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*"The Preservation of Good Order":
William C. C. Claiborne and the
Militia of the Louisiana
Provisional Government,
1803-1805*

By JOSEPH F. STOLTZ III*

On the night of January 24, 1804, the city ballroom in New Orleans held yet another dance to celebrate the transfer of Louisiana from France to the United States. As before, the principal French, Spanish, and American government officials responsible for the transfer at the local level and the city's elite all attended the soirée. After an earlier ball nearly resulted in a fight over the types of music and dance performed, municipal authorities and the civilian head of the American provisional government, William C. C. Claiborne, ordered two French quadrilles played for every English dance. Despite the orders, a disagreement broke out after a number of Americans failed to finish their dance in time and demanded that the band play another English song. A "municipal official charged with keeping order" shouted over the crowd for the band to play a French dance. "Apparently order was restored when all of a sudden, as if planned, remarks and murmurings were heard."¹ The clamor resulted from the ostensible arrest of a French citizen by U. S.

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¹Pierre-Clément de Laussat, *Memoirs of My Life: To My Son During the Years 1803 and After, Which I Spent in Public Service in Louisiana . . .* (Baton Rouge, 1978), 94-6.

Army Brig. Gen. James Wilkinson, the military head of the American expedition to New Orleans, because of the Frenchman's actions in the argument. Claiborne hastily tried to intervene in the altercation, but his inability to speak either French or Spanish hindered his feeble protests. As more and more of the ball's participants weighed in on the debate, a French military officer pushed an American officer and soon "thirty Americans and Frenchmen scuffled with each other." U. S. Army soldiers from nearby quickly stormed into the ballroom, attempting to break up the fight. As the soldiers entered, more combatants came in from off the street, expanding the scope of the melee. Once soldiers finally got the situation under control, Wilkinson ordered the military band to play "Hail Columbia" and "God Save the King." Angrily, "the French, on their side, sang "Enfants de la Patrie, Peuple français, Peuple de Frères," and shouted "Vive la Republique!" Fearing further violence or an all-out riot, officials soon called an end to the ball and the crowd dispersed with the American soldiers escorting both Claiborne and Wilkinson out of the building.²

Though the fight on January 24 represented one of the few outbreaks of actual violence surrounding the Louisiana Purchase, it also highlighted the tenuous situation American officials faced in their challenge to secure the newly acquired territory.³ American soldiers had broken up the fight, but they did not possess the language skills or local knowledge to police the city for the long term. A militia force comprised of local citizens would provide the best solution, but an American militia did not yet exist in New Orleans as the United States government had only been in charge of the city for less than a week. After deliberating with Mayor Jean-Etienne de Boré, Claiborne issued a general order requiring the presence of a militia officer and fifteen militiamen at the city ballroom for the indefinite future, despite the limited number of troops available. Claiborne felt

²All quotes are from Laussat, *Memoirs*, 94-6; see also *New Orleans Louisiana Gazette*, January 25, 1805; *New Orleans Telegaphe et Commercial Advertiser*, February 1, 1804.

³For other incidents of violence, see Laussat, *Memoirs*, 92; Claiborne to Madison, January 10, 1804, in Dunbar Rowland, ed. *Official Letter Books of W. C. C. Claiborne, 1801-1816*, 6 vols. (Jackson, Miss., 1917), 1:329-33; Claiborne to Madison, February 4, 1804, *ibid.*, 1:358-60.

that the militia assigned to the ballroom would aid with "the preservation of good order" in the city.⁴

Claiborne's actions in building a functional and dependable militia system in the recently acquired city of New Orleans directly affected the retention of U. S. sovereignty in the lower portion of the Louisiana Purchase. The roughly 8,000 permanent residents of New Orleans included 3,500 whites, 3,100 slaves, and 1,500 free people of color, almost all of whom spoke French exclusively.⁵ Outside the immediate city limits, sizable populations of both Germans and Canary Islanders further added to the region's diversity.⁶ The racial, linguistic, and cultural challenges that Claiborne faced surpassed anything in U. S. history to that date. The threat of foreign intrigue because of Spanish doubt over the legality of the Purchase, combined with the possibility of local rebellion among the various ethnic groups and the Jefferson administration's attitude towards large standing armies, exacerbated an already challenging administrative task.⁷

When Claiborne and Wilkinson arrived in New Orleans in December of 1803, a tenuous military situation confronted them. They had only some five hundred soldiers with which to take possession of all of lower Louisiana, and about half of this force consisted of militiamen from the Mississippi Territory.⁸ The

⁴Claiborne to Bore, January 28, 1804, Rowland, *Official Letter Books*, 1:351-52; General Order, January 28, 1804, *ibid.*, 1:352.

⁵Arnold R. Hirsch and Joseph Logsdon, eds., *Creole New Orleans: Race and Americanization* (Baton Rouge, 1992), 208.

⁶Ellen C. Merrill, *Germans of Louisiana* (Gretna, La., 2005), 45-7; Gilbert C. Din, *The Canary Islanders of Louisiana* (Baton Rouge, 1988), 84-5.

⁷For the Spanish objection to the Louisiana Purchase see Casa Irujo to Madison, September 4, 1803 in James A. Robertson, *Louisiana Under the Rule of Spain, France, and the United States, 1785-1807: Social, Economic, and Political Conditions of the Territory Represented in the Louisiana Purchase*, 2 vols. (Cleveland, Oh., 1910-1911), 2:78; Casa Irujo to Madison, September 27, 1803, *ibid.*, 2:82. For more information on the Louisiana Purchase and the complications associated with the transfer see Roger G. Kennedy, *Mr. Jefferson's Lost Cause: Land, Farmers, Slavery, and the Louisiana Purchase* (New York, 2003); Everett S. Brown, *The Constitutional History of the Louisiana Purchase 1803-1812* (Berkeley, Calif., 1920); Peter J. Kastor, *The Nation's Crucible: The Louisiana Purchase and the Creation of America* (New Haven, 2004).

⁸Claiborne to Madison, December 7, 1803, Rowland, *Official Letter Books*, 1:305.

federal Militia Act of 1792 limited the service of these soldiers to only ninety days of service outside their home province. The government could keep the Mississippi militia in service longer only in the event of an uprising or foreign invasion.⁹ Releasing the militia before American forces could attain effective control over the Louisiana territory increased the likelihood that Claiborne and Wilkinson would face the very situations they hoped to prevent.

