1978

The Long Ordeal: Army Generals and Reconstruction in Louisiana, 1862-1877. (Volumes I and II).

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THE LONG ORDEAL: ARMY GENERALS AND
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(VOLUMES I AND II)

THE LOUISIANA STATE UNIVERSITY AND
AGRICULTURAL AND MECHANICAL COLLEGE, PH.D., 1978

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THE LONG ORDEAL:
ARMY GENERALS AND RECONSTRUCTION IN LOUISIANA, 1862-1877
VOLUME I

A Dissertation

Submitted to the Graduate Faculty of the
Louisiana State University and
Agricultural and Mechanical College
in partial fulfillment of the
requirements for the degree of
Doctor of Philosophy

in
The Department of History

by
Joseph Green Dawson, III
B.A., Louisiana State University, 1967
M.A., Louisiana State University, 1970
May 1978
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Thanks are also in order to Dr. Roger J. Spiller, who always took time out from his own dissertation to provide an encouraging word; and to George C. Rable, with whom I often discussed the Reconstruction era.

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I also wish to mention my debt to Professor Joe Gray Taylor for his monumental book, *Louisiana Reconstructed*, which did much to clear the muddy waters of Louisiana's postwar politics.

Thanks, too, to Bill, Judy, Kelly, and Dustin, who kept me from being stranded permanently in the Reconstruction years. They always reminded me that there was a present as well as a past.

And finally, words of appreciation are inadequate to describe completely the role of my wife, Bev. She gave comments, asked questions, made recommendations, listened to my complaints, deciphered my handwriting, and typed the manuscript many times. It could not have been done without her.
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ABSTRACT

Violence, rival governments, and the influence of the United States Army were the three major features of Reconstruction in Louisiana. During Reconstruction the Army often intervened in Louisiana politics, and neither the Democrats nor the Republicans could make plans without knowing how the Army would react.

Between 1862 and 1867 the Army generals who commanded troops in Louisiana overshadowed the state's civilian government. According to Lincoln's wartime policy, generals Benjamin Butler and Nathaniel Banks tried to create a civilian government that would be acceptable to Congress, but Congress refused to admit Louisiana's representatives. After the Civil War, generals Philip Sheridan and Edward Canby established martial law in the state, supervised elections, cooperated with the Freedmen's Bureau, provided supplies to schools and charities, and ruled on the operations of railroads and banks.

In 1867 Congress passed the Military Reconstruction Acts, dividing the former Confederate states into five military districts, levying requirements for readmission, and instituting military government until those requirements were met. Commanding the Fifth Military District (Louisiana and Texas), Sheridan strictly adhered to the letter of the Acts, registered thousands of blacks and excluded hundreds of former Confederates from the voting rolls. Moreover, Sheridan required blacks to serve on juries, desegregated the New Orleans streetcars, and removed
uncooperative Democratic officials from office. These actions caused Democratic hostility toward Sheridan, but he fostered the growth of the Republican party in Louisiana.

Angered by Sheridan's actions, President Johnson transferred him to the Great Plains. General Joseph Mower temporarily commanded the state, and tried to continue Sheridan's pro-Radical policy. However, Mower was succeeded by General Winfield Hancock, a well known Democrat. Hancock rescinded some of Sheridan's orders and appointed Democrats to office, steps which hurt the cause of black rights.

After running afoul of General in Chief Ulysses Grant, Hancock was replaced by General Robert Buchanan, who carefully supervised the election of a new governor. In 1868 Congress approved Louisiana's new constitution and admitted the state's congressmen and senators, bringing an end to military government. During the remainder of 1868, General Lovell Rousseau commanded the state's garrison and usually gave assistance to the Democratic party. Consequently, Louisiana voted for Democratic candidate Horatio Seymour in the presidential election of 1868.

During the 1870s the Army's influence in Louisiana politics diminished, but the military continued to be an important factor. The Army frequently provided guards at the polls during elections, protected the state legislature from attack or usurpation by the Democrats, and attempted to safeguard the freedmen. Twice during the 1870s the situation in Louisiana became so grave that President Grant ordered Sheridan to return to the state. Without the support of the Army, Louisiana's Republican government could not have continued in office. From 1871 to 1875 General William Emory was responsible for maintaining
the peace between the Republicans and Democrats. Always acting in a restrained manner, Emory had to use his soldiers to prevent riots, but he was not always successful. In 1874 the Democrats attempted to overthrow Republican Governor William Kellogg, but Emory used his troops to put Kellogg back in office.

In 1875 Emory was replaced by General Christopher Augur, who purposefully remained aloof during the struggle for power following the election of 1876. For the first time the Army failed to support the Republican claimant for the governorship of Louisiana.

Eventually, President Hayes recognized Democrat Francis Nicholls as the governor of Louisiana. Hayes ordered the troops to leave New Orleans and return to their barracks outside the city. Hayes' orders signified the end of the Army's involvement in the state's governmental affairs.
ABBREVIATIONS USED IN THE NOTES

The military records in the National Archives pertaining to Louisiana during Reconstruction are voluminous and accessible. After examining the records of several departments, the need for a system of abbreviations became obvious. Below are some example citations and the list of abbreviations used in the footnotes.

Capt. E. R. Ames to Quartermaster, Dept La, January 17, 1866, in Dept Gulf, vol. 80, RG 393, NA.

Explanation: Captain E. R. Ames to the Quartermaster of the Department of Louisiana, January 17, 1866, in Department of the Gulf records, vol. 80, Record Group 393, National Archives.

William Pitt Kellogg to AAG, Dept Gulf, February 7, 1874, in Dept Gulf, Letters Recd, RG 393, NA.

Explanation: William Pitt Kellogg to the Assistant Adjutant General of the Department of the Gulf, February 7, 1874, in Department of the Gulf records, Letters Received, Record Group 393, National Archives.

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>AAAG</td>
<td>Acting Assistant Adjutant General</td>
</tr>
<tr>
<td>AAG</td>
<td>Assistant Adjutant General</td>
</tr>
<tr>
<td>AG</td>
<td>Adjutant General</td>
</tr>
<tr>
<td>AGO</td>
<td>Adjutant General's Office, Washington, D.C.</td>
</tr>
<tr>
<td>CG</td>
<td>Commanding General</td>
</tr>
<tr>
<td>CO</td>
<td>Commanding Officer</td>
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<tr>
<td>C/S</td>
<td>Chief of Staff</td>
</tr>
<tr>
<td>Dept Gulf</td>
<td>Department of the Gulf</td>
</tr>
<tr>
<td>Dept La</td>
<td>Department of Louisiana</td>
</tr>
<tr>
<td>Dept La&amp;Texas</td>
<td>Department of Louisiana and Texas</td>
</tr>
<tr>
<td>Dept South</td>
<td>Department of the South</td>
</tr>
<tr>
<td>Dept Texas</td>
<td>Department of Texas</td>
</tr>
<tr>
<td>Dist La</td>
<td>District of Louisiana</td>
</tr>
<tr>
<td>DSL</td>
<td>Department of the South-Late: designation given to bound letter-book volumes in the National Archives which were formerly filed with the Dept South, but transferred to the Dept Gulf records.</td>
</tr>
<tr>
<td>Exec. Docs.</td>
<td>Executive Documents, Congressional</td>
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<tr>
<td>Code</td>
<td>Description</td>
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<td>-----------</td>
<td>----------------------------------------------</td>
</tr>
<tr>
<td>5 MD</td>
<td>Fifth Military District</td>
</tr>
<tr>
<td>GO</td>
<td>General Order</td>
</tr>
<tr>
<td>HQ/USA</td>
<td>Headquarters, United States Army</td>
</tr>
<tr>
<td>MilDivGulf</td>
<td>Military Division of the Gulf</td>
</tr>
<tr>
<td>MilDivMo</td>
<td>Military Division of the Missouri</td>
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<tr>
<td>MilDivSW</td>
<td>Military Division of the Southwest</td>
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<tr>
<td>Misc. Docs.</td>
<td>Miscellaneous Documents, Congressional</td>
</tr>
<tr>
<td>NA</td>
<td>National Archives</td>
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<td>No.</td>
<td>Number</td>
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<tr>
<td>Recd</td>
<td>Received, as in &quot;Letters Received&quot;</td>
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<tr>
<td>RG</td>
<td>Record Group, National Archives collections</td>
</tr>
<tr>
<td>SO</td>
<td>Special Orders</td>
</tr>
<tr>
<td>SW</td>
<td>Secretary of War</td>
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</table>
"Within the American military heritage," Marcus Cunliffe concluded, "was a habitual assumption that soldiers must always defer to civilians. . . ."\(^1\) However, in the years after the Civil War the United States Army controlled or greatly influenced the government of the Southern states recently in rebellion. This period of military domination over a section of the nation was unique in American history. No previous experience had prepared Americans to endure either the stigma of defeat followed by occupation and military government,\(^2\) or the responsibility of administering hostile states and their people.

Generals and lesser officers ruled on matters of justice, finance, transportation, education, labor, and charity. Congress and most Northerners also expected the Army to protect the Southern Negroes, former slaves who had been emancipated during the war, but who had no definite rights or responsibilities of citizenship. Under the circumstances in 1865—Southern governments disrupted or deposed, millions of ex-slaves uncertain of their condition, and thousands of ex-Confederate soldiers returning to their homes—the Army was the only agency of the Federal government that could have policed the South. Although the military occupation was obviously necessary, many Americans naturally

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found unpalatable the idea that any part of the nation should be divided and regulated by Army generals.

A striking exception to the tradition of Anglo-American civilian government was Oliver Cromwell’s edict in the 1650s dividing England into twelve military districts each governed by a major general. But Cromwell’s Protectorate was extraordinary in British history, and the dominion of the Puritan generals seemed to make the British more receptive to reestablishing the monarchy.

Prior to 1865 the United States Army had little experience with military government. In 1848, following the Mexican War, the Army occupied parts of Mexico and operated a military government in California territory, assignments which had some duties similar to Reconstruction after the Civil War. Volunteer troops, not regulars, comprised most of the occupation forces in Mexico and California. Likewise, volunteers predominated in the occupation forces in the Southern states, until regulars gradually replaced them.

Radical Republicans in Congress hoped to achieve certain goals in the South during Reconstruction. Many Northerners, particularly Republicans, wanted Negroes to vote in elections, hold elective and appointive offices, serve on juries, pay taxes, receive education at public expense, choose their own jobs, and rest safely in their homes. Of course, the Radicals did not specify all these things in their programs, but they wanted the South to acknowledge that the freedmen

3 Cunliffe, Soldiers and Civilians, 32.

4 Theodore Grivas, Military Governments of California, 1846-1850 (Glendale, Cal., 1963). A discussion of the similarities in the duties of the California commanders in the 1840s and the Southern commanders during Reconstruction follows in Chapter 1.
would have civil and political rights. The Republicans proposed various laws and Constitutional amendments to make their goals binding. However, the hostility of Southerners toward blacks, Republicans, and the United States Army made these goals unattainable in a few years. Instead, decades of supervision were needed, and the Radicals' crusade lasted less than ten years in most Southern states.

Military influence, sanctioned by Congress, lasted in all of the states of the former Confederacy well into 1868, except in Tennessee which had been readmitted in 1866. In 1868 Arkansas, North and South Carolina, Alabama, Florida, and Louisiana all regained their representation in Congress. Texas, Mississippi, Georgia, and Virginia followed two years later. After readmission, the Army's influence diminished because civilian governments administered the states. However, Republican governors continued to call on the Army for protection. Conservative white Democrats wanted to dislodge the Republicans from power. Gradually, state by state, local Democrats did regain control. They did so through the use of increased voter registration, higher Democratic turn-outs at elections, control of county and municipal offices, economic coercion, and varying amounts of intimidation and violence against Republicans. The last Southern Republican governor, Stephen B. Packard of Louisiana, abandoned his claim to office in April 1877.

During the years 1866 to 1869 the Army was more capable of responding to Republican requests for aid than in the 1870s because the War Department stationed an average of 21,000 troops per year in the
South from 1866 to 1869. From 1870 to 1876 the average size of the entire Army was only 29,400. During the 1870s the Army had to give increased attention to Indian-fighting in the trans-Mississippi West, and Congress consistently voted to reduce the size of the military establishment each year. Between 1870 and 1876 only about 7,500 troops per year served in the South. The mere threat that the military would send soldiers to trouble spots in case of violence did not stop violence from occurring. In the later years of Reconstruction the Army found it impossible to meet every real or imagined Republican need.

The actions of the Army in Louisiana during Reconstruction can be divided into two parts. In the first period, between 1865-1869, the Army exercised its greatest and most consistent influence. During these years the generals commanding the state supervised the many details connected with readmitting the state and partially achieved the goals of the Radical Reconstruction program.

In the second phase, between 1870-1877, the control and influence of the Army declined, but never ended completely. At selected times, the military intervened in civil affairs just as it did during the 1860s. But it became more difficult to guarantee the newly won rights for the Negro. The generals had fewer troops at their disposal and often neglected to use their full powers. Louisiana Democrats increased their

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5 This average is arrived at using the troop totals found in the chart in James E. Sefton, The United States Army and Reconstruction, 1865-1877 (Baton Rouge, 1967), 260-61.

6 See the chart detailing the yearly strength of the Army in Russell F. Weigley, History of the United States Army (New York, 1967), 567.

7 Sefton, Army and Reconstruction, 260-61.
anti-Republican activities and boldly used violence as a weapon to remove Republicans from office. The events of the presidential election of 1876 and its aftermath culminated an extraordinary era in the history of Louisiana and the nation.

This study will approach Reconstruction in Louisiana mainly from the perspective of the generals who commanded the state. The Army worked closely with the Freedmen's Bureau, an organization which has been ably treated by Howard A. White. By necessity, there will be discussions of politics and politicians, and some attention will be given to the enlisted soldier, but the attitudes, actions, ideas, and influence of the generals will stand above the other subjects.

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8Howard A. White, The Freedmen's Bureau in Louisiana (Baton Rouge, 1970).
CHAPTER I
THE BEGINNINGS UNDER BUTLER AND BANKS

On the night of April 24, 1862, Flag Officer David Glasgow Farragut of the Union Navy prepared final orders for the seventeen ships and gunboats of his fleet selected for a dangerous assignment. Several days of sporadic fighting had failed to reduce Forts Jackson and St. Philip on the Mississippi River, forts which were the keys to the defense of New Orleans. Deciding not to engage in lengthy siege operations which would involve using the troops of Major General Benjamin F. Butler, or to continue to attack the forts directly, Farragut determined that he would attempt to run by the forts under cover of darkness and then steam upriver to capture the "Queen City of the Confederacy." It was admittedly a bold plan, and some of his subordinate commanders opposed it as too hazardous. Nevertheless, Farragut believed the chances of success outweighed the risks involved.

The Union vessels got underway by 3:30 a.m. and drew opposite the twin forts a few minutes later. Almost immediately the Southern batteries began an intense barrage of cannon fire. The gunboats of the Confederate River Defense Fleet quickly supported the shore batteries. The battle lasted about three hours. The heavy Confederate fire forced three Yankee ships to turn back and scored several hits on the other ships. But the Confederates suffered worse losses. Most of the Defense Fleet lay sunk or grounded on the banks. Vulnerable now from two directions, the forts surrendered. Farragut's gamble had succeeded. The
remaining fourteen Federal ships, each damaged to some extent, moved unmolested toward New Orleans.¹

Confederate General Mansfield Lovell ordered the evacuation of his troops and supplies from the city when he realized that the Union Navy was fighting its way past the river forts. As the ships came into sight of the defenseless metropolis on April 25, Farragut saw that the "levee of New Orleans was one scene of desolation, ships, steamers, cotton, coal, etc. were all in one common blaze." Thick black smoke curled up from burning munitions and other property abandoned by the retreating Confederates. A mass of citizens and slaves lined the shore to stare at the oncoming warships, each topped with the familiar red-and-white striped flag whipping in the breeze. An observer on the bank remembered later that all of the gunports on the ships gaped open, with cannon protruding like even black teeth. The anchors splashed into the Mississippi one by one, and soon a longboat with sailors and marines moved into shore. The captain commanding the landing party made arrangements for the city's formal capitulation the next day.²

General Lovell left New Orleans without detailing an officer to represent the Confederate government at the surrender. Therefore, Mayor John T. Monroe and the City Council entered into negotiations with Farragut on April 26, and by noon United States flags were posted on the Federal mint, the post office, the Customs House, and the city hall. Farragut waited patiently for a few days while General Butler brought up


²Farragut's observation quoted in Dufour, Night the War Was Lost, 300, and see also ibid., 301-303; New Orleans Daily Democrat, April 24, 1877.
some of his troops, and then, not without some relief, the Navy turned over command of the city to the Army on May 1, 1862. The long ordeal of the United States Army in Louisiana Reconstruction had begun. 3

* * *

General Benjamin Franklin Butler saw from the start of his command in the Department of the Gulf that there were two main tasks before him: to occupy and pacify the city of New Orleans, and to launch military operations designed to capture more Confederate territory. At a time of few Union victories, the Reconstruction of Louisiana was well down the list of Butler's objectives. After a short time in command, Butler left a legacy of controversy in Louisiana which followed him for the rest of his eventful life.

"Reconstruction" was a contemporary term of the 1860s. It meant generally the procedure or requirements demanded for the states of the Southern Confederacy to return to the Union. Historian Herman Belz has demonstrated that the debate over Reconstruction started almost as soon as Southern troops occupied Fort Sumter. President Abraham Lincoln held that these states had never left the Union and needed only to be restored to "their proper relationship" with their sister states. Other politicians disagreed. These men believed that the eleven wayward states had actually seceded and that stiff conditions should be set for the Confederates to meet before they could return to the Union. All parties to this debate agreed that any Reconstruction plan must abide by the Constitution. Part of the problem was that the Constitution

3Dufour, Night the War Was Lost, 304-309; Winters, Civil War in Louisiana, 98; Gerald M. Capers, Occupied City: New Orleans under the Federals, 1862-1865 (Lexington, 1965), 46-51.
mentioned neither secession nor Reconstruction. A variety of concepts, ideas, and proposals of "restoration," as the process was alternately called, were put forth by several Northern congressional leaders. 

Ben Butler undoubtedly would have found the forum of Congress congenial. He had served as a Democrat in the Massachusetts legislature for several years. During the emotion-filled presidential campaign of 1860 Butler had supported John C. Breckinridge of Kentucky instead of the national Democratic Party's nominee, Stephen A. Douglas. The outbreak of war required many more officers to lead rapidly expanding armies, and President Lincoln had scanned a wide field of politicians as possible generals. Butler's appointment indicated Lincoln's desire to gain support for the war from Northern Democrats by selecting some of them for high military service.

From the 18,000-man expeditionary force which invaded Louisiana, Butler assigned 2,500 troops to garrison New Orleans and issued a lengthy proclamation declaring martial law in the city and throughout the surrounding area. The pronouncement listed several regulations. Proper respect was hereafter demanded for the United States flag. The killing of any Union soldiers by civilians would be considered murder and not acts of war. All saloon owners were to register their businesses with the Army provost marshal. There was nothing particularly exceptional about this proclamation. It was based on Butler's recent experiences on the Virginia coast, where he had served before going to Louisiana. 

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4 Herman Belz, Reconstructing the Union (Ithaca, N.Y., 1969), 1-14 and passim.

