel. But before any peaceful resolution could be accomplished, the two accosted each other on St. Peter and Royal Streets and only one came out alive. Brooks lay dead, and Giquel was arrested and arraigned before Judge Préval who revoked the privilege of bail. Canal Street was not the only divide between the American and Créole sectors of town back then. The Americans wanted Préval's decision to prevail, but the Créoles believed Giquel's constitutional rights were violated. As a result, a writ of *habeus corpus* was argued before Judge Bermúdez, who released the accused (who claimed he acted in self-defense) on \$15,000 bond. The atmosphere in the courtroom was described as abundant with "threatening rumors and dire menaces" and Brooks' friends and supporters were not happy with the decision. They were determined to take the law into their own hands, and it was apparent that the judge's life was in danger. But they did not count on the courage of Emma von Troxler Bermúdez.

On the night of September 5, 1836, an angry mob attacked the Bermúdez home on Bayou Road while the judge was seated quietly with his family. Because they knew of the danger, some friends of the judge were on hand to help fight off the attackers. Still there were a great many of them, and it was at that critical moment that Madame Bermúdez quickly armed herself with her husband's sabre and began brandishing it about and thrusting it forward effectively into the lynch mob as they were attempting to enter the drawing room. They quickly dispersed, and four were dead when it was all over.

Said one of the eyewitnesses who had come to the rescue, "I found Mrs. Bermúdez in the middle of the room, standing erect by two frightfully gashed corpses, her long hair flowing down her shoulders, apparently self-possessed, but her eyes lashing, her bosom heaving and her white robes covered all over with blood. She was superb." Afterwards tempers subsided and order was restored.

Bravery of a Wife.—It appears from further facts developed connected with the death of the individuals who attempted to Lynch Judge Bermudez, that his wife performed a principal part in the scene, having with her own hand slain one of the deceased.

“Had it not been for her timely interference the assailants would have succeeded in their nefarious purpose. Four of them had seized the Judge, and while he was struggling, she rushed into the room with his sword, with which he killed one, when he was almost down by a back handed stroke. She herself grappled another. A negro is said to fought most furiously for his master and mistress. Bailey, one of the slain, was from Boston, and Eagan, the other, from St. Thomas. The Judge is described as a very active man, somewhat above the middle size, and about 35 years old.”

The bravery of Madame Bermúdez, as reported in

The Schenectady, New York, Cabinet, October 12, 1836

At the time of this incident Judge and Mrs. Bermúdez had a four-year-old son, Edouard (the Honorable Edward Bermúdez), who would become Chief Justice of the Louisiana Supreme Court. Born and receiving his early education in New Orleans, the Chief Justice's higher education was attained at Spring Hill College, Mobile, Alabama (where he graduated with honors in May, 1851. He attended the law school of the University of Louisiana, where he was granted a bachelor of law in March 1852.



Edouard Edmund Bermudez (1832 - 1892)□□

Chief Justice of the Supreme Court of Louisiana,

April 5, 1880, to April 5, 1892

The Bermúdez ancestors immigrated to Louisiana from *Andalucía*, Spain, and were among its early settlers. The father of Joachim and grandfather of Chief Justice Edward Bermúdez was Juan Bautista Bermúdez, a judicial functionary in Louisiana during the Spanish regime. Juan Bautista was married to Emilia de Saunhac (Soniát) du Fossat, of the most distinguished Soniat-Dufossat Louisiana family.



Bermúdez Family Tomb, St. Louis No. 1

Judge Joachim and Mrs. Bermúdez also had a daughter, Emma Josephine (born 1828), who would marry Colonel Jules de la Vergne one day shy of the thirtieth anniversary of that September evening when a judge's lady felt compelled to use a sword.

NED HÉMARD

New Orleans Nostalgia
"The Lady with the Sword"
Ned Hémard
Copyright 2007 and 2014