The regular soldiers at their disposal also presented complications to the garrisoning of New Orleans. President Jefferson had decided that the army would be responsible for taking possession of the coastal defense forts at the mouth of the Mississippi River and the rural portions of the territory where army officers would act in a civil capacity as local commandants under the direction of Claiborne.¹⁰ Within days of its arrival, the Second U. S. Infantry Regiment divided into company-sized formations and deployed to isolated posts far removed from New Orleans. By January 3, 1804, Wilkinson's morning return listed only fifty-nine regular soldiers remaining on duty within New Orleans, though some three hundred regulars had marched down from Natchez in December.¹¹

The hundreds of Spanish soldiers still present in the city necessitated Claiborne's speedy establishment of the militia. Yet, complications existed. After taking possession of Louisiana,

⁹Militia Act of 1792, http://www.constitution.org/mil/mil_act_1792.htm, accessed May 10, 2010. For more information on the complications surrounding reliance on the militia, see Mark Pitcavage, "Ropes of Sand: Territorial Militias, 1801-1812," *Journal of the Early Republic*, 13 (1993): 481-500.

¹⁰Bowmar to Claiborne, April 15, 1804, in Clarence E. Carter, *The Territory of Orleans, 1803-1812*, in Clarence E. Carter, ed., *The Territorial Papers of the United States*, 28 vols. (Washington D. C., 1934-1969), 9:223; Claiborne and Wilkinson to Madison, January 3, 1804, *ibid.*, 9:149.

¹¹Wilkinson to the Secretary of War, January 3, 1804, *ibid.*, 9:152; Theodore J. Crackel, *Mr. Jefferson's Army: Political and Social Reform of the Military Establishment, 1801-1809* (New York, 1987), 102-06. The number of U. S. Army personnel available in New Orleans would seem to refute the arguments of historians who claim that Claiborne relied on the federal military to enforce his dictums; Joseph T. Hatfield, *William Claiborne: Jeffersonian Centurion in the American Southwest* (Lafayette, La., 1976), 163. Conversely, other historians have taken a more sympathetic view of the governor's actions and highlighted his attempts at promoting civilian control of the region; Kastor, *The Nation's Crucible*, 55-6; John D. Winters, "William C. C. Claiborne: Profile of a Democrat," *Louisiana History*, 10 (1969): 195-96.

Claiborne alerted Sec. of State James Madison that Claiborne's lack of knowledge concerning local affairs persuaded the new governor to "await a further acquaintance with the nature of the present establishment, before [attempting] any organization of the force."¹²

Though U. S. agents had made efforts to acquire information on the military conditions in Louisiana before the arrival of Claiborne and Wilkinson, their exertions had had only limited success. Even two months before the transfer, Daniel Clark, the unofficial American consul in New Orleans, could only provide the State Department with marginally useful data. The information obtained by Clark dated from the period of Spanish Gov. Francisco Luis Hector de Carondelet, who served from 1791-1797.¹³ The returns from Carondelet's tenure bore little resemblance to the condition of the militia in 1803, as few of his successors showed the same interest in the organization as Carondelet. By the time of the Louisiana Purchase, the Spanish militia in the region had atrophied to near uselessness as a military organization. Why Clark provided such outdated information remains puzzling, given his attention to detail elsewhere in his reports. Perhaps the Spanish intentionally misinformed Clark, or more likely only the muster rolls from Carondelet's service may have been easily accessible.

Clark may also have had personal reasons for filing a misleading report. Irish by birth, in 1786 Clark moved to New Orleans from Philadelphia after attaining his U. S. citizenship.¹⁴ He purchased land near Natchez and quickly became well versed in the personalities of the region and fluent in both French and Spanish. In a characterization of New Orleans residents compiled for Jefferson, Wilkinson informed the President that Clark enjoyed the "capacities to do more good or harm than any other individual in the province" and that he panted "for

¹²Claiborne to Madison, December 20, 1803, Rowland, *Official Letter Books*, 1:306. For a more critical opinion of Claiborne's delay in organizing the militia, see Hatfield, *William Claiborne*, 164.

¹³Clark to Madison, September 8, 1803, Carter, *Territorial Papers*, 9:33.

¹⁴Thomas P. Abernethy, *The Burr Conspiracy* (New York, 1954), 18; George Dargo, *Jefferson's Louisiana: Politics and the Clash of Legal Traditions* (Cambridge, Mass., 1975), 31-2.

power."¹⁵ Claiborne depended on Clark for his knowledge of the language and public figures. Yet Clark believed that he should have carried more influence during the transfer of the colony and within the territorial government. On one occasion he asked a friend, "Were they asleep when they appointed that creature, Claiborne, to degrade the American government in the eyes of the inhabitants of Louisiana?"¹⁶ Clark had a great deal to gain by impeding Claiborne's successful administration of the new territory. He hoped that, should Claiborne prove insufficient, Jefferson would appoint Clark as the replacement because of his linguistic skills and knowledge of local affairs.

The American administration's fear of the Spanish militia resulted from the poor information Claiborne received before his arrival and from a limited understanding of the Spanish system. The militia of Spanish Louisiana had been composed of New Orleans French, rural Acadians, Côte des Allemands Germans, Isleños from St. Bernard, and free men of color, and had once been a proud institution. At its apex, the militia participated in the American Revolution when it fought in Gov. Bernardo de Galvez's 1779 attack on the British-controlled city of Baton Rouge. Portions of the Louisiana militia also had participated in Galvez's successful attacks on Mobile in 1780 and Pensacola in 1781. The militia of Spanish Louisiana had played a significant role in destroying British power along the Gulf Coast, but by 1803 the victories under Galvez existed as only distant memories. With the British threat reduced, American settlements still hundreds of miles away, and the lakes north of New Orleans protecting the city from Indian attacks, the militia saw little reason to train. The organization as a whole fell into apathy, and governors began to dispense officer commissions largely as political favors connected with a government stipend, a flashy uniform, and a title. Seemingly, the two companies of free men of color in New Orleans remained the only group to avoid the malaise of neglect through their own motivation.¹⁷

¹⁵Characterization of New Orleans Residents, attached to Wilkinson to Jefferson, July 1, 1804 Carter, *Territorial Papers*, 9:255.

¹⁶*Richmond Enquirer*, February 23, 1808.