5 Proclamation by Benjamin F. Butler, May 1, 1862, in War of the Rebellion: Official Records of the Union and Confederate Armies (128
The United States Army did not have a wealth of background experience as a force of occupation in hostile territory. For nine months at the end of the Mexican War, the Army had held a large portion of the country, including the capital of Mexico City, while the two nations considered the ratification of the Treaty of Guadalupe Hidalgo. Peace negotiations lasted longer than expected, to the discomfort of both the Army and the Mexican citizens. Nevertheless, routine daily activities went on and after a time military occupation developed into an accepted pattern. The Army supervised local Mexican elections. United States soldiers also regulated local saloons, checked civilians for concealed weapons, enforced curfews, and arrested vagrants. Courts-martial decided cases of American soldiers and cases involving Mexican citizens and American soldiers. Mexican courts handled cases involving only their own nationals. Army officers cooperated with local officials, with the clear understanding that military orders were always paramount. Both sides realized that this arrangement was temporary, though indefinite, and few serious incidents marred the postwar occupation. However, after the Army withdrew no effort was made to synthesize the experiences in Mexico into a manual for future soldiers who might need to deal with problems of politics, martial law, and occupation. Most officers and soldiers viewed the Mexican episode with distaste, and the Army was just as glad to leave as the Mexicans were to see it go.6

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6Justin H. Smith, "American Rule in Mexico," American Historical...
Another phase of military occupation grew out of the Mexican War, one which had even more similarity to the Army's later role in Louisiana. The United States acquired almost one-half of the Republic of Mexico as a result of the fighting. California, Arizona, Nevada, Utah, and parts of other states would later be cut from this new land. However, rather than simply a temporary military occupation, the Army administration in the captured territories north of the Rio Grande was a prelude to United States civil government. Military control was so complete and so pervasive that it was more than just a time of martial law, it was military government. Theodore Grivas has best explained the difference in his study of California territory. Martial law is usually temporary, brought on during a time of "disaster or enemy invasion" when civil law may be "suspended," but not cancelled. Military government is designed to replace civil government and is usually used in hostile territory or captured enemy land which will later be annexed. Grivas concluded: "Martial law supports civil government; military government supplants it." 7

What followed in California in the late 1840s was a military government of the kind that later had to be used in the South during and after the Civil War. Due to a variety of complicating factors (many of which were later experienced by soldiers in Louisiana), civil authorities in California did not take full control until more than four years after


7 Theodore Grivas, Military Governments in California, 1846-1850 (Glendale, Cal., 1963), 13-16. Grivas also mentions the subject of "military law," which concerns uniformed military personnel, and can be found in the old Articles of War or the more recent Uniform Code of Military Justice.
American forces had arrived. Civil functionaries, such as mayors, judges, and city councils, existed, but all served on the approval of the military commander. In many instances the military replaced a variety of civilian officials with men more acceptable to the United States occupation. For easier administration, the senior general subdivided California into districts, where subordinate officers exercised control. Disgruntled European citizens sometimes were arrested by the Army for contravening military regulations. In September 1846 the Army thwarted a revolt by Californians who tried to oust the invaders and restore Mexican government. Finally, in 1849 the Army commander registered voters and called for a territorial constitutional convention to prepare California for statehood. Unfortunately, as was true after the occupation of Mexico, the War Department did not require the military commanders of California to prepare a handbook for future generals charged with political duties. Much of what they had to deal with was encountered again in Louisiana and elsewhere in the South.

* * *

Before its capture, New Orleans was the largest and most cosmopolitan city in the Confederacy. More than 170,000 residents had been busy in a variety of private and commercial enterprises. Several thousand of these had left to fight in the war or to avoid the Federal occupation. Despite its surface appearances of civilization, General Butler thought that the city was "untamed," and in the confusion of the first days after the surrender, a host of administrative details awaited his attention. At first Mayor John Monroe refused to meet with Butler

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to discuss these problems, but later a conference was arranged.

Hundreds of persons were destitute, and many more appeared to be on the verge of starvation. Initially, captured Confederate rations, and later on, Federal supplies were distributed to the needy. The general prohibited the use of Confederate money after May 27, 1862, and required that banks and businesses switch to United States currency.

The people of New Orleans continued to demonstrate their zeal for the Confederate cause. Several ministers in the city refused to substitute the phrase "President of the United States" for "President of the Confederate States" in their regular prayers. Therefore, Butler closed some churches and suspended some pastors from their pulpits until a change in supplication and attitude was made.

A more worldly matter next captured the attention of the Louisiana commandant. Many women in New Orleans had repeatedly shown disrespect for the Army by unladylike gestures, words, or actions, including spitting on soldiers as they walked on the streets. Butler believed that such indiscretions might encourage more cohesive opposition if allowed to continue. Accordingly, on May 15 he issued an order which earned him condemnation throughout the South. Henceforth, Butler promised, whenever troops were insulted by women of whatever social station, and whether "by word, gesture, or movement," such "ladies" would "be regarded and held liable to be treated as [women] of the town

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10 Taylor, Louisiana Reconstructed, 5-6; Trefousse, Butler, 119.
plying [their] avocation." The citizens of New Orleans were outraged by this pronouncement and condemned it as barbaric. Butler was vilified in the Southern press, sharply criticised by the English and French ministers to the United States, and castigated by other foreign consuls in Louisiana. However, after the order was posted, such insulting incidents from New Orleanians of either sex noticeably declined.  

Mayor Monroe of New Orleans sent a strongly worded letter to Butler protesting the so-called "woman order." This letter provided Butler with the reason he needed to remove Monroe from office. Actually, the mayor had repeatedly hindered the city's administration since the surrender. Monroe was also hurt by his affiliation with a group of Confederate veterans who styled themselves the "Monroe Guards" and had maintained connections with Southern forces outside the city. In his place Butler designated Colonel George F. Shepley of the 12th Maine Infantry acting mayor.  

Following Monroe's ouster and arrest, most of the city council, the police chief, and a judge were dismissed for failure to cooperate with military authorities. Some of these men were confined for short terms at Fort Jackson. Butler made Captain Jonas H. French temporary police


chief, and until civil trials resumed, a military commission presided over most court cases.13

Butler's conduct since the surrender of New Orleans had earned him the hatred of people throughout the South. The "woman order" and the suspension of civil government, events so distasteful to Louisianians and Southerners, were followed by an act that probably ruined Butler's chances to carry out effective Reconstruction activities.

On April 26 William B. Mumford, a local gambler, tore the United States flag from its staff atop the mint building, ripped the flag to shreds, and distributed the pieces to an appreciative crowd. Although he had had two or three cohorts, Mumford received widespread credit for this bold act of vandalism, a patriotic deed in the eyes of most New Orleans newspapers. When Butler learned of the escapade, he promised to have Mumford severely punished. Within a few days, Federal authorities arrested the gambler, and a military court sentenced him to be hanged. In spite of the public outcry against the verdict, and even after a meeting with the gambler's wife, Butler refused to change the court's ruling. On June 7, 1862, Mumford was executed as an example that Federal authority or its symbols could not be violated.14

It mattered little that over the next several months Butler and his officers gave New Orleans fair and reasonable government. Emotional Louisianians still cherished too much Confederate spirit to acknowledge


14 Trefousse, Butler, 115; Parton, Butler in New Orleans, 346-54; West, Scapegoat General, 149-52; Butler, Butler's Book, 437-46.
any improvements made by the man who now carried the nickname "Beast" Butler.

One of the first projects to benefit the city was a massive cleanup operation. July marked the start of the dreaded three-month yellow fever season. The unacclimated Union troops were vulnerable to this disease, which had reportedly killed over 50,000 people in Louisiana since 1840. Detailing unemployed whites and Negroes, Butler ordered streets, gutters, ditches, and canals thoroughly scraped and cleaned, which led to a great improvement in city sanitation. Some local officials, failing to cooperate in the project by taking an oath of loyalty to the Union, were removed from office. Replacements came from soldiers or local Union supporters who returned to Louisiana or reactivated their dormant feelings. Butler's sanitation and quarantine program succeeded, and neither citizens nor occupation forces suffered from an outbreak of the terrible "yellow jack."  

Having ensured the city's health, Butler now set out to change its loyalty. According to an agent of the Treasury Department, Butler boasted "that in six months New Orleans should be a Union City or—a home of the Alligator" [sic]. Butler made an even more remarkable prediction to Secretary of War Edwin M. Stanton: by August many Louisianians would "return . . . their allegiance" to the Federal government. On June 10 Butler stipulated that all public officials in occupied

Louisiana must take an oath of Loyalty to the Union within five days or leave office. Faced with this requirement, many summarily resigned their posts. Furthermore, any resident (foreigner or citizen) desiring to use the courts in civil or criminal cases had to pledge his fidelity to the United States. Three months later only about 14,000 persons had taken the oath. Prompted further by the threatened confiscation of their property (under the congressional Confiscation Act of July 12, 1862), some 68,000 people renewed their allegiance.16

Butler's predictions of a change in Louisiana's loyalty were overly optimistic. For example, several newspaper editors remained opposed to the Union, and their irreconcilable attitudes showed clearly in print. Between May and November 1862, Butler suspended the publication of six Crescent City papers and one in Baton Rouge.17

Even as Butler pressured and cajoled Louisianians into renewing their loyalty, he lost some of his power over the state. On June 10 Lincoln appointed George Shepley, recently promoted to brevet brigadier general, military governor of Louisiana. This split the responsibilities of command in the Gulf Department. Apparently, tactical military operations were left to Butler while Shepley dealt with political


17 Butler to Stanton, June 28, 1862, in Official Records, XV, 502-503, So No. 235, Dept Gulf, July 31, 1862, ibid., 533; So No. 513, Dept Gulf, ibid., 595-96; Butler, Butler's Book, 377.
reconstruction. These assignments were never made clear, and this led inevitably to friction between the two generals.\textsuperscript{18}

Butler failed to win success in the field. The city of Baton Rouge was recaptured by the Confederates in August. Following this reverse, he devoted much of his time to strengthening the New Orleans defenses.

However, Butler made an important contribution to the Union war effort by enlisting large numbers of Negroes into the Federal Army. At first blacks were hired only as laborers. Then in July and August, Butler argued with General John W. Phelps over a proposal to induct Negro slaves into a special unit. Phelps was a former regular Army officer from Vermont, who had resigned from the service to devote his time to the anti-slavery crusade. Apparently, the Butler-Phelps feud concerned how the black troops would be raised and who would do it, rather than if they would be recruited. At any rate, Phelps again resigned from the Army over the dispute, and Butler reaped the credit for black enlistments. With the approval of the War Department, Butler raised three regiments of a "Corps d'Áfrique" in Louisiana. Other states, including those in the North, raised similar units which fought in several battles and played an important role as garrison troops after the war.\textsuperscript{19}

Controversy continued to swirl about Butler's head. Foreigners in New Orleans, most of whom were pro-Southern, strenuously objected to


\textsuperscript{19}Winters, Civil War in Louisiana, 113-24; Butler, Butler's Book, 491; Warner, Generals in Blue, 368-69. The most complete account is Dudley T. Cornish, The Sable Arm: Negro Troops in the Union Army, 1861-1865 (New York, 1966), 17, 24, 57-66, and passim.
orders which required them to swear an oath of loyalty to the Union. Many of them had cooperated in concealing Confederate money and supplies when the city fell. Butler set out to confiscate all Confederate funds, a goal which sometimes required entry into European consulates. This particular problem demanded diplomacy and tact. Perhaps some Confederate sympathy by foreigners could have been overlooked. Butler's highhandedness in this matter alienated not only the New Orleans European community, but simultaneously antagonized Secretary of State William H. Seward. A move was soon afoot in Washington to have the troublesome general replaced with someone less abrasive.  

Butler heard rumors of his impending removal in September. Higher authorities managed to quiet his fears for several weeks, but in early November President Lincoln chose Major General Nathaniel P. Banks as the new commander of the Department of the Gulf.  

Before Banks arrived, a congressional election was scheduled in Louisiana. Lincoln, bypassing Butler, sent orders concerning the election to General Shepley. Some symbol of Louisiana's Unionism was needed, and new representatives in Congress seemed just the thing. Prior to the election on December 2, Butler encouraged loyal voters to form the Union Association, a political organization designed to assure victory for the pro-administration candidates, Michael Hahn and Edward H. Durell. Hahn was a winner, but a Treasury agent named Benjamin F. Flanders defeated Durell for the second seat. Lincoln certainly wanted

20Trefousse, Butler, 124-27; West, Scapegoat General, 192-98; Butler, Butler's Book, 429-36.

21Butler to Henry W. Halleck, September 1, 1862, in Official Records, XV, 558; Halleck to Butler, September 14, 1862, Ibid., 572; Trefousse, Butler, 132-33; West, Scapegoat General, 200.
Congress to accept these representatives. Success in this election, he thought, might encourage some states to leave the Confederacy.22

A few days after the election, General Banks arrived in Louisiana. On December 17 Butler relinquished command and left the state several days later. General Shepley retained his post as military governor.23

Louisiana was gladly rid of Ben Butler. The questionable honesty of his administration, stories of which were later exaggerated, received justifiable criticism. Several Army officers and Treasury agents made personal fortunes in cotton dealings in 1862. Among others, Andrew Jackson Butler, brother of the departed general, profited from inside information at department headquarters. Southerners accused the general himself of stealing a variety of personal and state property, but the charges were never proven.24

These and other revelations did nothing to improve Butler's image. It would have made little difference to Southerners if he had had the honesty of a saint. Butler's list of "sins" was too long for his redemption, and for years after the war he was roundly criticized by the state's newspapers. The "Beast" made excellent copy. Despite decades


23GQ N 107, Dept Gulf, December 17, 1862, in Official Records, XV, 611; Nathaniel P. Banks to Halleck, December 18, 1862, ibid., 613; Winters, Civil War in Louisiana, 147-48. After the war, Butler served several terms in Congress as a Republican between 1866 and 1875. He was elected governor of Massachusetts in 1882. The Greenback Party nominated him for president in 1884. He died in 1893.

24Caskey, Secession and Restoration, 66-69; Capers, Occupied City, 83-84; Trefousse, Butler, 122-24.
of vilification, however, Butler's administration was not nearly so bad as it was sometimes portrayed. Admittedly, he had used some unnecessarily harsh methods, but the task was to convince Louisiana that Federal authority had returned permanently. This required oaths of loyalty, removal of civil officials, and even sterner measures in some cases. The experience of Butler's successors demonstrated that the path of Reconstruction in Louisiana was a difficult one to follow. Indeed, it became even more twisted and complex.

* * *

Nathaniel Prentiss Banks, like Ben Butler before him, had left Massachusetts politics to wear the stars of a Union General. However, Banks possessed broader political experience, including service as a state legislator, Speaker of the House in Congress, and governor of Massachusetts. Recognized as a political maverick throughout his career, by 1861 Banks had settled into the Republican party and thus rated consideration for a high military appointment. It soon became evident that Lincoln had not chosen a military expert to replace Butler. On the contrary, according to Allan Nevins, Banks was "a clever, interesting, showy politician without much depth or purpose" whose prior "service in the Shenandoah suggested that he had little aptitude for war." Banks relied on political influence to retain his commission.26

25New Orleans Times, February 9, 1869; New Orleans Crescent, January 24, 1869; Lafayette Advertiser, March 27, 1869; Taylor, Louisiana Reconstructed, 18; Capers, Occupied City, 71-72, 74-75, 87.

Banks realized that considerable pro-Confederate sentiment remained in New Orleans, but he decided to relax the severity of military occupation in Louisiana. For example, a new order reopened all churches previously closed by Butler, even if the ministers refused to pray for President Lincoln. Furthermore, he released several civilian prisoners held in confinement on Butler's order. In yet another effort to win the support of Louisianians, Banks issued a Christmas Eve proclamation which declared that the war was not a war on slavery, but instead was a struggle to preserve the Union. Therefore, Lincoln's Emancipation Proclamation did not apply to occupied Louisiana. Banks added, however, that many unexpected results could come from such a great Civil War, and at its end the institution of slavery probably would cease to exist.²⁷

Banks quickly learned of the tremendous burdens of public administration which the Army had acquired. He vented his displeasure to Major General Henry W. Halleck in Washington. In New Orleans, Banks wrote, there was "an immense military government, embracing every form of civil administration, the assessment of taxes, fines, punishments, charities, trade, regulation of churches, confiscation of estates, and the working of plantations, in addition to the ordinary affairs of a military department." For the time being, Banks continued most of Butler's public works programs and the food distributions to the needy.²⁸


Banks had been sent to Louisiana to give the North victories in the field, but his political background naturally made him interested in Reconstruction, which placed him directly at loggerheads with Military Governor Shepley. General Shepley believed that everything of a non-tactical nature was under his control. A specific argument erupted over command of the provost marshal's office, which heretofore Shepley had directed. In a special order, Banks shifted the provost marshal's operations to his own headquarters. He further decreased Shepley's power by ordering all future civil cases to be brought before the Louisiana Provisional Court, established by Lincoln in December 1862 to lessen the responsibility of the courts-martial. Once divested of control of the provost marshal's post, Shepley's prestige in the state began slowly to decline. But the military governor was jealous of his remaining powers, and he continued to oppose Banks whenever possible.29

Thereafter the political and economic influence of Banks became more pervasive, and this was especially true in matters concerning Negro labor and black troops. Butler had dabbled in making rules for plantation workers and had posted troops to guard some plantations near Union lines. Thinking they were free, many blacks had left their family plantations and wandered unregulated in the countryside. On January 29, 1863, Banks issued a lengthy and comprehensive order on Negro labor in Louisiana. The plan required blacks to sign a yearly contract with an employer of their choice. The contract called for a ten-hour workday for the laborer; for his part, the plantation owner had to furnish

adequate food, clothing, shelter, and give pay in wages or part of the crop. The Army appointed supervisors to monitor the agreements on both sides and see that blacks were not mistreated. Flogging was outlawed. The order threatened vagrants with arrest and a term of unpaid labor on public works. Word of this plan spread among rural Negroes, most of whom soon returned to the plantations.  

The enlistment of Negro soldiers drew Banks' attention. Within thirty days of his arrival in Louisiana, the new commander began recruiting qualified blacks into regiments of all arms. So long as the War Department authorized new units, Banks continued to create them. By the end of the war, more Negro regiments had been raised in Louisiana than any other state. 

Military matters aside, Banks began to take a keen interest in Louisiana politics and its relation to national problems. In Washington, Louisiana's new representatives Hahn and Flanders were given seats in Congress, but only for the remainder of the existing term which expired on March 3, 1863. Therefore, they enjoyed their positions for less than one month. Even so, the recognition of the Southerners pleased Lincoln. The President held that these men were due their seats in Congress.

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31 Twenty-one regiments of United States Colored Troops were raised in Louisiana. Tennessee was second with five. See the excellent discussion in Cornish, Sable Arm, 103, 126-29, 247-48. About 5,000 white soldiers also enlisted in the Union Army from Louisiana. See Frederick H. Dyer, A Compendium of the War of the Rebellion (3 vols., New York, 1959), III, 1212-14.
because Louisiana had never really been out of the Union. Many Republi-
cans and several Democrats disagreed with this idea. Particularly
debatable was the legality of an Army general (in this case, Shepley)
conducting Federal elections in a state that did not have a civilian
governor. In the opinion of many congressional leaders of both parties,
Hahn and Flanders had been improperly elected. Lincoln's supporters had
managed only momentarily to gain approval of these representatives.32

Back in Louisiana the political factions which formed during
Butler's short tenure now matured into three alliances. The factions
initially all belonged to the pro-Union Free State Party, virtually the
state's only functioning political party. The Democrats had become so
discredited by secession and war that temporarily no politician in
occupied Louisiana carried that label. The largest faction of the Free
State Party was the Moderates, led by Michael Hahn and supported by
Lincoln and Banks. The Moderate wing was composed of old Louisiana
Whigs and Union men, mostly either natives or longtime residents of the
state. The Moderates favored the destruction of slavery but did not
advocate immediate civil rights or political privileges for blacks.