¹⁷For the role of the Louisiana militia in the American Revolution, see Roland C. McConnell, *Negro Troops of Antebellum Louisiana: A History of the Battalion of Free Men of Color* (Baton Rouge, 1968), 15-33; Jack D. L. Holmes, *Honor and Fidelity: The Louisiana Infantry Regiment and the Louisiana Militia Companies*,

According to Claiborne, the companies of free men of color provided him with his "principal difficulty." He informed Madison that the Spanish government had considered them "a very serviceable corps" but that he deliberated a great deal on whether and how to use them: "To re-commission them [into United States service] might be considered an outrage" and "opposed to those principles of policy which the safety of the southern states . . . necessarily established." Conversely, to deny them a role under the U. S. flag "would disgust them, and might be productive of future mischief. To disband them would be to raise an armed enemy in the very heart of the country, and to disarm them would" be tantamount to despotism. Claiborne realized that any decision would not only be highly controversial but also would possibly set a precedent for similar situations in other territories, so he decided to let his superiors determine how to handle the free men of color. He concluded a letter to Madison by informing him that he would "await some opinions and instructions from the Department of State" and asked for them "as soon as possible."¹⁸

Claiborne could not wait for word from Washington to begin establishing the militia, however. He needed at least to start the process. Fortunately, his immediate predecessor, French Prefect Pierre Clément Laussat, had been in a similar situation and arrived at a temporary solution. Laussat came to New Orleans in early 1803 with only a handful of military officers and a promise from his superiors of more troops to follow. However, because of French military commitments to Europe and the slave rebellion on Saint-Domingue, Laussat's soldiers never arrived. Though Laussat's mission became one of transfer and not governance, he had to take possession of New Orleans from Spain so that he could pass it on to the United States. Laussat, like Claiborne, feared that the Spanish might try to block the Purchase by force.

To guard against this contingency, Laussat raised a volunteer company of French expatriates, and enlisted them in the French

1766-1821 (Birmingham, Ala., 1965), 29-36, 54-7. For the effects of Carondelet on the militia and the result of his successors' inaction, see *ibid.*, 45-55, 71-5.

¹⁸Claiborne to Madison, December 27, 1804, Rowland, *Official Letter*, 1:313-14. For more on race relations in the period, see Jennifer M. Spear, *Race, Sex, and Social Order in Early New Orleans* (Baltimore, 2009), 182-87.

army only for the time it would take to hand over the city.¹⁹ To add strength to this force, Daniel Clark, and a number of others, offered to recruit a company of recent American immigrants and their Creole business partners, eventually enlisting some three hundred men.²⁰ Because the Spanish had organized the companies of free men of color, Laussat refused to use the units despite their offers of assistance. Following the transfer, the French company soon disbanded, but the predominantly Anglo-American unit reorganized into four smaller companies in order to volunteer as a battalion in Claiborne's service.²¹

On January 16, 1804, the officers of the former battalion of free men of color appealed to Claiborne, asserting their right to serve in the militia. They reminded the governor that they had been "employed in the military service of the late government," and that they hoped the unit had been "distinguished by a ready attention to the duties required." Furthermore, "every principle of interest as well as affection" motivated the free men of color to serve the United States "with fidelity and zeal." They assured Claiborne they would be "agreeable to any arrangement which may be thought expedient."²²

The next day, Claiborne informed the free men of color "that under the protection of the United States, their liberty, property and religion were safe, and their confidence in the justice and

¹⁹Laussat, *Memoirs*, 74. For more on the difficulty the French had in occupying Louisiana and the American reaction see Tim Matthewson, *A Proslavery Foreign Policy: Haitian-American Relations During the Early Republic* (Westport, Conn., 2003), 110.

²⁰"Despatches From the United States Consulate in New Orleans, 1801-1803, II," *The American Historical Review*, 33 (1928): 356n43; Eaton (MD) *Republican Star*, February 2, 1804.

²¹Claiborne to James Madison, January 2, 1804, Rowland, *Official Letter Books*, 1:325; Daniel Clark to James Madison, December 3, 1803, in Robert J. Brugger, ed., *The Papers of James Madison: Secretary of State Series*, 9 vols. (Charlottesville, Va., 1986), 6:136-37. Some historians have mistakenly interpreted this unit as the progenitor of the largely Creole Battalion d'Orléans that fought alongside Andrew Jackson at the Battle of New Orleans in 1815. However, the original Orleans Battalion of Volunteers was largely Anglophone in composition and disbanded shortly after their service in the events surrounding the Burr conspiracy in 1806. Paul D. Gelpi, "Mr Jefferson's Creoles: The Battalion d'Orléans and the Americanization of Creole Louisiana, 1803-1815," *Louisiana History*, 48 (2007): 301.

²²Address from the Free People of Color, January 1804, Carter, *Territorial Papers*, 9:174; McConnell, *Negro Troops of Antebellum Louisiana*, 33-41.

liberality of the American government would increase as they became acquainted with its principles and the wisdom and virtue with which it was administered." Nonetheless, he would "not attempt a general re-organization of the militia, until [he] had received particular instructions from the President," and "that in the mean time, they would remain in the same position in which the former governor had placed them." He concluded by offering them "assurances of [his] confidence in their military zeal, and in the sincerity of their professions of attachment to the United States." Allowing the free men of color to at least temporarily remain in service gave Claiborne access to greater manpower, did not alter the situation in New Orleans in any way that might overtly inspire dissent in the local population, and did not commit the United States to any precedents.²³

In need of still more troops, Claiborne decided to enroll the reorganized white volunteer companies into official service. He reported to Madison that he had "organized . . . four companies of volunteer militia . . . armed with public muskets [that appeared] to possess an ardent military spirit and sincere attachment to the United States."²⁴ For Claiborne, these volunteer companies solved his most pressing needs. Composed of Americans already residing in the city and of creoles from the local business community, the unit had a stake in the stability of the new American government. Further, the bicultural nature of the formation provided linguistic capabilities that the Anglo-American militiamen from Mississippi, the U. S. Army, and Claiborne himself lacked. Finally, using these companies constituted a political success because it allowed the white Creoles to serve in the military force of the city and helped legitimize the new American government rather than portray the United States as an occupying power dependent on federal troops.

By accepting the service of the newly dubbed Orleans Volunteers and appeasing the two companies of free men of color, Claiborne managed to buy time until he could receive official directions from Washington on how to handle the military, cultural, and racial problems facing him. Though it might seem odd that Claiborne received so little direction on how to handle

²³Claiborne to Madison, January 17, 1804, Rowland, *Official Letter Books*, 1:339-40.

²⁴Ibid.

the situations he faced, the lack of direction was intentional. The Jefferson administration had made a conscious decision to allow Claiborne the latitude to handle situations according to his own judgment. Madison informed Claiborne that because of the time delay in communications President Jefferson felt that most problems would require a solution before Claiborne could get advice from Washington. Claiborne should apply his own solutions to problems based on previous actions by the United States.²⁵

However, many of the precedents set in the Northwest Territories did not easily apply to Louisiana. In the Northwest, as in Kentucky and Tennessee, the United States had moved into a sparsely populated region. Any small French settlements that existed before annexation quickly succumbed to the influx of Anglo-Americans. United States citizens met with similar success in overwhelming land occupied by the Native American tribes in their path.²⁶ In the case of Louisiana, the United States took possession of a large, concentrated population, both culturally and racially diverse, with established urban areas, and with significant numbers of free blacks and slaves.²⁷

On the southern frontier of the United States, Claiborne had personally supervised the implementation of American policy from Spanish rule. As the governor of the Mississippi Territory, Claiborne played a similar role to the one he would take on in Louisiana; however the Mississippi Territory had still been mostly Anglophone in its composition. The governmental issues that Mississippi faced prior to Claiborne's arrival centered on traditional American debates over Republican versus Federalist policies. The previous governor had been a John Adams ap-

²⁵James Madison to William C. C. Claiborne, February 6, 1804, Brugger, *The Papers of James Madison*, 6:436-37; Madison to James Wilkinson, February 6, 1804, *ibid.*

²⁶For examples of the American occupation of the trans-Appalachian west, see R. Douglas Hurt, *The Ohio Frontier: Crucible of the Old Northwest, 1720-1830* (Bloomington, Ind., 1996), 141-42; Stephen Aron, *How the West Was Lost: The Transformation of Kentucky from Daniel Boone to Henry Clay* (Baltimore, 1996); Andrew R. L. Cayton, *The Frontier Republic: Ideology and Politics in the Ohio Country, 1780-1825* (Kent, Oh., 1986); Peter S. Onuf, *Statehood and Union: A History of the Northwest Ordinance* (Bloomington, Ind., 1987); Alan Taylor, *William Cooper's Town: Power and Persuasion on the Frontier of the Early American Republic* (New York, 1995).

²⁷Kastor, *The Nation's Crucible*, 4.

pointee who had angered many of the Republican-leaning residents of Mississippi. The Republican Claiborne quickly managed to organize the local government and militia in a manner that was agreeable to both the Mississippians and the federal government. In Louisiana, on the other hand, the majority of the free population had yet to take part in American politics and had little experience with the merits of either major political party.²⁸

Though the terms of the Louisiana Purchase treaty granted full "rights, advantages, and immunities" to existing citizens of the territory, many Americans debated how to handle the process of letting the nation's newest citizens vote, or even if they should be allowed to do so.²⁹ Some, like Daniel Clark and Edward Livingston, drafted a memorial to Congress, demanding instant admittance of Louisiana as a state with full privileges for its citizens.³⁰ These Americans sought to become leaders in local politics by convincing the Creoles that they possessed a greater grasp of American laws and "rights" than the Creoles did and that they could trust those Americans to rule over them benevolently. In reality, calls for immediate statehood stood little chance. The Northwest Ordinance of 1787 stipulated that Congress would admit a state into the union only when a territory reached a population of 60,000 people, not including slaves.³¹ To achieve this figure, Congress would have had to admit the whole of the Louisiana Purchase as one entity, creating a single state almost the same size as the rest of the country combined. Not surprisingly, Congress ignored the memorial for statehood.

²⁸Madison to Claiborne, July 10, 1801, Rowland, *Official Letter Books*, 1:1; *An Address from the Governor of the Mississippi Territory to the House of Assembly*, *ibid.*, 1:16-7; Claiborne to Dearborn, August 6, 1802, *ibid.*, 1:155; Hatfield, *William Claiborne*, 69-71; Robert V. Haynes, *The Mississippi Territory and the Southwest Frontier, 1795-1817* (Lexington, Ken., 2010), 52-3; Thomas D. Clark and John D. W. Guice, *The Old Southwest, 1795-1830: Frontiers in Conflict* (Norman, Okla., 1996).

²⁹*Treaties and Conventions concluded between the United States of America and other Powers, since July 4, 1776*, Executive Document No.36, 41 Cong., 3rd Sess., 276.

³⁰Claiborne to Madison, June 3, 1804, Carter, *Territorial Papers*, 9:242; Claiborne to Jefferson July 1, 1804, *ibid.*, 9:246-47.

³¹Northwest Ordinance, http://avalon.law.yale.edu/18th_century/nworder.asp, accessed May 10, 2010.

Others, including General Wilkinson, advocated temporary martial law in the territory until administrators could assimilate American political ideals into the Creole population.³² Others still, including Claiborne, felt that immediate but gradual participation in government represented the best course.³³ James Workman, a longtime resident of New Orleans and future Judge of Orleans County, summarized the thoughts of many when he explained that the area around the city had just emerged "from despotism" and that "inhabitants of various nations and languages, unacquainted with political concerns" resided there. "Because they had not . . . been allowed to take any share in the administration of government," Workman concluded that it might perhaps "be good policy to regulate [their] admission [into] the great American union, by gradual and progressive steps."³⁴

A number of the local white creoles wanted to prove their allegiance to the United States. They began to join the Orleans Volunteers since the government had not yet made provisions for service in other militia units. Claiborne soon restricted enlistments into the unit to keep its newly-minted officers from getting overwhelmed and to prevent the admission of Spanish sympathizers into the organization.³⁵

While many of the local creoles attempted to get into the militia, Col. Joseph Bellechasse asked Claiborne to let him resign from the organization. When Laussat gained control of the

³²Claiborne to Madison, June 29, 1804, Carter, *Territorial Papers*, 9:245; James Madison to John Armstrong, March 5, 1805, Brugger, *The Papers of James Madison*, 9:106; Thomas Paine to Jefferson, January 25, 1805, Thomas Jefferson Papers, 1606-1827, Library of Congress, Washington, D. C., hereafter cited as Thomas Jefferson Papers; Paine to Jefferson, August 2, 1803, *ibid.*; Moncure D. Conway, ed., *The Writings of Thomas Paine*, 4 vols. (New York, 1894-1896), 3:430-36.

³³John Dickinson is perhaps the most famous and influential of Jefferson's advisors that advocated giving the Francophone population time to adjust to U. S. rule. In his January 22, 1807 letter to Jefferson, Dickinson also cautioned giving Americans that had immigrated to the Louisiana territory too much power, Jefferson Papers, University of Virginia.

³⁴James Parton, ed., *Historical Militia Data on Conspiracy of Aaron Burr*, 4 vols. (New Orleans, 1939), 3:80; Some Americans argued that this process of gradual republicanism flew in the face of Jeffersonian values, and many Federalists wasted no time in pointing out the hypocrisy of the President's policies, *Boston Repertory*, March 9, 1804.