Close to the Moderates in some beliefs, yet differing with them on
others, were the Radicals, guided by Benjamin Flanders and Thomas J.
Durant, a skilled lawyer from New Orleans. The Radicals not only wanted
slavery abolished, but they also demanded civil and political rights for
Negroes as soon as possible. Before the end of 1863 the Radicals
announced that if Reconstruction was to succeed, blacks must be given
the vote. Only a few natives or long-term residents, such as Flanders
and Durant, adhered to the Radical wing. Many of its backers were agents

32 Belz, Reconstructing the Union, 110-15.
of the Treasury Department or other recent arrivals to the state. A handful of Army officers, among them General Shepley, were Radicals.

The third group was called the Conservative Unionists. Primarily native planters and businessmen, they preferred retaining the institution of slavery. Obviously, most Conservatives did not want blacks to be given any rights. Two of the most prominent Conservatives were J. Q. A. Fellows and Edmund Abell. Although all three factions supported the Union and wanted Louisiana fully reinstated, their views on slavery and Negro rights kept them divided. Over the next several months, any ex-Confederates who became eligible to participate in politics joined the Conservative Unionists, which made them even more conservative. The factions drifted farther apart through the summer of 1863.33

In August Lincoln ordered Banks to create a new constitution for Louisiana. The President desired the state to abolish slavery on its own, since a new constitution which disallowed slavery would help convince the North that Louisiana was sincerely redressing its own faults. Of course, such a constitution must be written by civilians, but Lincoln urged Banks to expedite the process as much as possible. Shepley had appointed Durant registrar of voters, and Lincoln presumed that a registration drive was under way. Lincoln also suggested that Banks

establish some Negro schools, a project which the general had already started on his own.  

But Lincoln was mistaken about the voter registration. Despite later additional orders from Secretary of War Stanton, Shepley did not press Durant in his duty. The registrar hesitated to enroll voters until the Radicals gained additional strength. Banks learned that few new voters were on the rolls, and he cancelled the scheduled November Louisiana congressional election. Two Conservative Unionists claimed to have been elected anyway. Neither Banks nor Shepley acknowledged the voting as valid, and Congress did not seat the Conservatives. All this caused Lincoln to tell Banks that he was "bitterly" disappointed over Louisiana's political difficulties. The President wanted a new registration effort at once to form "a tangible nucleus which the remainder of the State may rally around. . . . "

Early in December Lincoln issued a "Proclamation of Amnesty and Reconstruction," better known as his Ten Percent Plan. It was not really a "plan" at all, but a tentative guideline designed to entice the Southern states away from the Confederacy. The President offered amnesty to all Confederates except high civil and military leaders. To receive amnesty, Southerners were required to swear an oath of future loyalty and agree to abide by all wartime measures on slavery. When ten percent of the voters in the 1860 presidential election in any one state

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had sworn this oath, a new loyal state government could be formed, and once this government abolished slavery, the chief executive would consider the state reconstructed. Any congressmen or senators elected by these states still required the approval of Congress itself before they were seated. This proclamation indicated that Lincoln believed the executive was responsible for leading the Reconstruction process. But in no way did the President demand congressional recognition of any new governments that might come into being. Lincoln was relying primarily on General Banks and Louisiana to demonstrate the feasibility of his proposal.36

To do all that the President wanted, Banks claimed he must have control over all facets of Reconstruction in Louisiana. He requested that Shepley be transferred and Durant be removed as registrar. Lincoln soothingly replied that all along he had intended for Banks to be the complete "master" of Louisiana, both civil and military. Shepley was there simply to "assist" the department commander. But Lincoln insisted that Durant stay in his job. It was important, he said, for representatives of all factions to participate in the "free state reorganization of Louisiana, in the shortest possible time."37

Banks, reassured by Lincoln's letter, began a voter registration drive and designated February 22, 1864, as the election date for governor, lieutenant governor, and other executive offices. Prospective voters were required to take the oath of future loyalty in Lincoln's


proclamation. Furthermore, Banks declared that on March 28 delegates to a constitutional convention would be chosen in a separate canvass. In both of these elections Banks altered the old Louisiana constitution of 1852. By decree he increased the number of legislators to be elected from New Orleans, which in the past had been discriminated against in favor of higher representation from the rural parishes. Similarly, more delegates to the constitutional convention would be allowed from the Crescent City. 38

Some political leaders, particularly several Radicals, believed that Banks had purposefully reversed the logical sequence of the elections. The constitutional convention should come first, they contended, before the election for state officers. Apparently, Banks and Hahn, working closely together, concluded that holding the gubernatorial election first was likely to strengthen the Moderate faction and put them in a better position to influence the drafting of the constitution.

At the Free State Party convention on February 1, 1864, the Radical and Moderate Republicans split over their nominee for the governorship. The Radicals angrily quit the hall and, convening separately, nominated Benjamin F. Flanders. Michael Hahn easily obtained the Moderates' endorsement. In an unusual effort to attract broad support, both groups selected James Madison Wells for lieutenant governor. Wells was a native Louisiana planter from Rapides Parish. The obvious division of

the Free-Staters fired the hopes of the Conservatives, who put forth their own candidate for governor, J. Q. A. Fellows. 39

On election day Banks encouraged Union soldiers to vote. The number of troops which actually cast ballots is disputed, but these votes probably did not affect the outcome of the election. When the vote was tabulated, Hahn won with over 6,000 votes. To the surprise of some, Fellows finished second with almost 3,000 votes. Flanders trailed in third place and tallied only about 2,200 ballots. Wells was handily elected lieutenant governor.

Banks was quite pleased with these results, primarily because Hahn had won. Also, the number of votes was over twenty percent of the ballots cast in Louisiana's 1860 presidential election and thus exceeded the requirements of Lincoln's ten percent plan. Ecstatic, Banks wrote Lincoln that Louisiana "will become in two years, under a wise and strong government, one of the most loyal and prosperous States that the world has ever seen." Unfortunately, like Butler's overly optimistic predictions a few months before, Banks divined more in Louisiana's potential than was actually there. 40

Hahn was inaugurated on March 4. Eleven days later Lincoln replaced Shepley with Hahn, who now also became military governor. 41


40 For the results of the February 22 election see Harrington, Fighting Politician, 144-46; Taylor, Louisiana Reconstructed, 30; John R. Ficklen, History of Reconstruction in Louisiana (through 1868) (Baltimore, 1910), 62. The quote is from Banks to Lincoln, February 25, 1864, in Official Records, Series III, vol. IV, 133-34.

Hahn found the duality of his civil-military governorship cumbersome. The ten percent plan gave the state a semblance of civil administration, but the Army really predominated. With the war continuing, it was impossible to arrange it any other way.

On March 28 Banks carried out the next step on his agenda, the election of constitutional convention delegates. The voters overwhelmingly supported the Moderates, but several Conservatives and a few Radicals were also selected. At the opening session on April 6, the convention chose Edward H. Durrell, a Moderate, as president. A Harvard graduate, Durrell had been a lawyer and judge in Louisiana since 1834.

From the opening gavel until adjournment on July 23, 1864, the convention delegates debated several key issues. It was widely agreed, a few conservatives excepted, that the institution of slavery would be abolished. Whether these new freedmen would receive any rights was unclear. Consideration of suffrage for blacks engendered a lengthy dispute. The proposal was defeated, but the constitution provided that the right of suffrage for Negroes could be granted by an act of the legislature in the future. Other important clauses in the constitution increased representation for New Orleans in the legislature, provided for segregated public schools, and established minimum wages and hours for laborers on public works. The document now faced approval or rejection by the voters. As an afterthought, the delegates passed a resolution giving President Durrell the power to reconvoke the convention if necessary. It appeared possible the charter might be rejected, and therefore the convention might have to meet again to consider revisions or write another constitution. This was apparently the logic that brought about the resolution. The delegates gave slight consideration
to the legality of this unusual procedure in July 1864, a fact which later had ominous consequences for the Army, Louisiana, and presidential Reconstruction.

Soon after the convention sat for its first meeting, General Banks suffered two consecutive defeats at the hands of Confederate forces in north Louisiana. Grand strategy as planned by President Lincoln and Major General Henry W. Halleck called for the Red River campaign of 1864 to be one in a series of successes on all fronts for Union arms that might end the war in that year. Instead, Confederate General Richard Taylor trounced Banks at Mansfield and Pleasant Hill and forced the Northerners to retreat to the lines held at the start of the campaign.

Upon hearing the results of the campaign, Lincoln, with Grant's approval, decided to appoint a new commander in the Southwest. The President appointed Major General Edward R. S. Canby, a West Point graduate and Mexican War veteran, to command the new Military Division of West Mississippi, which included Arkansas, the Texas coast, and all of Louisiana west of the big river. Banks remained in a secondary capacity as commander of the Department of the Gulf and concerned himself mainly with political activity in Louisiana. It took Canby several days to make the trip from Washington, D.C. to New Orleans.

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42 The most thorough account of the convention is McCrary, "Lincoln and Louisiana," 280-312. See also Caskey, Secession and Restoration, 116-40; Ficklen, Reconstruction in Louisiana, 67-87; Harrington, Fighting Politician, 147-48; Taylor, Louisiana Reconstructed, 43-52, 104.

where he assumed command on June 9, 1864. Thereafter, Canby focused his
attention primarily on field operations. 44

Meanwhile, Lincoln ordered Banks to prepare an election for state
legislators, congressmen, and ratification or rejection of the new
constitution. On September 5 Louisiana conducted its fourth election
under military supervision since 1862. The constitution was approved by
a six to one margin. The voters selected three congressmen and a new
state legislature. 45

It appeared then that Banks had done all that was possible in
Louisiana. In September 1864 the President ordered Banks to Washington,
where the general lobbied in Congress for the acceptance of Louisiana's
congressmen and the recognition of the new state constitution. Banks
remained in the nation's capital until March 1865. However, all of his
best efforts were unproductive. The hopeful Louisianians were not
seated, and the state was left with an unapproved civil government
overshadowed by military power. 46

Major General Stephen A. Hurlbut was chosen to replace Banks as
commander in the Department of the Gulf. Born in South Carolina,
Hurlbut had moved to Illinois where he prospered as a lawyer and
Republican politician. He led volunteers at Shiloh, participated in the

44GO No. 192, ACO, May 7, 1864, in Official Records, XXXIV, Pt. 3,
p. 490; Halleck to E. R. S. Canby, May 7, 1864, ibid., Pt. 3, pp. 491-92;
AAG Oliver Matthews to Lt. Lyon, June 8, 1864, ibid., Pt. 4, p. 265;
Warner, Generals in Blue, 67-68; Max L. Heyman, Prudent Soldier: A
Biography of Major General E. R. S. Canby, 1817-1873 (Glendale, Cal. ,
1959), 206-33; Harrington, Fighting Politician, 159-60.

45Lincoln to Banks, August 9, 1864, in Basler (ed.), Works of
Lincoln, VII, 486; Harrington, Fighting Politician, 149.

46Belz, Reconstructing the Union, 268; Harrington, Fighting
Politician, 163-65; McCrery, "Lincoln and Louisiana," 342-49.
Corinth campaign, and later commanded the Memphis garrison under Major General William T. Sherman. Upon taking command, Hurlbut immediately ran afoul of Governor Hahn. The responsibilities of department commander and military governor were still unclear, and Hurlbut attempted to increase his own powers. For example, he placed restrictions on gambling halls and required licenses for all houses of prostitution in the Crescent City. Moreover, he closed all amusement and gaming places on Sundays.47

Governor Hahn objected to Hurlbut's orders and claimed that the Army had needlessly invaded the domain of civil government. Hahn, born in Bavaria in 1830 and a resident of Louisiana since 1851, took his office very seriously and resented Hurlbut's intrusions. The real core of the dispute was the status of Louisiana's government. In a letter to Canby's headquarters, Hurlbut called "the present civil government of Louisiana . . . an experiment liable to be cut short at any time by military orders." Until "approved and received by Congress," the state was "wholly within the scope of martial law." For his part, Canby recognized the need for both practical and political judgment when dealing with Louisiana's peculiar government, supported as it was by the President. But Canby concluded that "all attempts at civil government, within the territory declared to be in insurrection, [were] the creation of military power, and of course subject to military revision and control."48

47 Warner, Generals in Blue, 244-45; CO No. 139, Dept Gulf, September 23, 1864, in Official Records, XLI, Pt. 3, p. 316; Capers, Occupied City, 117-18; Futrell, "Military Government in the South," 191.

The presidential election of 1864 confirmed the opinions of the two military commanders. Lincoln received Louisiana's electoral votes. However, Congress neglected to count these votes when it became clear that the President was reelected without them. This unorthodox procedure cast great doubt on the validity of Louisiana's government. Canby and Hurlbut seemed to favor the Conservatives and operated a military government rather than use the full possibilities of the Constitution of 1864. Governor Hahn's powers were so weak that he could not fill vacancies on a public works commission. Hurlbut did so instead. If wartime Reconstruction was to succeed, an end to bickering was imperative. Lincoln stressed to Canby that it was "a worthy object to again get Louisiana into proper practical relations with the nation. . . . Much good work [was] already done, and surely nothing can be gained by throwing it away."

Unfortunately for Lincoln and his followers, a majority of Congress did not find "much good work" in Louisiana. In February 1865, after heated debate over the issues, the national legislature refused to seat the Pelican State representatives. Presidential Reconstruction remained incomplete.

49Taylor, Louisiana Reconstructed, 54.

50Lincoln to Hurlbut, November 14, 1864, and Lincoln to Canby, December 12, 1864, in Basler (ed.), Works of Lincoln, VIII, 107, 164. For the continuing struggle between Hurlbut and Hahn, see Hahn to Hurlbut, and reply, both December 1, 1864, in Official Records, XLI, Pt. 4, pp. 735-38. For an article which supports Hahn and gives his background, see Amos E. Simpson and Vaughn B. Baker, "Michael Hahn: Steady Patriot," Louisiana History, XIII (Summer, 1972), 229-53.

In spite of this setback, Louisiana Free State leaders continued as if it were only a matter of time before Congress accepted Lincoln's ideas on restoration. Governor Hahn quit the anomalous governorship. The Louisiana legislature elected him to a vacant seat in the U. S. Senate, but the solons refused Hahn admission just as they had turned down Louisiana's congressmen-elect. Now without the influence of either office, Hahn's importance faded.  

James Madison Wells was inaugurated governor of Louisiana on March 4, 1865, replacing "Senator" Hahn, and the new executive quickly gauged the shifting political winds in the state. Returning Confederate veterans had about them an air of determination. Most of them gave no public expression of their section's defeat. To the contrary, an unquenched defiance remained in the hearts of many ex-soldiers. Slavery was gone, and the Confederates understood this. Yet they refused to admit that the social fabric woven over so many decades in the South had been irrevocably ripped apart. Southern leaders, and Wells among them, knew that unless Congress passed extraordinary legislation to deprive the Confederates of their voting rights, these veterans comprised the constituency of the future.  

After Wells had been in office a few days, General Hurlbut permitted him to appoint Dr. Hugh Kennedy mayor of New Orleans. Kennedy was the first civilian to hold the office since the military had arrived in 1862. The mayor's pro-Confederate sympathies soon became evident.  

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Wells, who at first associated with the Moderates, gradually associated himself with the Conservatives. Instead of the Republican Hahn in office, as the war went through its final agonies, a neo-Democrat was governor of the Southern state which had been longest under Federal occupation. 54

To unsettle matters further, General Hurlbut decided to resign from the Army. Obviously, Louisiana needed a new commander. Canby recently had concentrated his efforts on the capture of Mobile, Alabama, which eventually fell on April 12. He knew that Louisiana needed evenhanded leadership, with emphasis on firmness. Lincoln disappointed Canby, however, by reassigning N. P. Banks to the Pelican State. 55

Before Banks reached New Orleans, exhilarating and shocking news struck the country. On April 9, 1865, the Army of Northern Virginia led by General Robert E. Lee surrendered at Appomattox. A few days later, as the North celebrated, John Wilkes Booth mortally wounded President Lincoln in Ford's Theater. An uneasy feeling gripped many Northerners as Andrew Johnson, a former Democrat and former slaveowner from Tennessee, was sworn in as President. The new chief executive was heartened by the surrender of General Joseph E. Johnston's tired Confederates in North Carolina. Only one major Southern field force now remained, General Edmund Kirby Smith's army in Louisiana and Texas.

Meanwhile, Banks resumed command of the Department of the Gulf on April 22. Following Hahn's resignation, Banks had to work with a new


55 Canby to U. S. Grant, March 5, 1865, in Official Records, XLVIII, Pt. 1, p. 1092; SO No. 132, AGO, March 18, 1865, ibid., 1206; Hurlbut to Canby, April 23, 1865, ibid., Pt. 2, p. 163.
governor who showed himself at odds with the programs and government
Banks had patched together over many months. Wells' conservative
appointees displeased Banks, and he replaced several of them, including
Mayor Kennedy with Army officers and cooperative civilians. Kennedy
protested his removal, and Canby allowed him to be reinstated over the
lame objections of Banks, who resigned from the Army.56

On May 17 the Adjutant General's Office in Washington created a new
command structure for the military departments. The Military Division
of West Mississippi was abolished, and Canby took charge of an expanded
Department of the Gulf, which included Louisiana, Mississippi, Alabama,
and Florida.57

After his resignation, Banks remained in Louisiana for several
months. He occupied himself with a law practice and sought support for
the Moderates. His impact was negligible and his advice often
disregarded. Finally, in disgust, Banks returned to Massachusetts in
September 1865.58 Before he left, Banks had the opportunity to observe
the manner in which professional soldiers handled Reconstruction. He
could easily have concluded that the challenges of Louisiana politics
were no easier for West Pointers to master than they had been for him
and Butler.

56 GO No. 42, Dept Gulf, April 22, 1865, in ibid., Pt. 2, pp. 156-
57; Kendall, History of New Orleans, I, 297.

57 GO No. 95, AGO, May 17, 1865, in Official Records, XLVII, Pt. 2,
p. 475.

58 Banks was active in Massachusetts and national politics for many
years as a state senator, congressman, and U.S. marshal. See
Harrington, Fighting Politician, 166-69 and passim.
CHAPTER II
SHERIDAN, CANBY, AND "THE SEED OF THE REBELLION"

General in Chief Ulysses S. Grant considered several major generals for assignments to the new Army military divisions. For several reasons, he selected Philip Henry Sheridan to deal with the problem presented by General Edmund Kirby Smith's Confederate troops west of the Mississippi River. "Little Phil" Sheridan stood only five feet five inches tall, but he was an aggressive fighter. He had revamped and revitalized the cavalry of the Army of the Potomac. Later, Sheridan directed an independent army to victory over Confederates in the Shenandoah Valley, and this campaign made him a hero throughout the North. Moreover, friendship bound Grant and Sheridan, a comradeship built upon mutual respect and nurtured through battles from Mississippi to Appomattox. After the ceremonies there, the General in Chief gave his diminutive friend one of the little tables used for preparing the surrender papers. The next month, on May 17, 1865, Grant drafted orders posting Sheridan to command the Military Division of the Southwest.¹

¹Sheridan was born to Irish immigrant parents on March 6, 1831, probably in New York City, but possibly on the ship from Ireland shortly before it arrived in America. [See Lawrence Frost to John M. Carrol, March 16, 1972, in John M. Carrol, Custer in Texas (New York, 1975), 25n.] The Sheridan family soon moved to Ohio, where Phil spent his childhood. In 1848 he received an appointment to West Point. After taking an extra year to complete the four-year course (he was suspended for fighting with an upperclassman) Sheridan graduated in 1853. See Richard O'Connor, Sheridan the Inevitable (Indianapolis, 1953), 18-38.
At first this assignment disappointed Sheridan because his orders required him to leave Washington before the Grand Review of the Union Army, scheduled for May 23 and 24. A personal meeting with Grant convinced Sheridan of the need for quick action. Find Kirby Smith, Grant said, and demand his surrender or defeat him in the field.