³⁵General Order, February 2, 1804, Rowland, *Official Letter Book*, 1:358.

colony, the French Prefect had appointed the native Louisianian Bellechasse to the position of commander of the militia despite the colonel's twenty-four years of service in local Spanish units. Claiborne retained Bellechasse in this position because, like Laussat, he realized that Bellechasse held little attachment to the Spanish crown. After a pension dispute with the former Spanish governor in New Orleans, Marques de Casa Calvo, Bellechasse had left Spanish service on bad terms.³⁶

Bellechasse's financial situation and local connections may have also affected his unwillingness to serve under the Claiborne administration. The colonel owed a great deal of money to Clark and did not want to anger his creditor.³⁷ By March 1804, the relationship between Clark and Claiborne had deteriorated to the point where Bellechasse and others sought to avoid the political feud. Clark spoke out against Claiborne on a number of occasions concerning the governor's supposed inaction in organizing the militia, to which Claiborne could only retort that he awaited instructions from Washington.³⁸ The whole affair made Claiborne look indecisive and weak. Bellechasse soon wrote Claiborne notifying the governor of his desire to be relieved as commander of the militia, citing his inability to command Anglo-American troops in the English language. Claiborne responded four days later, informing the colonel that he could not accept the resignation because the locals trusted Bellechasse, and because the colonel spoke their language.³⁹

On February 20, 1804, Sec. of War Henry Dearborn finally informed Claiborne of the decisions reached in Washington. The

³⁶Jared W. Bradley, ed., *Interim Appointment: W. C. C. Claiborne Letter Book, 1804-1805* (Baton Rouge, 2002), 273.

³⁷Claiborne to Madison, November 5, 1804, James Madison Papers, Series I, General Correspondence and Related Items, 1723-1859, *Presidential Papers*, microfilm no. 2974, reel 8, Troy H. Middleton Library, Louisiana State University.

³⁸Clark and Claiborne battled throughout the period with the militia being only one of the many issues. The feud climaxed in June 1807 when Claiborne demanded satisfaction from Clark concerning statements Clark made on the floor of Congress about Claiborne's handling of the militia and his support of the free men of color unit. The governor faced Clark somewhere in West Florida; Claiborne received a bullet wound to the thigh. McConnell, *Negro Troops of Antebellum Louisiana*, 43-5; Hatfield, *William Claiborne*, 159-61.

³⁹Claiborne to Bellechasse, March 17 and March 22, 1804, Rowland, *Official Letter Book*, 2:49-50, 2:53; Claiborne to Madison, December 4, 1805, Carter, *Territorial Papers*, 9:541.

Jefferson administration resolved "that under the existing circumstances," Claiborne should "continue or renew" the service of the militia of free men of color for the time being, "not to increase the Corps," and to disband it, without offending the members, if such an opportunity presented itself. In addition, "the principal officers should be selected with caution, having regard to the respectability and integrity of character, as well as their popular influence among their associates."⁴⁰ In closing, Dearborn probably surprised Claiborne when he suggested that Claiborne "present them with a standard or flag as a token of confidence placed in them by the government; it need not be large or very expensive, but such as will be satisfactory to the corps." Which member of the administration proposed a standard for the companies of free men of color remains unclear, but given that white units in the city did not yet possess a flag, the decision certainly appears as an attempt to reach out to the population of free people of color in New Orleans. On the issues concerning the white volunteer companies and city militia, Dearborn wrote that Claiborne's actions met with the full approval of the president. Jefferson cleared Claiborne to proceed with the organization of the rest of the militia as Claiborne deemed necessary.⁴¹

With instructions in hand on how to proceed with the trickier aspects of the militia, Claiborne could continue his organization of the force in earnest. Bellechasse, citing ill health, declined to travel to New Orleans, and Claiborne sidestepped him by appointing Eugene Dorsiere, a major in the militia. Claiborne informed Dorsiere of his intention to bring the militia to "effectual execution" as quickly as possible.⁴² To organize the militia, the governor first moved to establish regional boundaries for the individual units, conduct a census of the area to determine who needed to serve, and appoint officers to carry out the actual organization.

Claiborne decided to handle the organization of the city militia personally because of the particularly challenging political situation. In frontier population centers, such as Natchitoches

⁴⁰Dearborn to Claiborne, February 20, 1804, Rowland, *Official Letter Book*, 2:54; Notes on Cabinet Meetings, February 4, 1804, Thomas Jefferson Papers.

⁴¹Dearborn to Claiborne, February 20, 1804, Rowland, *Official Letter Book*, 2:55.

⁴²Claiborne to Dorsiere, March 30, 1804, *ibid.*, 2:71.

and Attakapas, Claiborne judged the regular army officers serving as district commandants the best qualified to select local militia officers and organize the militia in their areas of responsibility.⁴³ His instructions to the district commanders contained the first signs of how he planned to handle the organization of the provisional government's militia in New Orleans. In a circular to the commandants, he told them "to take such measures to [organize the militia as their] judgment may dictate, and as may be consistent with the former regulations of the country."⁴⁴ Claiborne decided against attempting a complete immediate overhaul of the Spanish militia. Instead, he chose to keep the system intact where possible, but under new leadership when necessary. Claiborne retained the Spanish militia organization on a temporary basis until he could assemble a territorial legislature that could write a permanent militia law.

The Spanish and Anglo-American militia did not vary much in organization. Free men between the ages of eighteen and forty-five assembled once a month to receive training. Yet, in mission the Spanish and American militias differed considerably. Under the military policy of the Jefferson administration, the militia executed the primary security role of the nation. With Spain, it existed only as an auxiliary to the standing army. By converting the Louisiana militia gradually, Claiborne gave Louisianians time to adjust to the new importance of militia service and saved himself from any potential political fallout by only removing officers that lacked the skills to execute their job.⁴⁵

By April 19, 1804, Claiborne undertook the militia organization of New Orleans itself. He asked the mayor and the New Orleans municipal council "to ascertain the number of persons capable of bearing arms" and to take "a correct census of all the free white inhabitants of [the city] between the ages of eighteen and forty

⁴³Claiborne to Bowmar, May 15, 1804, *ibid.*, 2:149.

⁴⁴Circular to Commandants of Districts, March 31, 1804, *ibid.*, 2:72.

⁴⁵For information concerning the Jefferson administration's attitudes regarding the role of the militia, see Crackel, *Mr. Jefferson's Army*, 5-11; Lawrence D. Cress, *Citizens in Arms: The Army and the Militia in American Society to the War of 1812* (Chapel Hill, 1982), 127-28, 142-43. For the role of and the problems associated with the Spanish Militia, see Christon I. Archer, *The Army in Bourbon Mexico, 1760-1810* (Albuquerque, 1977), 14-20.

five."⁴⁶ Once he had a census, and an idea of how many officers needed appointment, Claiborne and his staff could begin the organization of the general militia in earnest.