General Edward R. S. Canby in Louisiana and General Joseph J. Reynolds in Arkansas had already been notified that Sheridan would be in overall command of their troops. Grant also ordered the Fourth Corps at Nashville and the Twenty-fifth Corps in Virginia to proceed to the Southwest as reinforcements. Once assembled, this powerful force could certainly overpower Kirby Smith.

Grant then disclosed an additional unwritten feature of Sheridan's orders. As Sheridan knew, in 1861 French armies of Emperor Napoleon III had invaded the Republic of Mexico. Achieving a tenuous hold on the country, Napoleon seated Austrian Archduke Maximilian on the throne of a new "empire." Secretary of State William H. Seward had vigorously, but fruitlessly, protested this violation of the Monroe Doctrine. The invaders benefited from the misfortune of a United States caught in the throes of secession and Civil War. But in May 1865 that situation had changed. Large veteran American armies stood ready to drive Maximilian from Mexico if he did not leave voluntarily. Sheridan's mission included protecting the Rio Grande frontier and possibly invading Mexico. He was to leave immediately and until he reached his headquarters in New Orleans, Canby temporarily commanded the division.²

As he traveled south from Washington, Sheridan learned that Kirby Smith had surrendered. Confederates in western Louisiana quit the field on May 26, and those in east Texas capitulated on June 2. Sheridan had hoped to deliver the coup de grace himself, but was pleased that the War of the Rebellion had ended. The domestic hostilities over, Sheridan's staff began to prepare elaborate plans for an invasion of Mexico, while the general sought advice on the best defensive positions for his own troops along the Mexican border. Several garrisons remained on duty in Louisiana; the Army established others in north and central Texas.  

Sheridan and Grant shared similar opinions on the problem of the French in Mexico. Both officers favored action against Maximilian's puppet regime. Sheridan called the Austrian duke "a part of the rebellion," and Grant believed the Civil War would not end until the French were expelled from Mexico.  

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Sheridan to Grant, June 4, 1865, in Grant Papers. For Grant's opinions see especially Grant to Sheridan, August 13, 1865, ibid. See also Howard K. Beale (ed.), The Diary of Gideon Welles (3 vols., New York, 1960), II, 317, 322.
Grant therefore had given Sheridan plenty of troops for the task. More than 30,000 soldiers had been ordered to Louisiana and Texas, including 8,000 cavalrmen under veteran generals George A. Custer and Wesley Merritt. Some of these troops went directly to Texas, while others (some of whom had only recently enlisted) trained and organized at Alexandria and Shreveport in Louisiana before moving into Texas in August. Canby distributed his 25,000 troops throughout Louisiana, but an order from Sheridan might relocate them at any time. Likewise, Reynolds prepared his 12,000 soldiers in Arkansas for any new directives.

In late June Sheridan made an inspection tour of his division.

Upon returning from Texas, Sheridan sent Grant a report filled with information about Mexico. The French had obtained some cannon and other equipment which had belonged to the Confederacy. Under Kirby Smith's surrender terms, this war material reverted to the United States, but some recalcitrant Southerners had instead transported the guns into Mexico. Grant ordered Sheridan to demand the return of the artillery, but not to cross the border without authorization from the War Department.

Sheridan struggled with the problem dealing with the French in Mexico, but soon a vexing situation developed which he and other

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5Sheridan to Grant, June 8 (two communications) and June 13, 1865, in Grant Papers; Manuscript Returns, Dept Gulf, June 1865, in Records of ACO, RG 94, NA; Rister, Border Command, 9, 11; Sheridan to John A. Rawlins, June 19, 1865, in Official Records, XLVIII, Pt. 2, pp. 924-25; Sheridan to Rawlins, June 28, 1865, ibid., p. 1014; William L. Richter, "The Army in Texas During Reconstruction, 1865-1870" (unpublished Ph.D. dissertation, Louisiana State University, 1970), 43-47; Jay Monaghan, Custer: The Life of General George Armstrong Custer (Boston, 1959), 256-60.

6Sheridan to Grant, June 28, 1865, Grant to Sheridan, July 1, 1865, in Grant Papers.
officers had experienced during the Civil War—the conflict of overlapping commands. The Military Division of the Southwest included all of the area west of the Mississippi River and south of the Arkansas River, roughly consisting of southwest Arkansas, the Indian Territory, Texas, and most of Louisiana. However, Louisiana also belonged to Canby's Department of the Gulf, which additionally contained Mississippi, Alabama, and Florida. Canby usually tendered help quickly and did not hinder the operation of the division. On the other hand, he sometimes responded to Sheridan's orders with the tone of an equal rather than a subordinate. Therefore Sheridan requested outright control over Canby's department, and in July 1865 the War Department responded by creating a new conglomerate called the Military Division of the Gulf, which contained Indian Territory, Arkansas, Mississippi, Florida, Texas, and Louisiana. Sheridan held supreme command over all troops in these states. Eventually this unwieldy arrangement was discarded, and the division was reduced to Florida, Texas, and Louisiana. Canby, who had previously directed a department with four states, now commanded in only one, Louisiana.  

7Sheridan to Rawlins, July 7, 1865, Grant to Sheridan, July 6 and 13, 1865, ibid.; GO No. 95, AGO, May 17, 1865, in Official Records, XLVIII, Pt. 2, p. 475; Sheridan to Rawlins, June 29, 1865, ibid., pp. 1024-25; Sheridan to Rawlins, July 3, 1865, ibid., p. 1042; GO No. 1, MilDivGulf, July 17, 1865, ibid., p. 1087. Initially Texas and Louisiana formed one department, commanded by Canby, within the Division of the Gulf. In August, on Sheridan's request, each state was appropriately made a separate department. Canby remained in Louisiana (see GO No. 24, August 6, 1865, in GO, Dept La, RG 393, NA). In October, Mississippi was shifted to the Military Division of the Tennessee (see GO No. 142, AGO, October 7, 1865, in Official Records, XLVIII, Pt. 2, p. 1238). In August 1866 the Military Division of the Gulf became the Department of the Gulf, containing only Florida, Texas, and Louisiana (see GO No. 59, AGO, August 6, 1866, in Philip H. Sheridan Papers, Department of Manuscripts, Library of Congress).
As other generals had done after the Mexican War, Canby and Sheridan commanded troops who had to occupy hostile territory. Martial law was commonplace throughout the South, but the Army gave its generals no clearly defined mission or goal at the outset of postwar occupation. No one knew how long the Army would remain after civil governments resumed operations. For a time, at least, "American soldiers would regulate the lives of millions of other Americans," while civil officials in Washington decided exactly how the former Confederate states would resume their places in the Union.

Canby enforced martial law and wrestled with most of the sticky political questions of military government. Sheridan, however, intervened in Louisiana Reconstruction only from time to time, devoting his main attention to the Texas frontier. Since 1862 the military, as a matter of course, had dominated politics in Louisiana. Canby had inherited a variety of de facto powers from his predecessors, Butler and Banks. Soldiers worked intimately with Treasury agents and other bureaucrats. These officials carried out the important task of confiscating cotton and other property owned by the Confederate government. Butler had started the confiscation of Confederate holdings, but Banks relaxed enforcement of the Confiscation Act of 1862. Working under this law, special agents of the Treasury Department, assisted by Canby and his troops, confiscated millions of dollars worth of derelict property. Benjamin F. Flanders, the Radical political leader, became one of the

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8Benjamin P. Thomas and Harold M. Hyman, Stanton, The Life and Times of Lincoln's Secretary of War (New York, 1962), 437.
most active Treasury agents, collecting more than five million dollars worth of materials for the Federal government.\(^9\)

One of Flanders' assistants found that the Army did not always cooperate with the special agents. When the Federal commandant of Alexandria unexpectedly withdrew a guard from several bales of confiscated cotton, unknown "parties" made off with the valuable white stuff. The agent lamented that everyone in the "Cuntry" wanted "to take all they [could] from the government."\(^{10}\) Nevertheless, the provost marshal usually assigned guards for material consigned to Flanders in New Orleans. Soldiers protected confiscated property both in transit and at storage depots. Some cotton and other goods undoubtedly had belonged to the Confederate government, but other commodities were privately owned. Flanders and other Treasury agents decided ownership disputes and usually ruled against private individuals.\(^{11}\)

Canby believed that the trouble and disagreements caused by cotton outweighed the value of the revenue it brought to the government. The

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\(^{10}\) J. McCarthy to O. H. Burbridge, Report of March 15, 1866, in Benjamin F. Flanders Papers (Department of Archives and Manuscripts, Louisiana State University Library, Baton Rouge). A similar incident was reported by AAG Wickham Hoffman to Gen. Andrew J. Smith, November 11, 1865, in Dept Gulf, vol. 79, RG 393, NA.

\(^{11}\) For the Army's duties as guardians of confiscated property see SO Nos. 90 and 93, Dept Gulf, April 23 and 27, 1866; Col. W. S. Mudgett to AAG Hoffman, April 24 and 28, 1866; Lt. Col. De Witt Clinton to Benjamin F. Flanders, May 1, 1866; for an example of a decision on a private claim see B. J. Brown to Col. C. H. Beers, March 10, 1866, all in Flanders Papers. Canby's close cooperation with Flanders is seen in Canby to W. E. Fitzgerald (Capt., U.S. Navy), June 2, 1865, Dept Gulf, vol. 6, and Hoffman to Flanders, July 26, 1865, Dept Gulf, vol. 79, both in RG 393, NA.
"cotton question in Louisiana," Canby told Secretary of War Edwin M. Stanton, was "so hopelessly complicated by the frauds of speculators, the conflicts and complexity of officers and agents of the Government and the collusion of the planters that ... [it was] ... a dangerous cause of demoralization and dissatisfaction" for the Army. Canby favored returning cotton to local planters who presented reasonably honest claims. In any event, Canby wanted private enterprise to handle the cotton business and to disassociate it altogether from the Army and the Treasury Department. 12

A new organization, the Bureau of Refugees, Freedmen, and Abandoned Lands, supplemented the activities of the Treasury Department. 13 On March 3, 1865, Congress established the Freedmen's Bureau to find jobs for Negroes, regulate their wages, and take legal action against employers who mistreated freedmen. Bureau agents distributed food to the needy of both races and provided assistance to Negro schools. 14

12 E. R. S. Canby to Secretary of War (hereinafter cited as SW), August 12, 1865, Dept Gulf, vol. 79, RG 393, NA.


14 On the Bureau and educational advancement see Bentley, History of the Bureau, 169-70, 174; Engelsman, "Bureau in Louisiana," 191-204; White, Bureau in Louisiana, 170, 179, 190-99. J. W. Alvord, inspector of schools for the Bureau, said in his January 1866 report that great accomplishments had been made in Louisiana education. The report is in Senate Exec. Docs., 39 Cong., 1 Sess., No. 27, p. 112. See also Max L.
Annoyed by the Bureau's actions, some Louisianians left the state, and a few went abroad to escape the extraordinary social changes.15

The Army enforced the rules and regulations of the Bureau, and military officers served as assistant commissioners (i.e., state superintendents) and local agents. At first all the Southern states except Louisiana received an active or retired Army officer as assistant commissioner. In August 1865 Brigadier General Absalom Baird replaced Louisiana's civilian superintendent. Eight men, more than in any other state, served in the office of Louisiana's assistant commissioner between 1865 and 1869. Six of the eight were generals on active duty. By late 1866 the Army had only a few officers attached to the Freedmen's Bureau, although many former soldiers were employed as local agents.16

Aside from cooperating with the Freedmen's Bureau, Canby divided Louisiana into two parts to facilitate administration of the state. The Eastern District, commanded by Major General Thomas W. Sherman, included all land east of the Mississippi River, plus the important towns of Brashear City and New Iberia. District headquarters were in New Orleans. The rest of the state comprised the Western District, commanded for a

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15 H. W. Palfrey to William T. Palfrey, May 11, 1866, in William T. Palfrey Papers (Department of Archives and Manuscripts, Louisiana State University Library).

16 James E. Sefton, The United States Army and Reconstruction, 1865-1877 (Baton Rouge, 1967), 47. Bentley found that as a 'result of this early practice of filling its offices with soldiers . . . the Bureau got a rapidly changing, largely inefficient personnel.' History of the Bureau, 72. White discusses soldiers as ineffective agents in Bureau in Louisiana, 33-37. See also ibid., 20-32.
time by Canby’s brother-in-law, Major General John P. Hawkins. Later Major General Andrew J. Smith took over the district.17

The headquarters of the Western District was located in Alexandria, a town General Custer's wife Elizabeth learned "had been partly burned during the war, and was built up mostly with one story cottages." The site of a large cavalry training depot, as well as district headquarters, the little town bustled with activity, but Libbie Custer "found everything a hundred years behind the times." Federal troops moved into the rough, pine-log quarters formerly occupied by Confederates outside the town. Alexandria experienced a short-lived economic boom as general stores and other local businesses prospered by soldiers' patronage or purchase orders for construction materials and other supplies.18

In contrast, the economy of New Orleans suffered because the city attracted the unemployed and destitute of both races. Throughout 1865 and 1866 the Army donated tons of provisions to the needy, particularly those located in the city's charitable institutions. Along with food, the military quartermaster and commissary regularly supplied wood and coal to the New Orleans Orphan Asylum, St. Mary Dominican Convent, St. Joseph Orphan Asylum, Convent of the Good Shepherd, and the Soule Asylum for Colored Children, among others. Similar distributions were also made in other towns.19

17GO No. 4, Dept La & Texas, July 20, 1865, in Official Records, XLVIII, Pt. 2, pp. 1094-95; Senate Exec. Docs., 39 Cong., 1 Sess., No. 13, p. 2. These districts were discontinued in 1866. See GO No. 11, Dept La, January 30, 1866, and GO No. 35, Dept La, April 21, 1866, in GO, Dept La, 1866, RG 393, NA. (Brashear City later was renamed Morgan City.)

18Elizabeth B. Custer, Tenting on the Plains (New York, 1887), 74; Alexandria Louisiana Democrat, October 29, 1879.

19For example, the Army also gave supplies to groups and individuals
Along with taking care of the needy, the Army entered the arena of business and finance. Since the city's surrender, New Orleans banks had operated under military control. Butler, Banks, and Canby had appointed Army officers to serve on or supervise the boards of directors of local banks. After the cessation of hostilities, Canby initiated plans for their reversion to civilian management. By January 1866 most of the banks again had civilian directors, but a few remained under military control until later that year. A similar situation existed with regard to several railroad companies, which had been managed for several months by panels of military officers. Canby held meetings with New Orleans city officials, Governor J. Madison Wells, and the Army officers who temporarily operated the railroads to determine when and how the lines would return to private control.20

Louisiana's Confederate veterans sometimes used these railroads to return home, and the presence of so many former Johnny Rebs became a cause for concern among Canby and his subordinates. The ex-soldiers became common sights, clustered in small groups or standing alone in the

in Franklin and Baton Rouge. See AAG Hoffman to Gen. Robert A. Cameron, June 7, 1865, in Lafourche Dist., Letters Recd. (Lafourche was a subdistrict in southern Louisiana.) Hoffman to CO, Baton Rouge, November 30, 1865, in Dept Gulf, vol. 79; Capt. E. R. Ames to Quartermaster, Dept La, January 17, 1866, in Dept Gulf, vol. 80; AAG George Lee to Quartermaster C. G. Sawtelle, June 29 and July 2, 1866, in Dept Gulf, vol. 248; AAG Schuyler Crosby to Sawtelle, October 30 and 31, 1866, in Dept Gulf, vol. 258. All of the above in RG 393, NA. See also Wickham Hoffman, Camp, Court, and Siege (New York, 1877), 108.

20Grant to Canby, June 3, 1865, in Official Records, XLVIII, Pt. 2, p. 743. Canby to Governor of Louisiana, November 17, 1865; Canby to C/S James Forsyth, November 30 and December 1, 1865; Canby to Andrew Johnson, December 9, 1865, all in Dept Gulf, vol. 79, RG 393, NA. CO No. 2, Dept La, January 5, 1866, in CO, Dept La, 1866, RG 393, NA. See also Stephen A. Caldwell, A Banking History of Louisiana (Baton Rouge, 1935), 97-98; and Grant to Sheridan, April 2, 1866, in Letters Recd, MilDivGulf, 1866, RG 393, NA.
railway stations, on the streets, and in the stores. Some veterans publicly carried a variety of lethal weapons, especially knives and pistols. Despite this bravado, veterans often came back penniless and without prospects. Army garrison commanders around the state usually let the former Confederates alone as long as they did not disturb the peace. However, reports increased of so-called jayhawk bands roaming throughout the state.  

Made up of armed riders and usually attacking at night, the jayhawkers indiscriminately looted and robbed both pro-Unionists and pro-Confederates. General Sherman issued a circular in the Eastern District warning all "Guerrillas and Jayhawkers" to cease their criminal activities or suffer the severest consequences. The circular emphasized that all suspected jayhawkers would be tried by military commissions instead of civilian courts. Even with 25,000 troops in Louisiana, Canby found it difficult to protect every parish thoroughly. Colonel Charles L. Norton, commanding the 98th U. S. Colored Infantry at New Iberia, believed that "beyond the immediate vicinity of U. S. troops lawlessness prevails to a great extent." Canby ordered frequent patrols outside the garrison towns, and he reminded the people that martial law still applied in the state. Gradually, rural turbulence declined, as men found jobs in Louisiana or other states. Jayhawking decreased and eventually disappeared.  

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In the summer and fall of 1865 Canby directed the military government of Louisiana virtually in the same manner as Banks had during the war. Although Secretary of War Stanton instructed Canby to cooperate with Governor Wells "and not to interfere with" the government except to preserve "the peace and security of the department," no orders from Sheridan, the War Department, or the President had changed ultimate military control over civilians.  

A few days after Kirby Smith surrendered, Wells asked Canby to remove all civil officials appointed by military orders prior to March 4, 1865, the day Wells was inaugurated. The governor claimed that many of these appointees had disobeyed his directives and obstructed the orderly return to complete civil control of the state government. This was true, at least from Governor Wells' point of view. Many of the Unionist or Republican officeholders used Wells' pro-Confederate sympathies to justify disregarding his orders.  

Canby responded after giving the matter "serious consideration." All military appointments would stand, he wrote, unless the governor demonstrated just causes for removal, such as malfeasance, negligence, or some criminal offense. Of course, incumbents could be turned out if authorized elections were held. Otherwise, Canby wanted to know which men offended Wells. Any substitution, of course, had to be ordered by himself, not by Wells. The general did not mean to discourage the

Lafourche Dist; AAG Hoffman to Gen. Thomas W. Sherman, December 5, 1865, in Dept Gulf, vol. 79, all of above in RG 393, NA.


24 J. Madison Wells to Canby, June 10, 1865, ibid., p. 54.
governor by this reply. In fact, Canby said he hoped to give up "as
soon as possible ... all questions of civil administration," and
pledged to help Wells resume the full powers of the governorship. 25

However, by September 1865 Canby grew worried about the number of
ex-Confederate advisors that Wells was bringing into his administration.
Moreover, the governor was getting along handsomely with the pro-
Confederate mayor of New Orleans, Hugh Kennedy. Canby removed several
members of the Orleans parish school board because of their former
Confederate ties. Mayor Kennedy protested that Canby had insufficient
grounds to remove the men, and, reluctantly, the general reinstated the
board members. Wells accused some officials in other parishes of
negligence in their duties, and Canby agreed to replace a few of them.
In his executive capacity, Wells appointed several temporary office-
holders in parishes which had been under Confederate control at the time
of the surrender in May. Most of the governor's appointees were ex-
Confederates. Canby recognized that by these moves Wells had prepared a
base of support for himself in the upcoming state-wide elections in
November. 26

To solidify his position, Wells ordered a new registration of
voters throughout Louisiana. Thousands of Confederate veterans of all
ranks, taking advantage of President Johnson's Proclamation of Pardon
and Amnesty, immediately regained their political rights. Johnson's

25 Canby to Wells, June 19, 1865, ibid., p. 55.

26 Canby to Carl Schurz, September 8, 1865, ibid., p. 56, and see
also ibid., p. 12. Taylor, Louisiana Reconstructed, 61; Walter M.
Lowrey, "The Political Career of James Madison Wells," Louisiana
Historical Quarterly, XXXI (October, 1948), 1040-41; John R. Ficklen,
History of Reconstruction in Louisiana (through 1868) (Baltimore, 1910),
106.
proclamation formed the basis for his own executive plan of Southern Reconstruction. Like Lincoln, Johnson assumed that the President was mainly responsible for restoration. His initial proclamation in May, and three others which subsequently followed, recognized the Wells government in Louisiana, and similar ones begun under Lincoln in Tennessee and Arkansas. Virginia's "loyal" government in exile returned to Richmond from West Virginia. For each of the remaining seven states of the former Confederacy, Johnson appointed a provisional governor, who would register voters and see that the state adopted a new constitution which abolished slavery, repudiated Civil War debts, and voided the ordinance of secession. Under this mandate, Wells called for voters to register. The President gave pardon and amnesty "to all persons who participated in the . . . Rebellion" with certain specific exceptions. Some of these exceptions were identical to those groups which Lincoln had excluded: civil and diplomatic officials of the Confederate government, all governors and other important civil officers of the rebellious states, and all officers above the rank of colonel in the army or captain in the navy. But Johnson also excluded another distinctive cluster of Southerners: anyone who "voluntarily participated in said rebellion and the estimated value of whose taxable property [was] over $20,000." By this last exception, Johnson snubbed his longtime personal foes, the rich Southern planters. However, anyone initially denied a pardon could receive one if he applied individually to the President. Johnson apparently derived great personal satisfaction from pardoning thousands of ex-Confederates, especially the wealthy planters. Upon taking a simple oath of future loyalty to the United States, similar to
the one in Lincoln's old ten percent plan, a former Confederate could
regain his political rights.  

In Louisiana prospective voters took the required loyalty oath, registered to vote, and prepared to support Wells in November. The old Moderate Unionists and the once again respectable National Democrats both nominated Wells for governor. He ran virtually unopposed. The old Conservatives nominated former Confederate governor Henry Watkins Allen. Self-exiled in Mexico, Allen was in no position to protest his unwanted candidacy. These contestants left the Radicals without a candidate to support. They showed their dissatisfaction by holding a separate, unauthorized election for a special "territorial delegate" to Congress, in which blacks would be allowed to vote. The Radicals announced that, because Louisiana had seceded, it must be considered a territory once again. The nominee for "delegate" was a flamboyant ex-Union colonel from Missouri named Henry Clay Warmoth.  

Canby ordered the commanders of all posts and camps to hold their troops "well in hand" on election day, but to be prepared if necessary "to keep the peace at the polls." The election on November 6 passed off quietly, despite Canby's forebodings. Wells easily retained the governorship. So many former Confederates won seats in the legislature


that its next meeting promised to look like a convention of regimental reunions. 29

The disgruntled Radicals tried to be jubilant over Warmoth's election to the ineffectual position of "territorial delegate" to Congress. In Washington Warmoth favorably impressed Republican leaders, but predictably Congress refused him a seat. Although only twenty-two years old, Warmoth remained popular with unenfranchised Louisiana Negroes, whose support had propelled him into the front ranks of Southern Republican politicians. 30

Governor Wells called the legislature into special session on November 23. The most important laws passed in this session were statutes known collectively as the Black Code, which forced Negroes to work at agricultural labor and closely restricted their personal rights. The Code attempted to put the Negroes under the planters' supervision instead of that of the Freedmen's Bureau and the Army. Canby did not like the laws, but believed that he could not void these acts of the state legislature. One by one other Southern states each passed similar Black Codes. All across the North, politicians and citizens commonly viewed the Codes as a device to re-enslave the Negro. 31

29 CO No. 59, Dept La, October 21, 1865, in CO, Dept La, 1865, RG 393, NA; Taylor, Louisiana Reconstructed, 73, 78; Willie M. Caskey, Secession and Restoration of Louisiana (Baton Rouge, 1938), 173-78.


31 Taylor, Louisiana Reconstructed, 39, 100-101; Caskey, Secession and Restoration, 188-91; McKittrick, Andrew Johnson, 10; Roland P. Constantin, "The Louisiana 'Black Code' Legislation of 1865" (unpublished M.A. thesis, Louisiana State University, 1956).
Wells' victory in the recent canvass gave the state an elected governor and legislature, but the New Orleans municipal government continued to operate through a combination of military appointees and elected officials. Therefore, in January 1866 Sheridan authorized Canby to schedule a municipal election for the Crescent City. Sheridan left the preparations and conduct of the balloting entirely up to Canby, who knew that Mayor Hugh Kennedy and some of the city councilmen had been receiving graft and were involved in a variety of illegal activities. The general logically prohibited any incumbent from selling city property or granting any work contracts until after the election. Wells, siding with Kennedy and the city council, claimed that Canby's interference infringed on the legitimate operation of the city's business. Nevertheless, Canby's order was obeyed, and he picked March 12 as election day. 32

Wells, Kennedy, and their cronies nominated Joseph H. Moore for mayor. Moore's opponent was none other than former Mayor John T. Monroe, who had held the position when General Butler arrived in 1862. Monroe won the election, despite the fact that he had not been pardoned by President Johnson. Canby refused to allow Monroe to take office and appointed the chairman of the city council acting mayor. As was the case with the legislature, ex-Confederates dominated the new city council. Undaunted, Monroe immediately applied for the necessary pardon, and President Johnson obligingly complied with the request. On May 15, 1866, Monroe again became mayor of New Orleans. Canby now faced a state

32 Sheridan to Grant, January 5, 1866; Sheridan to Cyrus B. Comstock, March 2, 1866, both in Grant Papers; Heyman, Canby, 283-85.
government dominated by men who only a few months before had been fighting against the Union. 33

During all of the foregoing events, Sheridan concerned himself with activities in Mexico and along the Rio Grande. He and Grant frequently communicated about problems south of the border. At a cabinet meeting in July 1865 the President and his advisors discussed the possibility of war because of the Mexican crisis. 34

Sheridan made two trips to Texas in the summer--July 20-August 1 and August 31-September 20, 1865. Upon returning from the first visit, Sheridan urged an invasion of Mexico and the capture of some ex-Confederates who had joined Maximilian's forces. Sheridan knew "that with six or eight thousand cavalry" he could "stir up the whole of Northern Mexico." Grant forbade any invasion but agreed that "the Imperial troops in Mexico still require[d] watching, and before all the seed of the rebellion can be regarded as crushed out they must go back to their homes. We must hold ourselves ready to demand this." Both generals obviously assumed that Maximilian's regime threatened the United States. 35

33Heyman, Canby, 286; Caskey, Secession and Restoration, 201-202; Picklen, Reconstruction in Louisiana, 148; Canby to AAG, MilDivGulf, March 18, 1866, and Canby to SW, March 17, 1866, in Dept Gulf, vol. 80, RG 393, NA; Lowrey, "Political Career of Wells," 1075.

34The cabinet meeting is described in Beale (ed.), Diary of Welles, II, 332-33. The Sheridan-Grant exchanges are Sheridan to Grant, July 10 (two communications), July 12, 14, 18, 1865, Grant to Sheridan, July 13 and 15, 1865, in Grant Papers. See also thirty other messages between the two men on Texas and Mexico from June through August in Official Records, XIVII, Pt. 2, pp. 875-1192.

35On the trips see Sheridan to Grant, July 18, 1865, Sheridan to Rawlins, August 1, September 20, 1865. The quoted passages are from Sheridan to Grant, August 1, 1865, and Grant to Sheridan, August 13, 1865, all of the above in Grant Papers.
Sheridan stayed in Louisiana from October 1865 to February 1866, and he did on occasion concern himself with Reconstruction matters. In October, for example, he issued a directive concerning freedmen to each of his departmental commanders. Henceforth, civil authorities would be allowed to make decisions pertaining to Negroes which did not violate the ex-slave's rights. The Army and the Freedmen's Bureau could intervene in contested cases, but Sheridan concluded that it was "hard to enforce martial law after war has ended and a form . . . of civil Government" existed.

In November 1865 Sheridan wrote President Johnson a letter pertaining to the South and Reconstruction. Sheridan suggested that legislation alone would not solve the South's postwar problems. In the general's opinion, the South already appeared "northernized" to a certain extent because of the great investment of Yankee capital. The nation needed to "wait and trust to a little time and the working of natural causes" to heal the wounds of Civil War. "Magnanimity," Sheridan declared, was the best watchword, "the safest and most manly course" for restoring the South. 37

But Reconstruction occupied little of Sheridan's time. In his eyes, the Mexican situation continued to be more important. Former Southern officers had organized and publicized a "Military and Agricultural Colony" in Mexico which lured ex-Confederates south of the Rio Grande. Mexican insurgents requested U. S. arms and munitions to use against Maximilian, and Sheridan considered supplying them from surplus

36Sheridan to Grant, October 7, 1865, ibid.
37Sheridan to Johnson, November 26, 1865, in Sheridan Papers (Autograph Letters).
stocks. The French arrested several American soldiers who had crossed the border for an evening of merriment and forced them to perform repairs on one of the Imperial border forts. Grant reminded Sheridan that neutrality must be maintained and these incidents should not provoke any hostilities.38

Massachusetts novelist John T. Trowbridge noticed that Sheridan spent most of his time on Mexican matters rather than Southern affairs. The writer was touring the Southern states to determine the feelings and attitudes of the section after the war and visited Sheridan's headquarters in January 1866. "It was Sheridan's opinion that the Rebellion would never be ended until Maximilian was driven from Mexico," Trowbridge wrote.39

During the first months of 1866 Sheridan mainly devoted his energies to keep abreast of activities below the Rio Grande. On January 17, 1866, Sheridan notified Grant that some American troops had joined the Mexican assault on the border trading center of Bagdad, held by the French. An investigation by one of Sheridan's staff officers revealed that thirty Negro infantrymen had participated in the attack. From February 7 to 16 Sheridan conducted a personal inquiry into the situation in Texas. (Before he left on this trip, Sheridan entrusted

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38 Grant to Sheridan, October 22, December 19, 1865, ibid.; Sheridan to Canby, January 27, 1866, in Dept Gulf, vol. 248, RG 393, NA; Sheridan to Grant, October 25 and 30, November 20 (two communications), November 26, 1865, and Grant to Sheridan, December 1, 1865, in Grant Papers. Also pertinent are fourteen other exchanges between Grant and Sheridan during October through December 1865 in Official Records, XLVII, Pt. 2, pp. 1242-60. See also Richter, "Army in Texas," 70-75; Jack Dabbs, The French Army in Mexico (The Hague, 1963), 150.

Canby with arrangements for the New Orleans city election which resulted in victory for ex-mayor John T. Monroe.) The day after Monroe's election, March 13, Sheridan went on yet another ten-day excursion to Texas. 40

Even with all this travel, Sheridan gradually had to face a problem which affected both the border situation and Reconstruction. This was the staggering logistical nightmare of mustering out volunteer regiments. Hostilities in the Southwest had ended more quickly than anticipated, leaving dozens of infantry, artillery, and cavalry units of varying strengths spread throughout Sheridan's command, with even more regiments on their way from the East. Following the orders of the War Department, Sheridan and his subordinate commanders had mustered out a few units as early as June 1865. Usually regiments returned home for final separation, but sometimes they were dismissed near their duty stations in Louisiana or Texas. Friends and families and home state politicians pleaded for the discharge of all volunteers, even if their terms of enlistment had not expired. The civilians pointed out that the Confederacy had been defeated and such duties as garrisoning the South and guarding the borders were the responsibilities of the regular Army. 41

As Sheridan disbanded volunteer regiments, he requested that regulars replace them. But the regular Army contained only about 60,000 men in scattered cantonments, forts, and towns from coast to coast.

40 On the Bagdad problem, see Sheridan to Grant, January 17, 22, February 2, 1866, and Grant to Sheridan, January 25, 1866. On Sheridan's trips see Sheridan to Grant, February 7, 16, 17, March 11, 27, 1866; Sheridan to Rawlins, March 23, 1866; Grant to Sheridan, March 12, 24, all in Grant Papers.

41 Ida M. Tarbell, "How the Union Army was Disbanded," Civil War Times Illustrated, VI (December, 1967), 4-9, 44-47.
Therefore, Sheridan shuffled men between Louisiana and Texas trying to keep an adequate occupation force in all parts of his command. With few exceptions, the longer the volunteers served, the more impatient and dissatisfied they became. They had enlisted to fight Johnny Rebs, not police rural towns, guard depots, or patrol the Mexican border. As the summer of 1865 slipped into autumn, the feeling spread among the volunteers that their duty in the South was worthless. Although worried about Maximilian, Sheridan expedited the discharges as much as he dared. He informed the War Department that the "muster out of the Armies of the Potomac and the Tennessee has given the troops such good grounds to ask for the same" that it was "astonishing how quietly they have behaved."  

From the beginning of the disbanding process, white troops received priority over black soldiers. Under the circumstances this was only natural. The white troops brought more political pressure to bear against the War Department, and initially more white regiments than black ones occupied the South. As the process continued, the favoritism shown in releasing whites first created a racial imbalance in the number of regiments. For example, on August 8, 1865, Sheridan reported a total of 25,800 soldiers in Louisiana, 19,100 of whom were U.S. Colored

42Sheridan to Rawlins, August 21, 1865, in Official Records, XLVIII, Pt. 2, p. 1198. Harry W. Pfanz, "Soldiering in the South During the Reconstruction Period, 1865-1877" (unpublished Ph.D. dissertation, Ohio State University, 1958), 24-26. Ten infantry regiments (two Negro and eight white) were mustered out from Louisiana during the summer of 1865. Also one infantry regiment was transferred to another state and seven artillery batteries were discharged. See Frederick H. Dyer, A Compendium of the War of the Rebellion (3 vols., New York, 1959), III, 1089, 1174, 1177, 1179, 1213, 1247, 1284, 1310, 1401, 1488, 1649, 1669, 1670, 1685, 1690, 1694-95, 1727, 1737.

Troops. The next month the total dropped slightly, and returns showed 23,747 officers and men in the state, divided among sixteen black regiments, eight white regiments, and a few support troops. But among the black units, agitation was not so great to leave the service.

Recruited primarily from among former slaves, some black regiments had received inadequate training or had not been in service long enough to acquire maturity and experience. Other Negro units performed their duties as well as any white regiments. In fact, unlike their white counterparts, many black volunteers did not want to leave the Army. They liked the responsible and respectable profession of arms. The pay was good, and the food and clothing adequate, though sometimes low in quality.

In Louisiana, as in other states, citizens and government officials requested that the Army discharge black regiments because of rowdiness or criminal acts. However, few of the incidents proved to be serious. Nevertheless, the mere presence of Negro troops caused resentment and hostility in white Southerners. By November 1866 most of the black volunteers had been disbanded. However, the 80th U.S. Colored Infantry was still serving in Louisiana as late as January 1867 and was one of the last black volunteer units mustered out on March 1, 1867.

44Sheridan to Vincent, August 8, 1865, ibid., XLVII, Pt. 2, p. 1171; Sefton, Army and Reconstruction, 261.


46Fletcher, "Negro Volunteer," 127-29; Heyman, Canby, 259; Pfanz, "Soldiering in the South," 129-30; Dyer, Compendium of the War, II, 1735. Concerning complaints against Negro troops, see Canby to Wells, August 10 and 26, 1865, in Andrew Johnson Papers (Department of Manuscripts, Library of Congress; microfilm copy in Louisiana State University Library), and Wells to Johnson, October 30, 1865, ibid.
On July 28, 1866 the War Department authorized the creation of six regiments of Negro regulars, the 38th, 39th, 40th, and 41st Infantry and the 9th and 10th Cavalry. This was the first time in American history that blacks had officially been inducted into the regular United States Army. Three of these regiments were recruited in Louisiana, and one, the 39th, remained on duty in Louisiana for several years. The Army deliberately ordered most of these black soldiers to occupy rural camps or permanent forts (such as Forts Jackson, St. Philip, Macomb, and Pike) not located near towns or cities.47

In addition to relocation, the discharge of units continued apace. Grant ordered Sheridan to "reduce the force in all your division except Texas by mustering out troops as low as the service will bear." Sheridan reckoned that about 3,000 more soldiers in Texas were expendable as soon as Grant no longer wanted a "threatening force" on the border. In January 1866 Grant gave Sheridan permission to dismiss from the service any units under his command. Sheridan acknowledged the offer but deemed "the presence of United States troops in Louisiana, Texas, and Florida as essential for a long period, but the number could be much diminished if we had troops of the regular Army." In Louisiana from September 1865 through March 1866 Sheridan mustered out twenty infantry regiments (fourteen of them black), along with two volunteer cavalry regiments, and three artillery batteries. The number of troops

47 Francis B. Heitman, Historical Register and Dictionary of the United States Army, 1789-1903 (2 vols., Washington, D.C., 1903), I, 134-36. On the placement of black troops in forts see AAG Hoffman to Gens. C. C. Doolittle and A. J. Smith, November 6, 1865, in Dept Gulf, vol. 79, RG 393, NA. Sheridan said that the situation should be watched carefully to see "how the people will behave under this concentration of troops." Sheridan to Rawlins, November 10, 1865, in Grant Papers.
in the Military Division of the Gulf dropped drastically. By April 1866 only 19,112 men served in the entire division, as compared to 77,874 in September 1865. 48

On April 5, 1866, Napoleon III of France made public a secret decision arrived at the previous November. Napoleon stated that his troops gradually would be removed from Mexico over the next eleven months. This meant that by March 1867 no foreign troops would remain in Mexico. Western diplomats knew that U.S. Secretary of State Seward steadfastly had sought peaceful termination of the French intervention for more than a year. Napoleon's decision greatly reinforced the Monroe Doctrine. Seward's diplomacy, the internal pressure of the Mexican rebels, Sheridan's theatrics on frequent trips to the border, and his widely publicized, but never used, plans of invasion ended French support for Maximilian. 49

48 Quotes are from Grant to Sheridan, September 6, 1865, in Grant Papers; Sheridan to Grant, October 7, 1865, ibid.; and Sheridan to Rawlins, January 27, 1866, in Dept Gulf, vol. 248, RG 393, NA. Other selected messages dealing with troop discharges are Grant to Sheridan, October 28, December 30, 1865, March 19 and 29, 1866, in Sheridan Papers; Sheridan to Rawlins, October 19 and 30, 1865, Sheridan to Grant, December 15, 1865, January 7 and February 17, 1866, in Grant Papers; AAG G. L. Hartsuff to Canby, January 3, 1866, AAG George Lee to Lt. Col. T. M. Winston, January 10, 1866, Sheridan to Canby, February 23, 1866, Sheridan to AAG Thomas Vincent, March 1, 1866, Grant to Sheridan, March 13, 1866, Sheridan to Grant, March 26, 1866, in Dept Gulf, vol. 248, RG 393, NA. On units discharged see Dyer, Compendium of the War, 1061, 1067, 1097, 1111, 1137, 1200, 1213, 1214, 1402, 1628, 1630, 1718, 1732, 1734, 1735, 1737. Troop totals are conveniently located in Sefton, Army and Reconstruction, 261. See also Manuscript Returns, Dept La, April 1866, in Records of AGO, RG 94, NA.