President Jefferson's instructions to Claiborne complicated the governor's efforts to organize the city militia as quickly as possible. Claiborne needed to handle the incorporation of free men of color into the overall militia very carefully, lest he acquire more political enemies in the process. The governor wanted to appoint white officers to lead the units of free men of color, but company level officers of African descent were already in place. By amalgamating the two companies into a battalion formation, Claiborne could justify putting a white officer and staff in command without relieving any of the existing officers of their positions. Accordingly, Claiborne "appointed two Majors to the Battalion of Free People of Colour, and deemed it advisable to select gentlemen in whom" he could trust. To the position of senior major, he appointed Michael Fortier, a native white creole merchant, and Lewis Kerr, Claiborne's relative, as junior major. According to the governor, the free men of color found the situation unsatisfactory and wanted to be "commanded by people of their own color." However, after speaking to them at length, Claiborne informed Dearborn that the officers he had "appointed were cordially acknowledged, and every appearance of discontent removed."⁴⁷

Claiborne also needed to obtain the unit flags that Dearborn had suggested. A Virginian by birth, a former Tennessee congressman, and more recently the governor of the Mississippi territory, Claiborne knew that presenting a standard to the battalion of free men of color came with complications. Jefferson had sanctioned the acquisition of a flag for the free men of color at government expense, but he had not authorized Claiborne to spend money on flags for the city's regiment of white militia or for

⁴⁶Claiborne to Mayor and Municipality of New Orleans, April 19, 2004, Rowland, *Official Letter Book*, 2:106.

⁴⁷Claiborne to Dearborn, July 9, 1804, Rowland, *Official Letter Book*, 2:199-200; Claiborne to Dearborn, June 22, 1804, *ibid.*, 2:217-18. Caryn Cossé Bell, *Revolution, Romanticism, and the Afro-Creole Protest Tradition in Louisiana, 1718-1868* (Baton Rouge, 1997), 29-33. Bell argues that Claiborne replaced all the free men of color officers with whites. This does not appear to be the case as Claiborne only mentions appointing white battalion level officers after he combined the mulatto company and black company into the free men of color battalion.

the Orleans Volunteers. Claiborne knew he needed to acquire flags for all three units, lest he risk the public outcry of favoring the free men of color over whites. To solve the problem, Claiborne worked with General Wilkinson to obtain both the regimental and national standards of the disbanded Fourth U. S. Infantry Regiment for the white units.⁴⁸ Claiborne managed to get the old regiment's name painted over with "Orleans Volunteers" and "Orleans Militia."⁴⁹

The Orleans Volunteers received their standard during a military review held on April 30, 1804, to commemorate the anniversary of the signing of the Louisiana Purchase. Claiborne later told Jefferson that he "presented an elegant Standard to the Battalion of Orleans Volunteers" and that it had "a happy effect."⁵⁰

Presenting the battalion of free men of color with its standard did not go as smoothly as it had with the Orleans Volunteers. Angered that Claiborne intended to give the free men of color a standard before he had even completed the organization of the white city militia regiment, a crowd gathered around the city square during the presentation ceremony.⁵¹ Guards closed off the parade ground to keep the ceremony relatively free of distractions. On June 21, 1804, the battalion of free people of color received "a stand of colors . . . of white silk, ornamented with fifteen stripes (alternately red and white.)"⁵²

On the Fourth of July, the Orleans Militia finally received its standard. At the request of Colonel Bellechasse, the militia held the ceremony in St. Louis Cathedral opposite the city's main parade field, once again called the Place d'Armes, as it had been before Spanish rule. Claiborne wrote Madison that he chose this location "in order that after the flag was presented it might receive a benediction as [was] customary among Catholics . . . and the presentation in the church and subsequent benediction . . .

⁴⁸Claiborne to Wilkinson, April 18, 1804, Rowland, *Official Letter Book*, 2:104.

⁴⁹Claiborne to Madison, October 16, 1804, Carter, *Territorial Papers*, 9:353-54.

⁵⁰Claiborne to Jefferson, May 3, 1804, *ibid.*, 9:240.

⁵¹James Sterrett to Nathaniel Evans, June 23, 1804, Nathaniel Evans Papers, 1794-1807, Louisiana State University Archives, Baton Rouge; McConnell, *Negro Troops of Antebellum Louisiana*, 39; Bell, *Revolution, Romanticism*, 32.

⁵²Claiborne to Dearborn, June 22, 1804, Rowland, *Official Letter Book*, 2:218.

rendered the flag particularly dear to the Militia."⁵³ The gesture showed good political and cultural acumen by allowing the proceedings "to conform to the religious customs of the people" of New Orleans, who were predominantly Catholic. By giving the city militia a larger public reception than the Orleans Volunteers or the free men of color, Claiborne also hoped to dispel any grievances harbored by the city militia over receiving its flag last.

On July 7, 1804, commissions for the militia officers arrived from Washington, and Claiborne could finally begin completing the organization of the city militia. The governor instructed Bellechasse "to establish the grade of the officers according to their former rank."⁵⁴ With the officer corps established, Claiborne could issue his first general order to the New Orleans city militia regiment. He commanded all free white males of applicable age to report to a place determined by their neighborhood company officers, so the militiamen could elect their non-commissioned officers.⁵⁵ For the first time since the United States took over the government seven months earlier, the general militia of New Orleans and its surrounding suburbs assembled for service. In the time he spent living in New Orleans, Claiborne gained a competent understanding of both who to trust and who was capable of commanding the city's militia. As in the rural areas, the governor chose to modify things only when necessary.

Claiborne completed his organization of the militia just in time to face an international incident. Spain and the United States continued to debate over the exact boundaries of Louisiana. Washington asserted that the northern shore of Lake Pontchartrain should be part of the Louisiana Purchase, a claim that Madrid ardently denied.⁵⁶ While diplomats thousands of miles away attempted to sort out the issue, some of West Florida's Anglo residents decided to take matters into their own hands. Led by Reuben Kemper, these insurgents raided through-

⁵³Claiborne to Madison, July 5, 1804, *ibid.*, 2:236-37; *Rutland (VT) Herald*, September 8, 1804.

⁵⁴Claiborne to Bellechasse, July 7, 1804, Rowland, *Official Letter Book*, 2:241.