49 Perkins, Monroe Doctrine, 132, 134-35; Daniel Dawson, The Mexican Adventure (London, 1935), 390-91. Upon Napoleon's announcement of France's withdrawal, more troops in Texas and Louisiana were mustered out at a rapid rate. See Sheridan to Grant, April 10 and 11, 1866, Sheridan to Rawlins, April 17, 18, 19, 1866, all in Grant Papers. Even with all these reductions, Sheridan cautioned Rawlins that "if the military is entirely removed from the section of the country that it is
But the Mexican "emperor" refused to abdicate his perilous throne despite the pleas of several diplomats. Because he still feared Maximilian's disruptive powers, Sheridan made a trip to Texas in April. He again advanced the idea of selling surplus Federal arms to Mexican freedom fighters.\(^50\)

In the midst of these developments, General Canby complained to Sheridan that the present troop level in Louisiana was "Scarcely sufficient for the ordinary requirements of the service." As Canby well knew, Sheridan had been ordered by the War Department to discharge large numbers of troops.

Antipathy between the two generals had existed since July 1865 when Sheridan had insisted on complete domination of the Gulf area. Sheridan aggravated an already touchy personal situation with Canby in February 1866 by suggesting to Grant that Canby should be mustered out of the Army along with several lesser volunteer officers. This snub obviously wounded Canby's pride. He had been graduated from West Point fifteen years before Sheridan. Sheridan also criticised Canby for devoting too much effort to civil affairs, an odd complaint from someone who gave only a modicum of his time to this potentially volatile matter.\(^51\)

Canby became even more exasperated when he learned that members of Sheridan's staff had investigated the Louisiana provost marshal's office my belief that much trouble will come of it." Sheridan to Rawlins, May 16, 1866, in Sheridan Papers.

\(^{50}\) Sheridan to Grant, April 27, 1866, Sheridan to Rawlins, May 1 and July 16, 1866, in Grant Papers; Grant to Sheridan, May 2, 1866, in Sheridan Papers (Autograph Letters).

\(^{51}\) Canby to AAG, MilDivGulf, March 24, 1866, in Dept Gulf, vol. 80, RG 393, NA; Sheridan to Grant, February 20, 1866, Grant Papers; Heyman, Canby, 291.
and its actions in the cotton rich parishes along the Red River. The staff officers uncovered a variety of improper and potentially illegal activities in cotton trading by civilians, some of which had been approved or supervised by the provost marshal. Additional probes indicated irregularities and frauds in the Quartermaster and Commissary departments. The investigators also accused several plantation owners in the Red River area of mistreating Negroes just as if slavery still existed. Moreover, ex-Confederates routinely persecuted and insulted white Unionists. The report concluded that were "it not for the presence of United States troops ... every loyal man" would be driven from north Louisiana. 52

This information prompted Sheridan to visit the Red River country himself. He learned that "ten armed men with double barreled shot guns and revolvers" had kidnapped a prisoner from a military patrol outside of Shreveport. Lieutenant Colonel Anderson D. Nelson remarked that the incident demonstrated "a great want of loyalty in the people of that region," but at the same time he branded it "an exhibition of border ruffianism to shield one of their companions from punishment."

Colonel Nelson's description of Shreveport made it sound more like Dodge City, Kansas. Gambling in all of its various forms appeared to be the town's major industry, and the best gambler served as Shreveport's mayor. Colonel Nelson cautioned that it was "dangerous to be on the streets after dark." 53 Appalled by these revelations about north

52 Heyman, Canby, 292-93; Major James Forsyth to Sheridan, January 11, 1866, in Letters Recd, MilDivGulf, RG 393, NA; Hoffman, Camp and Court, 116-17.

Louisiana, Sheridan advised Canby to correct all discrepancies "at once, even if it requires your own presence in that section." 54

Sheridan remained dissatisfied with Canby's handling of Louisiana affairs. In April Sheridan informed the War Department that almost everywhere he looked in the Department of Louisiana he "found fraud and abuses much of which arise from want of personal attention from General Canby...." 55 Under the circumstances, one general or the other had to leave the state.

On May 5, 1866, Canby requested a transfer from Louisiana, "mainly on the score of health." A few days later the War Department granted him a temporary leave and ordered him to Washington for consultations with the Secretary of War. Sheridan replaced Canby as commander of Louisiana with the superintendent of the Freedmen's Bureau, General Absalom Baird, who assumed command on May 28. Canby left for Washington three days later, and subsequently received a new assignment in the nation's capital. 56

54 Sheridan to Canby, January 19, 1866. A similar admonition is in Sheridan to Canby, February 23, 1866, both of above in Dept Gulf, vol. 248, RG 393, NA.

55 Sheridan to Rawlins, April 5, 1866, Sheridan Papers.

56 For the decision on Canby's transfer see Sheridan to AG Edward Townsend, May 22, 1866, ibid. See also Townsend to Sheridan, May 17, 1866, in Letters Recd, MilDivGulf; GO No. 50, Dept LA, May 28, 1866, in GO, Dept LA, 1866; Canby to AGO, May 5, 1866; Absolom Baird to AAG, MilDivGulf, June 11, 1866, in Dept Gulf, vol. 80, all in RG 393, NA. Though perhaps uninspiring, Canby was one of the most competent of all commanders in the South after the war. He certainly was no dictator and did not deserve the epithet "satrap" given him by E. Merton Coulter, The South During Reconstruction, 1865-1877 (Baton Rouge, 1947), 131. Canby served in other Reconstruction assignments after leaving Louisiana, including posts in the Carolinas and Texas. See Heyman, Canby, 295-333, and Richter, "Army in Texas," 311 and passim. Canby was killed in 1873 while trying to negotiate a treaty with the Modoc Indians in California.
Taking a new interest in Louisiana's problems, Sheridan closely examined various reports from the state's post commanders. Some accounts mentioned contented freedmen hard at work in the fields, and civilian officials whose attitude and efficiency in office recently had improved. However, widespread bitterness over the war persisted among much of the white population, and people were "orderly and respectful through compulsion." One officer wrote "that without protection this [state] would be hardly a safe haven for a citizen of the north."

Another officer reported that "respect for the 'lost cause!'" was common, even among some Union men who held public jobs. Anyone who showed deference for the Army or Northern men risked "all social and political relations with their former friends and neighbors." Several officers cited "cases of cruelty to freedmen" in their area. In an unusual incident, two whites in Alexandria tried to persuade a Negro corporal of the 80th Colored Infantry to work in their fields. The regiment's commander arrested the pair and gave "them a good lecture on the altered condition of affairs, and the absurdity of attempting to treat colored soldiers as slaves." Elsewhere, a company of troops marched to the town of Lake Providence to arrest four white men accused of whipping two blacks.\textsuperscript{57}

Sheridan strongly concurred with his lieutenants in the belief that the military must remain in Louisiana to protect "Northern capital and Union people," including freedmen as well as recent Northern settlers. Sheridan believed that over time, with the Army alert to prevent racial

\textsuperscript{57}House Exec. Docs., 40 Cong., 2 Sess., No. 57, pp. 49-51, 131-36 gives the reports of post commanders to Sheridan's headquarters from April 21-July 21, 1866. See also AAG Nathaniel Burbank to CO, Baton Rouge, July 2, 1866, in Dept Gulf, vol. 80, RG 393, NA.
fighting, the Negro, "by the logic of the necessity for his labor," would gain an important and rightful place in the South. To this end, Sheridan thought blacks deserved and needed voting rights as insurance for their freedom. These beliefs obviously marked Sheridan as an adherent to many of the ideals of the Radical Republicans in Congress. But Sheridan mistakenly reckoned that the great majority of Louisiana's white citizens "earnestly" wanted "a perfect Union with the other states." ⁵⁸

Despite his public professions that the state sought reconciliation with the Union, Sheridan thought it best to ask for an additional regular cavalry regiment for mobile patrol duty in the interior of Louisiana. In a letter to Republican leader Henry Wilson, Sheridan said that Southerners would "chafe and be restless for a long time," and the Army needed to remain strong and vigilant. ⁵⁹ However, the additional regiment was not sent.

The pressing need for such vigilance soon became apparent because in June 1866 Radical and Unionist members of the Constitutional Convention of 1864, which had met under the direction of General N. P. Banks, attempted to reconvoke the convention. The time had come when Louisiana Radicals would have no power in the state unless they enfranchised the Negro. This issue had been avoided by the conservative legislatures under Wells. After the passage of the Black Codes, the Radicals decided

⁵⁸The quotes on Sheridan's opinions are from a story in the New York Times, May 3, 1866. Sheridan expressed similar opinions to Senator George H. Williams, March 31, 1866, Sheridan Papers.

⁵⁹The cavalry request is Sheridan to Rawlins, June 23, 1866, in Sheridan Papers; Sheridan to Henry Wilson, June 29, 1866, in Henry Wilson Papers (Department of Manuscripts, Library of Congress).
that a new constitution must grant voting rights to blacks and thereby
same themselves from political extinction.  

Controversy surrounded the move to reconvoke the convention. Several of the members doubted the legality of the procedure and declined to attend a preliminary meeting on June 26; hence a quorum failed to appear. Governor Wells, a remarkable political chameleon, now switched from his pro-Confederate position to a pro-Union one and approved the reconvening of the convention. The governor's support stimulated the gasping convention like a transfusion, and July 30 was set as the date for its next meeting in New Orleans.  

Sheridan undoubtedly watched these proceedings with misgivings. "The Rio Grande was fairly quiet, as he had seen on a short trip there in June." Sheridan must have noticed the formation of two distinct factions, one opposed to the convention and the other in favor of it. Just as it appeared that Louisiana had finally captured Sheridan's attention, trouble erupted on the Mexican border again.

In late June, the important town of Matamoros, under siege for many months, fell to Mexican forces opposing Maximilian. Great excitement rippled through northern Mexico, and rumors reached New Orleans that the Mexican reaction to Matamoros' fall might prevent the planned departure


61 New Orleans Daily Picayune, June 27, 1866; Lowrey, "Political Career of Wells," 1075-80; Ficklen, Reconstruction in Louisiana, 156-65; McKitrick, Johnson and Reconstruction, 422; Taylor, Louisiana Reconstructed, 104-105; Wells to Johnson, July 28, 1866, in Johnson Papers.

62 Sheridan to Rawlins, June 10 and 21, 1866, Sheridan Papers.
of French forces from the country. In Sheridan's words, all this added up to "the diablo to pay." He decided he must go to Texas.\textsuperscript{63} During his unnecessary absence a riot took place which shocked the country.

Sheridan left a New Orleans troubled by Radical agitation and demands for Negro suffrage. The general had backed into the job of Reconstruction but had exerted little energy on that difficult task. Sheridan now realized that Reconstruction was his primary responsibility. Thereafter, he entered the labyrinth of Louisiana politics, a maze which has always confounded patient men and which could not but exasperate a man as impatient as Phil Sheridan.

\textsuperscript{63}Sheridan to Grant, July 3, 1866, Sheridan to Rawlins, July 16 and 21, 1866, all in Grant Papers.
CHAPTER III
SHERIDAN, BAIRD, AND THE RIOT OF 1866

The tense mood that had been evident among the New Orleans population increased after Sheridan's departure. It was apparent to the Radicals that the old quorum of seventy-six delegates could not be obtained by the Constitutional Convention until after the election of new members on September 3, still over a month away. Nevertheless, the Radicals decided to hold another meeting on July 30, but clearly this gathering had no more chance for making binding legal decisions than the unproductive June 26 session.¹

On the evening of July 27 the Radicals staged a mass rally in New Orleans. Negroes made up most of the crowd. Several speakers, including former governor Michael Hahn and dentist Dr. Anthony P. Dostie, addressed the throng on such topics as Negro rights and the benefits of the Republican party. Whites later claimed that Dostie inflamed the crowd's emotions almost to the point of riot by calling for violence against Democratic leaders if the Radicals' demands were not met.²

The well-publicized Radical rally only charged the atmosphere of New Orleans and in no way made easier the position of General Absalom


Baird, who commanded Louisiana in Sheridan's absence. Baird's credentials looked substantial and gave him the deceptive appearance of being a good choice as a department commander. Appointed to West Point from his home state of Pennsylvania, Baird had been graduated from the military academy in 1849. At the outbreak of the Civil War, he occupied a comfortable chair in mathematics at his alma mater. During the first year of the war, Baird held staff positions with the Army of the Potomac, but later assignments sent him to field duty in the Western Theater and to the command of a division in Sherman's "march to the sea." Baird won the Medal of Honor for conspicuous gallantry in an engagement near Atlanta. Despite his conduct in this phase of the war, staff work and desk jobs seemed more suitable to Baird. He ably administered the Louisiana Freedmen's Bureau, and subsequent to his Louisiana service he spent many years in the Inspector General's Department. 3

The reconvoked Convention of 1864 created an extraordinary crisis for Baird and the Army. Some of the troubles stemmed from the actions of two Conservatives, Louisiana Lieutenant Governor Albert Voorhies and state Attorney General Andrew Herron, both of whom bitterly opposed the Negro's political advancement. Naturally enough, they wanted to prevent the resurrection of the convention at all costs. Herron petitioned the Louisiana courts to declare the old assembly illegal, and in the meantime he sought an injunction to stop it from meeting. The wheels of  

justice, as usual, turned slowly. Herron and Voorhies both feared that before a court could declare in their favor, Baird might send troops to guard the convention and thereby give it the sanction of the Federal government. Though not a Radical, Baird saw no reason to prevent the reconvocation unless he received orders to that effect from his superiors in Washington. The general announced that he would use force against anyone who attempted to disrupt the convention.  

On July 28 Voorhies and Herron telegraphed President Johnson, asking the President to clarify Baird's position. Actually, they hoped that Johnson would order the Army to remain uninvolved. Would the President sustain Baird if the general used troops to protect the convention, Voorhies and Herron inquired? The officials emphasized the probability that a state court would soon declare the convention null and void, and therefore Baird would act improperly if he deployed troops in its support. 

Johnson's reply cheered Voorhies and Herron, but did not really specify orders for Baird. "The Military," declared the President, "will be expected to sustain and not to obstruct or interfere with the proceedings of the Courts." Heartened by this response, the state officials took the telegram to General Baird, who they now supposed must see his proper course of action and not support the convention. The general remained unyielding: the convention could meet unless he received orders to the contrary. However firm he had appeared to the

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5 Albert Voorhies and Andrew Herron to Andrew Johnson, July 28, 1866, in Andrew Johnson Papers (Manuscript Division, Library of Congress, microfilm copy in Louisiana State University Library, Baton Rouge).
Louisiana politicians, Johnson's message had given Baird doubts, and he dispatched an inquiry about the whole matter to Secretary of War Stanton. For reasons never fully explained, Stanton did not answer Baird's plea for orders. Therefore, after July 28 Baird had to act on his own initiative.  

On July 29 Baird alerted the small New Orleans headquarters staff of about twenty officers and men, including General Sheridan's younger brother Michael V. Sheridan. Baird also warned the commander of the 860-man 1st Infantry Regiment to prepare his troops to move at a moment's notice. The regiment occupied Jackson Barracks, named for the hero of the Battle of New Orleans in the War of 1812 and located three miles below the city. In July 1866 Baird commanded more than 5,000 troops in Louisiana, and of these 2,000 were within a few hours call of New Orleans. The rest garrisoned nine forts and camps across the state. Under the circumstances, the situation did not appear to warrant a call for outside assistance. However, a tragic flaw marred Baird's protective plans for the convention. The general somehow misunderstood the proposed time of the July 30 meeting. Although the Radicals actually convened at noon, Baird mistakenly believed that the appointed hour was

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Johnson to Voorhies and Herron, July 28, 1866; Absalom Baird to Edwin M. Stanton, July 28, 1866, ibid. McKitrick is especially good on this problem in Andrew Johnson, 423-24. See also Howard K. Beale, The Critical Year (New York, 1930), 349. Thomas and Hyman offer no defense of Stanton's neglect, except to say that the secretary did not answer Baird because Stanton knew that the general was already determined not to allow any disruption. Furthermore, Stanton knew that President Johnson opposed the convention; and Stanton did not want openly to cross the President by sending Baird decisive orders to protect the convention. Benjamin P. Thomas and Harold M. Hyman, Stanton, the Life and Times of Lincoln's Secretary of War (New York, 1962), 489, 495-97.
6:00 p.m. The general might have averted any violence altogether had he stationed a few companies of troops near the convention hall. In any case, he should have brought soldiers to a point within the city from which they could be ordered in a few minutes to quell any trouble.

Early on the morning of July 30 the newspapers printed a special proclamation from Mayor John T. Monroe to the people of New Orleans. Monroe advised everyone "to avoid with care all disturbances and collision . . . [so] that the good name of the city may not be tarnished and the enemies of the reconstruction policy of President Johnson be not afforded an opportunity . . . of creating a breach of the peace and falsifying facts to the great injury of the city and State." The mayor particularly warned young people against gathering near the Mechanic's Institute, site of the convention. Monroe's proclamation read like a prediction. A few hours after the newspapers which carried his words were sold on the streets, the riot began.

Dozens of young men and boys congregated near the Mechanic's Institute before noon. Nevertheless, at twelve o'clock the Radicals met as planned, but the quorum they had hoped for did not materialize. The

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7 At this time more troops were stationed in Louisiana than in any other Southern state with the exception of Texas. See Manuscript Returns, Dept La, July, 1866, Records of the ACO, RG 94, NA; Manuscript Returns, Post of New Orleans, July, 1866, Records of the ACO (NA Microcopy M-617, reel 843), RG 94, NA; New York Times, August 19, 1867; James E. Sefton, The United States Army and Reconstruction, 1865-1877, Baton Rouge, 1967), 261. For Baird's confusion on the time the convention was to meet and the resulting ineffectiveness of the Army, see ibid., 85-87; Reynolds, "New Orleans Riot," 13; and House Reports, 39 Cong., 2 Sess., No. 16, pp. 5-6, 440-64.

president of the convention announced a recess so that some of the
missing members could be located. At about this time a column of two
hundred Negroes marched through the city in support of the convention.
Whites heckled the marchers on their way to the meeting site. When the
blacks arrived at the hall, they confronted the large crowd of whites
already gathered there. The two mobs exchanged taunts and shouts.
Paving stones and other missiles filled the air, several shots rang out,
and a bloody riot resulted.

Once the fighting began, large numbers of uniformed police quickly
appeared and fired pistols indiscriminately into the mass of milling
Negroes. The police normally carried only nightsticks. City firemen
soon joined the melee. The combined force of uniformed officers and
white civilians charged the Mechanic's Institute in an attempt to drive
the convention members and their supporters from the building. The
participation by the police in the riot rather than any attempt on their
part to curb the violence shocked the New York Times reporter who
vividly described the scene. The white mob overpowered and outgunned
the blacks and the Radicals, who possessed only a few firearms and
fought mainly with clubs and brickbats.  

9The police were able to assemble so quickly because they had been
taken from their regular beats and consolidated in their precinct
station houses. See Emily H. Reed, Life of A. P. Dostie, or the Con-
flict in New Orleans (New York, 1868), 302. For the best short
descriptions of the riot see Reynolds, "New Orleans Riot," 11-13, and
Ficklen, Reconstruction in Louisiana, 167-69. For details and various
viewpoints of the action see House Reports, 39 Cong., 2 Sess., No. 16,
pp. 10-11, 17, and passim. One New Orleans newspaper (Bee, July 31,
1866) explained that as the conflict increased in intensity more police-
men were called in until nearly the entire force was on hand. See also
New York Times, July 31, 1866; New Orleans Daily Picayune, July 31, 1866;
Baton Rouge Tri-Weekly Advocate, July 30, 1866; New Orleans Times,
July 31, 1866.
The New Orleans headquarters commander sent an aide to inform Baird of the tumult downtown, and the general immediately dispatched the troops from Jackson Barracks. Because of the poorly chosen route, the infantry took twice the normal time to reach the city. When they finally reached the Institute at 3:00 p.m., the riot had almost run its course.¹⁰

The official report of the U. S. Army surgeon in New Orleans listed thirty-eight persons killed in the fighting, thirty-four of whom were Negroes. The surgeon recorded 146 men wounded, including 119 Negroes, 10 policemen, and 17 white civilians. Only one white rioter was killed.¹¹

All of those involved must share some of the blame for the riot. General Sheridan needlessly left the state at a troubled time. Mayor Monroe said later that Sheridan sought an "imaginary and bloodless campaign" in Texas rather than face the predicament in New Orleans. The Radicals convened an assembly of dubious legality, and its existence only invited public wrath. General Baird laid incomplete and poorly prepared plans to deal with the unsettled conditions, plans which neither protected the convention nor prevented a riot. Secretary of War Stanton neglected the cry for help from one of his generals in a dangerous situation. City and state officials, particularly

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¹¹ House Reports, 39 Cong., 2 Sess., No. 16, p. 12. Willie M. Caskey gives a highly partisan Southern account of the riot in his Secession and Restoration of Louisiana (Baton Rouge, 1938), 223. Caskey claims that forty policemen were killed or wounded and that two hundred Negroes suffered wounds, besides forty to fifty being killed outright. McKitrick supports the use of House Report No. 16 and disputes Caskey's numbers in Andrew Johnson, 424-25.
Mayor Monroe, Governor Wells, and Lieutenant Governor Voorhies, failed to maintain order. Many New Orleans citizens disregarded the advice of the mayor and vigorously engaged in mob violence. The police lost all discipline and helped to turn the streets into a battlefield.  

Historians are in general agreement that President Johnson and his struggling policy of "soft" Reconstruction suffered tremendously as a result of the New Orleans riot, which shattered the President's hopes for an early return of Southern representatives to Congress. The Black Codes, Johnson's vetoes of Congressional Reconstruction proposals such as the Civil Rights Bill of 1866 and the bill for renewal of the Freedmen's Bureau, not to mention Southern violence, spurred dissatisfied Northerners to vote overwhelmingly for Republicans in both state and national election in 1866.  

But the impact of all this was yet to come. While Sheridan hurried back to Louisiana, Baird worked to improve the unstable situation in New Orleans. On the evening of July 30, he declared martial law and appointed Lieutenant Colonel August V. Kautz military governor of the city. Two infantry regiments and a battery of artillery marched into


New Orleans to ensure against any further disturbances. On July 31 Baird formed a special military commission to investigate the riot. When Sheridan arrived in the Crescent City on August 1, he found little to do. Rumors predicted new troubles, but Sheridan felt confident that because he had returned no other violence would occur. "You need feel no uneasiness about the condition of affairs here," Sheridan wired Grant, "I think I can arrange matters without difficulty."  

Later, however, Sheridan sent Grant a longer telegram which showed less self-confidence. In this message Sheridan described the Radical leaders of the convention as "agitators and revolutionary men," but he did not believe he could arrest them until they had committed an overt act against the government. Although critical of the convention members, Sheridan thought the mayor and the city police had behaved "in a manner so unnecessary and atrocious as to compel one to say it was murder." Sheridan decided to continue martial law indefinitely while the military commission investigated the riot.  

As he obtained more information, Sheridan began to suspect that the Louisiana civil officials had conspired to cause the riot. However this was never proven. Nevertheless, suspicions of Mayor Monroe continued, and Sheridan considered removing the mayor from office to improve relations between the military and civilians.  

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14Baird to Stanton, July 30, 1866, and Philip H. Sheridan to Ulysses S. Grant, August 1, 1866, both in Johnson Papers; New York Times, July 31, August 2, 1866; Sheridan, Memoirs, II, 245.  
15Sheridan to Grant, August 1, 1866, in Philip H. Sheridan Papers (Manuscript Division, Library of Congress).  
16Sheridan to Grant, August 2, 1866, in Johnson Papers.
Mayor Monroe, Lieutenant Governor Voorhies, and Attorney General Herron, recognizing that Sheridan disliked and distrusted them, countered the general's criticism with a ten-page letter to President Johnson. The blame for the riot, they said fell squarely on the Negroes and the white Radicals, who were described as "well organized" and "well armed." Furthermore, the civil authorities claimed that before the riot they had taken "all precautions possible to prevent the outbreaks."17

On August 3 Sheridan told Grant that there was "quiet in the city, but considerable excitement in the public mind," but that the military would not interfere with the state government unless it became absolutely necessary. But the Louisiana commander reiterated that Monroe should be replaced and suggested that the state would benefit from the removal of Governor Wells. (Like Sheridan, Wells had found an excuse to leave New Orleans prior to the riot, but he had returned in time to witness the mass violence.) Grant replied that martial law should be continued, but discouraged the idea of removing elected officials. However, the General in Chief advised Sheridan not to allow the civil authorities to act in any way "dangerous to the public safety."18

President Johnson, meanwhile, impatient after reading the daily onslaught in the newspapers against his Reconstruction policies, demanded all of Sheridan's information on the causes of the riot. Specifically, Johnson desired Sheridan's opinion on the Radical rally

17Monroe, Voorhies, and Herron to Johnson, August 3, 1866, ibid.
18Sheridan to Grant, August 3, 1866, and Grant to Sheridan, August 3, 1866, in Sheridan Papers; Lowrey "Political Career of Wells," 1081-83.
and its effects on the Negroes; he also wanted to know the number of arrests that had been made by civilian officials. Finally, the President asked for a critique of the civil government's operation under martial law.19

Johnson received his answer from Sheridan two days later in a long coded telegram. Contrary to his first impressions, Sheridan now believed that Louisiana officials did not plan the violence against the convention. The recall of this assembly had created much ill-will among opposing political groups, and Sheridan gave this as the "immediate cause" of the fighting. Provocative activities had undoubtedly occurred at the Radical rally, but disturbing as they may have seemed, such public speeches and gatherings had been held before without causing mob violence. Sheridan did not stigmatize anyone with firing the first shot because of the confusion in the opening minutes of the riot. Sheridan accused Mayor Monroe of inflaming hostile feelings and failing to supervise and discipline the police force. A local Conservative judge, Edmund Abell, had not ordered the arrest and prosecution of white Democrats involved in the riot. Instead, several Negroes and white Radicals had been arrested. Sheridan concluded by citing Governor Wells for his complete lack of leadership during the crisis.20

19 Johnson to Sheridan, August 4, 1866, in Johnson Papers. For an example of a critical newspaper, see the anti-administration New York Tribune, which devoted over half of its front page each day for a week relating details of the riot (many of them false); New York Tribune, July 31-August 7, 1866. The less emotional New York Times also gave the riot detailed coverage, July 31-August 8, 1866.

20 Sheridan to Johnson, August 5 and 6, 1866, in Johnson Papers. The following day, August 7, Attorney General Henry Stanbery urged the President to order Sheridan to dismiss the New Orleans police force from duty. Johnson did not agree. See Howard K. Beale (ed.), Diary of Gideon Welles (3 vols., New York, 1960), II, 572-73.
The tense New Orleans atmosphere calmed considerably during the week following the riot. Despite rumors that new disturbances would erupt on August 6, the day passed without incident. The military closely enforced an order which prohibited the sale of firearms in the city. 21

During August Sheridan and his staff thankfully turned their attention away from politics and civilians to an unusual military task. Adjutant General Edward D. Townsend in Washington ordered that the Department of the Gulf serve as the recruiting area for three of the six newly authorized regular regiments of Negro troops. The planners in the War Department hoped that many of the recruits could be found by enlisting recently discharged Negro volunteers or even by transferring some volunteers who had not yet been mustered out. Special recruiting advertisements also encouraged new enlistees, who joined with hundreds of the best black veterans from several states to form the first regular regiments of Negro troops in the United States Army.

The three regiments separated after they were formed. The 39th Infantry was assigned to duty in Louisiana. The 41st Infantry occupied posts in Texas. The 9th Cavalry remained at its base in Greenville, Louisiana, from the beginning of recruiting in August 1866 until the regiment completed its initial training in March 1867. During these early months of the regiment's existence, Sheridan did not consider the 9th as a part of his active Reconstruction occupation forces, although had some emergency occurred the regiment might have been used. The 9th

21 Sheridan to Grant, August 5, 1866, in Sheridan Papers; Sheridan to Grant, August 7, 1866, in Johnson Papers; Baton Rouge Tri-Weekly Advocate, August 8, 1866; New York Tribune, August 7, 1866.
and its sister regiment the 10th Cavalry thereafter served in Texas and at other points on the western frontier, where the black troops fought against several hostile Indian tribes. The Indians grew to respect the Negro cavalry regiments and gave them their distinctive nickname, the "buffalo soldiers." 22

On August 21 some of the soldiers who had been brought into New Orleans after the riot in July returned to their base at Jackson Barracks. Elements of the 1st Infantry remained in the city as a precautionary measure. Sheridan believed that he had enough troops in the state to "maintain order" at that time without reinforcements. 23

Since returning to New Orleans after the riot, Sheridan had become dissatisfied with Absalom Baird's performance of his duties—dissatisfied to the point where a change in state commanders was expected. Newspaper editorials also had criticized Baird for his awkward handling of recent events. On September 8, perhaps under pressure from Sheridan, Baird resigned his post as assistant commissioner of the Louisiana Freedmen's Bureau. Sheridan took his place temporarily. Nine days later, on September 17, Baird received an extended, unspecified leave from the service and left the state. He returned to duty on December 1, 1866, as Inspector General for the Department of the Lakes near the Canadian border. The New Orleans Republican later characterized Baird

22AG Edward D. Townsend to Sheridan, August 4 and 12, 1866, Sheridan to Townsend, August 7, 1866, in Sheridan Papers; Baton Rouge Tri-Weekly Advocate, August 17, 1866; Sheridan to Townsend, September 1, 1866, in Dept Gulf, vol. 258, RG 393, NA; New Orleans Daily Picayune, September 23, 1866; New York Times, September 23, 1866; Sefton, Army and Reconstruction, 96; William H. Leckie, The Buffalo Soldiers: A Narrative of the Negro Cavalry in the West (Norman, 1967), 7-11.

23New Orleans Daily Picayune, August 22, 1866; Sheridan to Grant, August 17, 1866, in Sheridan Papers.
as "an amiable but irresolute subordinate . . . [and a] gentleman eminently qualified to adorn the most cultivated society but utterly unfit to cope with" the difficulties found in a Southern state.\(^{24}\)

Sheridan did not choose a new district commander immediately because on September 24 he was called to Texas. Instead of a border problem, an incident of racial violence in the east Texas town of Brenham required investigation. On October 1 Sheridan returned to New Orleans.\(^{25}\)

Shortly after Sheridan's return, the military commission appointed by Baird completed its report on the riot. Brevet Major General Joseph A. Mower of the recently formed 39th Infantry served as chairman of the panel. The document revealed no new facts. Ardent opposition to the Convention of 1864 by a majority of New Orleans citizens was listed as the cause of the riot. Contradictory testimony and statements of witnesses left the officers unable to say who fired the first shot on July 30. Without equivocation, they roundly condemned the unwarranted participation in the riot by the police.\(^{26}\)

During the rest of October, Sheridan found more of his time consumed by Texas troubles. Reconstruction politics, Indian attacks on

\(^{24}\)The *New York Times* was critical of Baird twice, on August 2 and 8, 1866. The *New Orleans Daily Picayune* was also accusative on September 5, 1866. See also *New York Times*, September 9, 1866; Cullum, *Register of West Point*, II, 234; *New Orleans Republican*, September 6, 1867.

\(^{25}\)Sheridan to C/S John A. Rawlins, September 24, October 1, 1866, in Sheridan Papers.

\(^{26}\)House Exec. Docs., 39 Cong., 2 Sess., No. 68, pp. 36-43. This document is a 289-page collection of telegrams, reports, and testimony of witnesses, and is second only in importance to House Reports, 39 Cong., 2 Sess., No. 16 for information about the details of the riot. See also *New Orleans Bee*, October 9, 1866.
settlers, and Maximilian's moribund dictatorship all demanded his attention. However, Sheridan also became concerned about the reports of violence against freedmen by whites in several Louisiana parishes.\textsuperscript{27}

Sheridan studied the qualifications of his officers during this time and selected General Joseph A. Mower to command Louisiana. Originally from Vermont, Mower fought as an enlisted man in the Mexican War and in 1855 obtained a lieutenant's commission in the regular Army. In the Civil War he earned a praiseworthy record and eventually commanded a corps. Most of his duty was in the Western Theater, including several months in Louisiana, but he also served in Sherman's "march to the sea." Since the end of the war, assignments had placed him in either Texas or Louisiana. Mower and Sheridan had kindred personalities and characters, and they also had similar ideas on Reconstruction. Sheridan once commented that Louisiana needed a "decisive and shrewd" commander, and both he and Grant believed Mower fitted the description admirably.\textsuperscript{28}

After Mower's appointment, Sheridan made two short trips to Texas, one in November and the other in December. He kept Grant fully informed

\textsuperscript{27}House Exec. Docs., 40 Cong., 2 Sess., No. 57, gives extensive coverage to the Texas problems. Earlier, Sheridan wanted to devote more time to Texas affairs, but said he felt "handcuffed to New Orleans." Sheridan to Grant, August 22, 1866, in Sheridan Papers. See also Grant to Sheridan, October 31, 1866, in ibid., on Maximilian. Senate Exec. Docs., 39 Cong., 2 Sess., No. 6, is a report by Sheridan during his brief tenure as superintendent of the Freedmen's Bureau; see especially pp. 75-76, 84-86.

\textsuperscript{28}Sheridan to Grant, October 4, November 3, 1866, in Ulysses S. Grant Papers (Manuscript Division, Library of Congress; microfilm copy in Louisiana State University Library, Baton Rouge). Grant to Sheridan, November 3, 1866, in Sheridan Papers. Although he was not a college graduate, Mower did attend Norwich Academy for two years. See Warner, Generals in Blue, 338-39, and Allen Johnson (ed.), Dictionary of American Biography (22 vols., New York, 1929-1958), XIII, 299-300.
of his movements. On December 25 Sheridan celebrated Christmas in New Orleans for the second time.29

Meanwhile, in Washington, D.C., before the Christmas recess of the Thirty-ninth Congress, Senator Charles Sumner introduced several resolutions on Reconstruction to the Senate. In the resolutions Sumner charged that presidential Reconstruction had been a mistake and declared that the decisions on restoration of former Confederate states must now be made by Congress. Although these resolutions were not acted upon, they indicated the swelling dissatisfaction of Republican leaders with Johnson's policies. With prospects of momentous political activities in the offing for the spring session of Congress, Grant summoned Sheridan to Washington for consultations.30

Several factors influenced the attitude of the next Congress. Southerners had committed a variety of indiscretions, such as the riots in Memphis and New Orleans, the adoption of the Black Codes, and the election of former important Confederate military and civilian leaders. President Johnson's own actions, including his frequent vetoes of Republican bills and his ill-advised conduct on the "swing around the circle" political campaign also had been detrimental to the South, which looked to Johnson for leadership and advice. These factors helped to produce a strong Republican showing in the fall Congressional elections.

29Sheridan to Grant, November 8, 14, 27, 1866; Sheridan to Rawlins, December 11, 1866, all in Johnson Papers. Sheridan to Grant, November 8, December 1 and 10, in Grant Papers. Sheridan to Rawlins, December 15, 1866, in Sheridan Papers.

30Ficklen, Reconstruction in Louisiana, 180-81; Sheridan to Grant, January 19, 1867, Sheridan to Rawlins, February 25, 1867, both in Grant Papers. Sheridan returned to Louisiana on February 25.
The Republicans gained enough strength in the next Congress to pass legislation over presidential vetoes. The Republicans were divided into Radical, Moderate, and Conservative factions. Despite these divisions, Republicans found common ground in opposition to Johnson, a desire to protect the political and economic gains of the Civil War years, and the feeling that some form of protection, however mild, should be accorded to the Southern freedmen. Therefore, the Republican party was unified enough to pass a series of laws which gave Congress great influence over the Reconstruction process.  

The Republicans passed the first of these acts on March 2, 1867, over President Johnson's veto. The law declared that the Southern governments fostered by the President were provisional and held no legal authority. Congress divided the South into five military districts, whose commanders had to be either brigadier or major generals. These generals, once selected by the President, would hold all power over civilian governments and courts. The law also required the Southern states within these districts to draft new constitutions in constitutional conventions. The right to vote for delegates to these conventions was granted to all adult males, except those disqualified for service to the Confederacy. Furthermore, each of these new constitutions must contain a provision which enfranchised all adult males who had voted for delegates to the constitutional convention. By this means blacks would be granted the right of suffrage. When the voters in each state accepted the new constitution, they were to elect a new governor and legislators. After the legislature ratified the

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31 Sefton, Army and Reconstruction, 103-104; Patrick, Reconstruction, 85-89, 95; Picklen, Reconstruction in Louisiana, 175-80.
proposed Fourteenth Amendment to the Constitution, the state's congressmen would be considered for readmission to Congress. Upon readmission, military control would end, and the duly elected civil authorities would resume their proper roles. 32

The passage of this law was a watershed in Reconstruction, for by it the Congressional Republicans seized the initiative from the executive. President Johnson had wanted the Southern states back in the Union quickly and had demanded only the mildest conditions for re-entry. He did virtually nothing to ensure the interests of the freedmen; in fact, he had vetoed the bill to renew the bureau designed for that purpose. In Johnson's view, the Federal government was not responsible for assuring voting rights to the former slaves, and partly for this reason he had discouraged passage of the intricate Fourteenth Amendment. Perhaps a majority of Republicans would have been satisfied with the South's easy restoration if the section had approved the amendment. Taking Johnson's advice, the Southern states, with the ironic exception of Johnson's home state of Tennessee, rejected the amendment. This action, combined with other economic and political factors, influenced Congressional Republicans to take a new course in Reconstruction, one in which the Army became the agent of social and political change.

The traumatic circumstances of the post-Civil War era appeared to demand such a radical departure from the usual American process of debate and compromise. What other part of the government but the Army could compel a large percentage of the population to abide by laws many considered repugnant? The Army had defeated the Confederacy and kept

32 Sefton, Army and Reconstruction, 109-10; Patrick, Reconstruction, 97-99; Ficklen, Reconstruction in Louisiana, 182-83.
the nation from breaking apart. Now the Army was called on to help bind
the country together. Hereafter, assignment to the South made some
soldiers long for the trans-Mississippi plains and mountains where
Indian-fighting at least had some glory, some professional reward or
recognition. Service in the South held the prospect of neither glory
nor honor, only duty of the most confusing and frustrating kind—
military government.