⁵⁵General Order, July 12, 1804, *ibid.*, 2:242-43.

⁵⁶James E. Lewis, *The American Union and the Problem of Neighborhood: The United States and the Collapse of the Spanish Empire, 1783-1829* (Chapel Hill, N.C., 1998), 27-33, 38.

out the Baton Rouge region. Spain accused the United States government of aiding the insurgents and encouraging them to combat Spanish authority. American officials fervently denied the claim, and Claiborne ordered increased militia patrols in the area to limit the support the insurgents could receive from United States territory.⁵⁷

As Spanish accusations of American support for the West Floridian insurgents rose, so too did rumors of a Spanish-instigated slave uprising in the region. Whether the rumors were credible or not, Claiborne had to respond to these types of reports in the heart of plantation country, and he did so by further reinforcing militia patrols to suppress any suspicious activity they found.⁵⁸

When news of the situation on the Gulf Coast reached Washington, the Jefferson administration gave Claiborne full authority to stop Kemper's insurgents to keep relations with Spain from deteriorating further.⁵⁹ The Kemper Rebellion proved to be the first of many standoffs with Spanish authorities in the area during the next decade. And throughout the period the critical question in both Madrid and Washington always remained: what side would the residents of the Louisiana Purchase choose if a war broke out? Claiborne's actions in administering the militia of the region played a significant role in the answer.

Despite Claiborne's efforts to avoid political discontent concerning the militia, controversy eventually ensued. A circular connected to associates of Daniel Clark claimed that Claiborne not only favored the Anglo-American newcomers by supporting the Orleans Volunteers, but he also insulted all white residents of

⁵⁷Claiborne to Poydras, August 6, 1804, Rowland, *Official Letter Book*, 2:293; *Cooperstown Western Advertiser*, September 27, 1804; Andrew McMichael, *Atlantic Loyalties: Americans in Spanish West Florida, 1785-1810* (Athens, Ga., 2008), 89-93; Kastor, *The Nation's Crucible*, 71-2; Andrew McMichael, "The Kemper 'Rebellion': Filibustering and Resident Anglo American Loyalty in Spanish West Florida," *Louisiana History*, 43 (2002): 133-65; Samuel C. Hyde Jr., *Pistols and Politics: The Dilemma of Democracy in Louisiana's Florida Parishes, 1810-1899* (Baton Rouge, 1996), 20; Stanley C. Arthur, *The Story of the West Florida Rebellion* (St. Francisville, La., 1935), 272.

⁵⁸Claiborne to Madison, September 20, 1804, Rowland, *Official Letter Book*, 2:337-38.

⁵⁹Madison to Claiborne, November 10, 1804, Carter, *Territorial Papers*, 9:346.

New Orleans by favoring the free men of color over the city militia regiment.⁶⁰ The circular highlighted that the free men of color battalion received its flag before the white city militia and that it even received a larger flag than its white counterparts did.

Claiborne soon pleaded his case to Washington, assuring his superiors that he had the situation under control. He explained that no one who had been a U. S. citizen prior to the Purchase held a commission in the militia except in the Orleans Volunteers.⁶¹ He then reminded Madison that before American occupancy, U. S. citizens already residing in New Orleans "associated for the purposes of assisting in the preservation of order, [and] had offered their services as a volunteer corps, to Mr. Lassa." When the United States officially took charge of Louisiana, these same citizens again offered to help and "several companies were formed." Claiborne also insisted that as far as he knew, several members of "the ancient militia were enrolled in the new corps," and he had even given command of the unit "to an ancient Louisianian." He begged Madison to explain how anyone could construe his efforts as "an improper partiality for native Americans?"⁶² Finally, "in acknowledging the battalion of free people of color and presenting them a standard, [Claiborne had] acted in conformity to the instructions from the Secretary of War,

⁶⁰*New Orleans Louisiana Gazette*, January 29, 1805; Claiborne to James Madison, January 19, 1805, Brugger, *The Papers of James Madison*, 8:487-91. Other citizens took the time to personally appeal to the Jefferson administration lamenting Claiborne's leadership and his overtures to the French speaking population of the territory. John Prevost to James Madison, December 19, 1804, Brugger, *The Papers*, 8:406-07. Madison and Jefferson appear to have been much more concerned about the possibility of Clark and his associates forming a Federalist opposition party to Claiborne than they were that the governor would allow too much Gallic influence into the government. James Madison to Thomas Jefferson, March 17, 1805, *ibid.*, 9:139-40; Thomas Jefferson to James Madison, March 23, 1805, *ibid.*, 9:168-69.

⁶¹Claiborne to Madison, October 16, 1804, Rowland, *Official Letter Books*, 2:353-54.

⁶²*Ibid.* Madison wrote to Claiborne repeatedly assuring him that the President retained full faith and confidence in the governor. At the height of criticism against him, Claiborne also suffered a dramatic personal loss when both his daughter and wife died from yellow fever. Claiborne to Madison, September 27, 1804, Brugger, *The Papers of James Madison*, 8:95; Madison to Claiborne, November 12, 1804, *ibid.*, 8:285; Madison to Claiborne, December 15, 1804, *ibid.*, 8:379.

and the delay attending the organization of the militia generally was the result of necessity."⁶³

While the public criticism from Clark and his associates rattled Claiborne, the first session of the new Territorial Legislature held in December 1804 showed approval of many of the governor's actions concerning the militia. When they met, the legislators sanctioned all of Claiborne's arrangements in regards to the militia except his conduct concerning the battalion of free men of color.⁶⁴ Without legislative approval, the government could consider any assemblage of free men of color under arms to be a threatening act. Louisiana land agent James Brown felt that although the free men of color had "lost their consequence by being stripped of arms," they would be "anxious to regain it."⁶⁵

The legislature not only approved Claiborne's actions in recognizing the Orleans Volunteers, but also provided for the establishment of more volunteer companies. If a group of citizens desired to start a unit and elect officers, members needed only organize and equip themselves at their own expense and drill more frequently than the general militia.⁶⁶ This system, already more effective across the country than the regular militia organization, also proved extremely popular in the city of New Orleans.⁶⁷ The membership chose to serve together, drafted its own bylaws, and restricted its enrollment. Even uniforms

⁶³Claiborne to Madison January 26, 1805, Bradley, *Interim Appointment*, 160.

⁶⁴*Acts Passed at the First Session of the Legislative Council of the Territory of Orleans: Begun and Held at the Principal, in the City of New Orleans, on Monday the Third Day of December, in the Year of Our Lord, One Thousand Eight Hundred and Four, and of the Independence of the U. States the Twenty-Ninth*, (New Orleans, 1805), 26-8, 120, 262-300, hereafter cited as *Acts Passed at the First Session*. The complaints of Clark and his associates eventually worked against them. The Francophone community rallied to Claiborne's cause, at least temporarily, to try to limit the diehard Americanists' control of territorial politics. Claiborne to Madison, February 6, 1805, Brugger, *The Papers of James Madison*, 9:16-7.

⁶⁵James Brown to Albert Gallatin, January 9, 1807, Carter, *Territorial Papers*, 9:559.

⁶⁶*Acts Passed at the First Session*, 120.

⁶⁷For the popularity of the volunteer militia system, see Mary E. Rowe, *Bulwark of the Republic: The American Militia in Antebellum West* (Westport, Conn., 2003), 13; Harry S. Laver, "Rethinking the Social Role of the Militia: Community-Building in Antebellum Kentucky," *The Journal of Southern History*, 68 (2002): 779, 787.

showed the power of local option since the members chose to clothe themselves as they wanted, and sometimes the uniforms bore little resemblance to those worn by the U. S. Army. Because of this independence, the members could choose to drill and communicate with officers in languages other than English. The linguistic diversity of south Louisiana made this autonomy an especially attractive option for the area's citizen-soldiers. Though with U. S. control English became the language of government, only a minority of the population spoke English in New Orleans during the first decades of American rule. These linguistic and cultural differences handicapped the regular city militia of New Orleans throughout the early national period and increased creole participation in volunteer militias accordingly.⁶⁸

Claiborne continued to defend his reputation and policies against Clark, and throughout the territorial period he fought the legislature to have the battalion of free people of color included in the militia structure. Whether out of Jeffersonian idealism that free citizens should be able to defend themselves, or a practical fear of alienating a significant portion of the population, Claiborne repeatedly clashed with the territorial assembly over the service of free men of color in the militia. In 1812, when Louisiana entered the union as the eighteenth state, not only did Claiborne win election as governor, but he also managed to get a provision authorizing the service of free people of color once more. Yet, the Louisiana legislature did not sanction the actual organization of the unit until the British invasion in 1814.⁶⁹

⁶⁸The most dramatic example of the popularity of volunteer militia units in New Orleans came in the form of the Louisiana Legion. Organized after the Battle of New Orleans from the French and Irish volunteer militia units that had participated in Andrew Jackson's victory as the Batalion d'Orléans, the Legion grew to encompass French, Anglo, Irish, Spanish, German, and Italian militia companies in a brigade-size combined arms formation. François-Xavier Martin, John F. Condon, and William W. Howe, *The History of Louisiana, From the Earliest Period* (New Orleans, 1882), 416, 421, 432; Edward L. Miller, *New Orleans and the Texas Revolution* (College Station, Tex., 2004), 16; George Eustis, Theodore H. McCaleb, and Christian Roselius, *A History of the Proceedings in the City of New Orleans, on the Occasion of the Funeral Ceremonies in Honor of Calhoun, Clay, and Webster Which Took Place on Thursday, December 9th, 1852* (New Orleans, 1853), 33.

⁶⁹*Acts Passed at the First Session of the First Legislature of the State of Louisiana* (New Orleans, 1812), 72; McConnell, *Negro Troops of Antebellum Louisiana*, 54-5. Historians remain divided over how sincere Claiborne's efforts to restore the free people of color to the militia were. See Bell, *Revolution, Romanticism*, 41-5; Kastor, *The Nation's Crucible*, 91; McConnell, *Negro Troops of*

William C. C. Claiborne laid the foundations for the militia of the Orleans Territory and subsequent State of Louisiana. In organizing the local militia, Claiborne and the Jefferson administration faced a number of problems with no precedent in the country's brief history. Before the Louisiana Purchase, the United States had only moved into sparsely populated areas and quickly dominated non-Anglo residents. In the case of New Orleans and the lower portion of the Louisiana Purchase, the United States encountered a large heterogeneous population that it could not quickly assimilate into mainstream Anglo-American Protestant culture. Further complicating the matter, many Americans who already resided in Louisiana expected political appointments and proved hostile to the government when they failed to gain them. Claiborne not only had to educate the indigenous Louisianians about the American system of governance, but he also had to protect them from those who might exploit the situation for political gain. All of these conflicts resulted in a dramatic game of frontier politics, made worse by the threat of international conflict.

From the moment the United States and France signed the Louisiana Purchase, Spain contested the sale of Louisiana. With Spanish lands almost encircling the disputed territory, Spain could have used military force to solve the situation. The rapid changing of flags and the diverse population of the region meant that the loyalty of the local population would always be a source of intrigue for both the United States and Spain. With Louisiana of strategic importance to both nations, winning the support of the locals and organizing them to fight became critical to the successful retention of the territory. In this task, the United States had the advantage of physical possession of the territory and a competent leader in the form of William C. C. Claiborne.

Claiborne's ultimate success or failure to win over and defend the Louisianians depended upon his ability to organize the citizens of Louisiana into a militia that would fight for the

Antebellum Louisiana, 41. Most are willing, at best, to grant Claiborne Machiavellian reasons for his support of the free people of color militia, but some point to the fact that the governor was not a slave owner himself and felt that the service of the militia would provide a positive example of civic service to the larger free people of color community. Thomas N. Ingersoll, "Free Blacks in a Slave Society: New Orleans, 1718-1812," *The William and Mary Quarterly*, 48 (1991): 194, 200.

American flag.⁷⁰ In this, Claiborne succeeded by not attempting a rapid overhaul of the existing system. Instead, he took time to learn about the people he governed and to bring them gradually into the American military and political system. By supporting the volunteer companies, he provided himself with a corps of citizens who had a vested interest in American success. Through his efforts to support the participation of free men of color in the militia, Claiborne avoided a possibly disastrous situation that could have induced hundreds of armed and disaffected citizens to turn against the government. As for the general militia, Claiborne encouraged his subordinates living in rural communities to follow his model in New Orleans by maintaining the existing system. By giving regional commandants limited local authority, as Jefferson did with him, Claiborne allowed individuals with the best judgment of competence and loyalty to make decisions regarding the organization of the militia in their districts. William C. C. Claiborne's establishment of the American militia system in what would soon become the Orleans Territory played a key role in the retention of the Louisiana Purchase and in "the preservation of good order."⁷¹

⁷⁰Laver, "Rethinking the Social Role of the Militia," 788-91, 807, 809; Winters, William C. C. Claiborne, 198-99.

⁷¹General Order, January 28, 1804, Rowland, *Official Letter Books*, 1:352.