The senior generals waited anxiously to learn which of them would
be assigned to the Southern military districts. The Army's role had
increased in importance, and a law of Congress awaited execution.
CHAPTER IV
SHERIDAN SEES HIS DUTY

On March 11, 1867, President Johnson chose the generals for the newly organized Southern military districts. With the exception of John Pope, the appointees all had served varying lengths of Reconstruction duty in the South. Pope had been commanding part of the Indian-fighting Army west of the Mississippi River. He came east and took charge of the Third Military District, containing Georgia, Alabama, and Florida, the last state formerly a part of the old Division of the Gulf. Sheridan retained command of Louisiana and Texas, together called the Fifth Military District. The extent of Grant's influence on Johnson's choices is not known. Sheridan had spoken out in favor of Radical Republican ideas, and Grant's desire to retain the experienced general in the Southwest may have been decisive in Johnson's final decision.¹ Soon after his appointment as district commander, Sheridan examined sites for additional cavalry posts on the west Texas frontier which had been bothered by Indian raids.²

Fifth District headquarters issued General Order No. 1 on March 19. This document emphasized to the people of Louisiana and Texas that their

¹Grant to Sheridan, March 13, 1867, in Andrew Johnson Papers (Manuscript Division, Library of Congress); James E. Sefton, The United States Army and Reconstruction, 1865-1877 (Baton Rouge, 1967), 113-15. The other experienced commanders were Generals John M. Schofield, First District (Virginia); Daniel E. Sickles, Second District (the Carolinas); and E. O. C. Ord, Fourth District (Arkansas and Mississippi).

²Sheridan to Grant, March 14, 1867, in Johnson Papers.
civil governments were provisional. The Army held veto power over all actions of civilian officials in the states. A carefully worded paragraph of the order stated that there would be no widespread removals of civilian officeholders. However, if any individual should "impede . . . or delay" reorganization of the states according to the new Reconstruction laws, such action would be considered grounds for dismissal from office.\(^3\) State politicians had received a stern warning to expect that the laws of Congress would be rigorously enforced.

On March 23 Congress overrode another of President Johnson's ineffective vetoes and passed the second Reconstruction Act. This act set September 1, 1867, as the date when all qualified Southern voters should be registered. Furthermore, the statute contained details of election procedures which had been omitted from the first law enacted earlier in the month. For example, the number of delegates to the constitutional conventions scheduled for the fall was to equal the largest branch of the state legislature in 1860. Each district commander would apportion the representation in the states he commanded and then designate the location of the convention.\(^4\)

As Sheridan interpreted the Congressional Reconstruction Acts, he was vested with powers, and even obligations, to make adjustments in Louisiana's government. On March 27 he removed from office several of his antagonists, Mayor John Monroe of New Orleans, Attorney


\(^4\)Sefton, Army and Reconstruction, 113; Rembert W. Patrick, The Reconstruction of the Nation (New York, 1967), 109-10.
General Andrew Herron, and Judge Edmund Abell. All three men had irritated Sheridan by their actions before, during, and after the New Orleans riot of the previous July. Monroe was by implication responsible for the violent behavior of the city's police force. Herron had failed to indict white citizens who had violated the law. Abell had refrained from prosecuting those who had been arrested, and had publicly advocated that New Orleans residents ignore the Reconstruction laws. Sheridan believed that the shortcomings of these men justified replacing them with Republicans who would properly carry out the laws.  

Removal of important public officials did not enhance Sheridan's reputation with Louisiana's citizens. Nevertheless, the general, having endured months of antagonism and inactivity on the part of these functionaries, saw no other course to take. Grant supported Sheridan's actions and judged that the removals were necessary to improve "the quiet and prosperity of New Orleans and the State of Louisiana." "I only wrote this," continued Grant, "to let you know that I at least approve what you have done." Grant misjudged the result of Sheridan's order if he thought it would produce quieting effects on Louisiana.  

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5 John R. Ficklen, History of Reconstruction in Louisiana (through 1868) (Baltimore, 1910), 140; GO No. 5, 5 MD, March 27, 1867, in Senate Exec. Docs., 40 Cong., 1 Sess., No. 14, p. 240; Sheridan to Grant, April 19, 1867, ibid., p. 201; Sheridan, Memoirs, II, 254-55; New York Times, March 28, June 8, 1867.  

6 Grant to Sheridan, March 29, 1867, quoted in Adam Badeau, Grant in Peace (Hartford, 1887), 102. The New Orleans Daily Picayune (March 28, 1867) said in an editorial that the "changes were unnecessary," but that it recognized Sheridan's authority to make the removals. However, the Picayune was apprehensive that this act was only the first of a "general sweep from office of the civil authorities of State and city." See also New Orleans Crescent, March 28, 1867.
On March 28 Sheridan issued a directive that prohibited all local elections in Louisiana until the state complied with the provisions of the congressional laws. Until the district commander scheduled new elections, all local officeholders were to continue in their present positions. 7

Next, Sheridan turned his attention to the registration of voters for the upcoming fall election. Sheridan formulated his plans early so that the Fifth District would be the first to begin registration. However, the Reconstruction Acts did not clearly specify who was eligible to register. Sheridan questioned Grant on this subject. Replying for the General in Chief, Adjutant General Edward D. Townsend said that U.S. Attorney General Henry Stanbery had taken this and related matters under consideration, and he would hand down an opinion soon. 8

Meanwhile, as Sheridan and other commanders awaited Stanbery's decisions, uncooperative civil officials continued to worry the generals. For example, Colonel Charles Griffin, commander of the Department of Texas under Sheridan, informed his superior that it seemed that all officeholders in Texas were "disloyal." Griffin advised the "immediate removal" of several officials, particularly Governor James W. Throckmorton. Not doubting the sincerity of Griffin's suggestion, Sheridan said that he intended "to make but few removals." However,  


8 Townsend to Sheridan, April 2, 1867, in House Exec. Docs., 40 Cong., 1 Sess., No. 20, p. 84; Sheridan to Grant, April 1, 1867, in Johnson Papers. Grant later advised Sheridan to "go on giving your own interpretation to the law until an answer is given." Grant to Sheridan, April 7, 1867, ibid.
unless Governor Wells and Governor Throckmorton became more responsive to the wishes of Congress, they would have to be replaced by men who would properly enforce Federal laws.  

Grant ordered "that no removals of governors of States be made at present." As for lower ranking officials, he pointedly admonished Sheridan to "make no more removals than you find absolutely necessary" and only for "the grossest disregard of the law." Nevertheless, if a serious situation demanded the removal of an official, Grant firmly believed that district commanders had the power to act, even if it was not spelled out in the Reconstruction Acts.  

Apparently hoping that he would not have to remove any other officeholders, Sheridan continued with his registration plans in Louisiana. He initiated his program in New Orleans on April 12, the earliest action in any Southern state. Registration went well in the big city. The 20th Infantry Regiment dispatched several companies to towns in north Louisiana to prepare for the arrival of the registrars, while the 1st and 39th Infantry regiments supplied troops to protect

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9Charles Griffin to Maj. G. A. Forsyth, March 28, 1867, in House Exec. Docs., 40 Cong., 1 Sess., No. 20, pp. 62-63; Sheridan to Grant, April 2, 1867, ibid. Although Sheridan had already removed three top Louisiana civil officials, it is noteworthy that he still claimed to Grant that it was his "intention to make but few removals." Sheridan had no reason to disguise his plans or thoughts from his friend Grant. Indeed, he had previously told Grant of his wildest ideas or soundest plans. It may be concluded that though Sheridan did not foresee wide-scale removals of public officials, he would not shirk what he considered to be his duty under the Reconstruction Acts. See also Sefton, Amy and Reconstruction, 128, 133-35, 157, and especially 140.

10Grant to Sheridan, April 3, 1867, in Senate Exec. Docs., 40 Cong., 1 Sess., No. 14, p. 195; Grant to Sheridan, April 5, 1867, in Philip H. Sheridan Papers (Autograph Letters) (Manuscript Division, Library of Congress). Grant was on unsteady legal grounds on this point. Another act of Congress (July 19, 1867) later gave district commanders official removal powers.
registrars in the southern part of the state. On April 20 Sheridan appointed civilian registrars of voters in forty-seven parishes. Ten Army officers served as supervisors-at-large to insure that registrars complied with all laws. On April 21 state-wide registration began. Sheridan anticipated no violence during the process, and he told Grant that his "only desire [was] to faithfully carry out the law as a military order." As a safeguard against improper registrations, Sheridan tried to appoint at least one ex-Union officer to each registration board.  

Sheridan followed Grant's advice and carried out his own ideas on enrolling voters. Although Attorney General Stanbery had not made a ruling, Sheridan's orders disfranchised hundreds of Louisianians. The Reconstruction Acts prohibited unspecified "executive and judicial" officers from registering. Sheridan interpreted the phrase broadly to include governors, mayors, judges, policemen, school board members, city councilmen, and even public auctioneers. Apparently, men who had held these and various other offices, knowing they could not register, made little attempt to do so. Many other men in the New Orleans area, and presumably elsewhere, were unable to register on the standard grounds that they had performed Confederate military service.  

\[\text{11}^{\text{11}}\text{ Sheridan to Grant, April 6 and 21, 1867, in House Exec. Docs., 40 Cong., 1 Sess., No. 20, pp. 79, 83; Sheridan to Grant, April 12, 1867, in Johnson Papers; Sheridan to Grant, April 19, 1867, in Senate Exec. Docs., 40 Cong., 1 Sess., No. 14, p. 202; SO No. 23, 5 MD, April 20, 1867, ibid., p. 244; Monroe Ouachita Telegraph, April 25 and May 16, 1867; AAAG Lewis Spalding to COs 20th and 1st Infantry regiments, April 15, 1867, in Dept Gulf, vol. 274, RG 393, NA; Spalding to CO, 39th Infantry, May 5, 1867, ibid.}\]

\[\text{12}^{\text{12}}\text{ For example, see "Memorandum of those refused registration," April 24-July 31, 1867, in Joseph P. Hornor Collection (Department of Archives and Manuscripts, Louisiana State University Library). See also}\]
Sheridan supervised carefully the progress of voter enrollment. During one of his frequent investigations into the procedure he found that Thomas A. Boylan, an aide to the New Orleans chief of police, had intimidated Negroes and prevented them from registering. Sheridan suspended Boylan from duty, and when full inquiry revealed the gravity of the charges, Boylan was removed from the police force.\textsuperscript{13}

Following Boylan's dismissal, Sheridan acted to reorganize the New Orleans Police Department. Actually, the general had been dissatisfied with the department since its participation in the 1866 riot. He nullified a state law passed in 1866 designed to prevent former Federal soldiers from becoming policemen. The law held that all applicants for the police force must have resided in New Orleans for five years. Sheridan issued an order which set the residency requirement at only two years. Furthermore, he required that henceforth at least half of the 250-man police force be ex-Union soldiers. Sheridan now believed that he had a reliable municipal police department.\textsuperscript{14}

The next conflict between the civil government and the Army arose over the Louisiana levee board. This important state agency spent large sums of money to construct and repair the levees along the Mississippi River. A committee of the state legislature had appointed the board of

\textsuperscript{13}New York Times, April 29, 1867; SO No. 25, 5 MD, April 23, 1867, in Senate Exec. Docs., 40 Cong., 1 Sess., No. 14, p. 246.

levee commissioners, bypassing Governor Wells in the process. When the legislature appropriated four million dollars for levee construction and maintenance, Wells abolished the legislative board and selected his own panel of commissioners responsible for spending the huge appropriation. Each board questioned the legality of the other and asked Sheridan to decide which was the legitimate one. Rather than choose between them, he formed an entirely new board and discharged both of the others. This, of course, left neither side satisfied, but the politicians involved did notice that Sheridan had not taken sides in the dispute. The New Orleans Crescent described Sheridan's appointees as "well-known citizens" who were expected to do their jobs "honestly and conscientiously." The New Orleans Times criticized Wells and concluded that Sheridan's actions were "justified by the facts" of the situation. The headquarters staff sent a report of the proceedings to Army headquarters in Washington.  

After the levee board controversy, Sheridan kept an even closer watch on all levels of state politics. Fifty St. Landry Parish citizens accused their sheriff, James T. Hays, of dereliction of duty; thereupon Sheridan removed Hays and selected a new sheriff. Next, Fifth District headquarters announced the appointment of a Republican politician to fill a vacancy on the Point Coupee Parish police jury. This man was one of many Republicans or Unionists Sheridan appointed during the coming months. Continuing to observe the registration process, the general

deposed a New Orleans clerk of court for issuing false certificates of U. S. citizenship. The fake papers enabled foreigners and ex-Confederates to sign the voting rolls. Registration proceeded quietly, though many whites refused to register because they opposed the Reconstruction Acts.\textsuperscript{16}

In May the general had to deal with a crisis in New Orleans that might have caused another riot. Horse-drawn street cars had operated for many years in the Crescent City with separate coaches for white and black passengers. Negroes used cars marked with a painted star, and white patrons rode in unmarked vehicles. Trouble began in April when Negroes insisted on traveling in the cars usually reserved for whites. Policemen forced blacks to continue riding in the "star cars." This prompted Negroes to stage a more unified protest against the discriminatory practice, and eventually the Army became involved when black soldiers of the 39th Infantry also attempted to ride unrestricted on the urban transit. At this point Sheridan stepped in. He held a meeting with the officers of the street car companies and persuaded them to integrate their businesses. Sheridan "advised the companies to make no distinction" between white and black passengers in the future, implying

\textsuperscript{16}New York Times, May 6, 1867; "Loyal Citizens of Opelousas and St. Landry" to Sheridan, April 18, 1867, in 5 MD, Letters Recd, Dept of Civil Affairs, RG 393, NA; SO No. 35, 5 MD, May 4, 1867, in Senate Exec. Docs., 40 Cong., 1 Sess., No. 14, p. 251; Sheridan to Grant, May 4, 1867, ibid., p. 251; Sheridan to Grant, May 4, 1867, ibid., p. 207. Although few whites appeared to be registering at the beginning of May, more signed the rolls toward the end of the month. Sheridan to Grant, May 20, 1867, ibid., p. 207. The clerk was removed by SO No. 41, 5 MD, May 11, 1867, in House Exec. Docs., 40 Cong., 2 Sess., No. 342, p. 166. See also Sheridan to Grant, May 11, 1867, in Edwin M. Stanton Papers (Manuscript Division, Library of Congress).
that if they did not, he would ban the horse-drawn coaches from the streets.\textsuperscript{17}

Sheridan had won one of the earliest victories for Negro civil rights in the South, but his motive had been practical rather than idealistic. Like most of the white men of his time, Sheridan believed that the colored races were inferior to the white. However, he would not tolerate a situation where U.S. soldiers, regardless of color, were discriminated against on public conveyances. Such a circumstance might lead to an outbreak of violence in his district. This practical reason, rather than ardent civil rights fervor, dictated the general's course of action.

Black success in the star car issue may have stimulated protests on other questions. While Sheridan was inspecting voter registration preparations in Texas from May 12 to May 17, a large crowd of Negro stevedores assembled on the New Orleans riverfront and conducted a wildcat strike for better working conditions and higher wages. Before any violence occurred, General Joseph Mower went down to the docks and spoke to the excited blacks. Supported by a troop of mounted cavalry, Mower urged the workers to return to their jobs and threatened to bring in troops and break the strike if the strikers caused the slightest trouble.

disturbance. Mower's speech and the knowledge that more soldiers had been ordered to the scene convinced the crowd to disperse, and the strike ended. Sheridan returned to a peaceful city. 18

On May 24, 1867, Attorney General Stanbery announced his decision on voting qualifications. In Stanbery's judgment, state "executive and judicial officers" who had sworn to support the U.S. Constitution in the line of their jobs and then accepted an office under the Confederacy should be disqualified. Stanbery also excluded high state officials, such as governors, state treasurers, state attorney generals, and other upper echelon leaders. Compared to Sheridan's blanket order, the Attorney General's ruling disqualified only a few men. Like Sheridan, district commanders John Pope and Edward O. C. Ord had already issued directives that disfranchised a variety of citizens whom the Attorney General considered qualified to vote. Coming from the top legal officer in the national administration, Stanbery's pronouncement should have been obeyed. However, the military believed his ruling was only an "opinion" without force of law. Each district commander continued to make his own decisions on voting qualifications. 19

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18 Sheridan to Grant, May 11 and 18, 1867, Ulysses S. Grant Papers (Manuscript Division, Library of Congress); New York Times, May 18, 1867; New Orleans Bee, May 17, 1867; New Orleans Crescent, May 17, 1867; New Orleans Daily Picayune, May 12, 14, 16, 1867; Mayor Edward Heath to AAG George Hartsuff, May 15, 1867, in 5 MD, Letters Recd, RG 393, NA. Also on this trip Sheridan learned of the declining power of Maximilian. The next month Mexican patriots toppled Maximilian's throne; and the emperor was executed on June 19, 1867, ending the extraordinary French adventure in Mexico.

A few days after Stanbery issued his opinion on voting, Sheridan learned that the Radicals and blacks in New Orleans were planning a public parade for May 29. Since the organizers anticipated a large crowd, Sheridan decided to bring several companies of troops into the city and place them near the parade route. Additional units remained on alert at Jackson Barracks. On the evening of May 29 a crowd of one thousand Negroes and a few of their white supporters enjoyed a torch light procession in downtown New Orleans. Sheridan believed it was "the largest political assembly" in Louisiana since 1865. Negroes "paraded the streets without the slightest disturbance," wrote Sheridan to Grant. The rally concluded peacefully, making it unnecessary to call the troops stationed nearby.20

Sheridan had successfully weathered another crisis, but his high-level confrontation with Governor Wells continued. For a month following the levee board dispute, Sheridan tried to tolerate the uncooperative governor. Finally, after many weeks of misunderstanding, Sheridan decided to remove Wells from office on June 3.

The removal order offended Wells' sensibilities because it was wedged between two others concerning ordnance inspection and street cleaning.21 The New York Times branded Sheridan's move as act of an


21So No. 59, 5 MD, June 3, 1867, in Johnson Papers; Richard O'Connor, Sheridan the Inevitable (Indianapolis, 1953), 288; Sheridan, Memoirs, II, 265-67; Lowrey, "Political Career of Wells," 1090-92; Ficklen, Reconstruction in Louisiana, 189; Sefton, Army and Reconstruction, 141; New York Times, June 5, 1867. Sheridan was accused of removing Wells "arbitrarily" by Hodding Carter, The Angry Scar (New
"impetuous cavalry leader, rather than the calm, wise administrator." Louisiana newspapers, however, applauded the removal. Several editors and many politicians had been alienated by Wells' changing political loyalties from pro-Democrat to pro-Republican. Obviously pleased by Wells' misfortune, the Shreveport South-Western declared that whoever replaced Wells would do a better job. Other state newspapers offered similar comments.\textsuperscript{22}

Defending his action to his superiors in Washington, Sheridan labeled Wells a "political trickster and a dishonest man" whose "conduct has been as sinuous as the mark left in the dust by the movement of a snake." Wells' "subterfuge and political chicanery" could be tolerated no longer in the Fifth Military District.\textsuperscript{23}

Wells protested his removal to President Johnson and called Sheridan's action a "usurpation of power." The ex-governor demanded that he be allowed to remain in his elected office. Andrew Herron, the former Louisiana attorney general previously removed by Sheridan, supported Wells in his fight to stay in office. In a letter to the

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\textsuperscript{22}The New Orleans Times (June 4, 1867), no friend of the Governor, quipped: "All's well that ends Wells." See also New Orleans Crescent, June 4, 1867; Shreveport South-Western, June 12, 1867; Baton Rouge Tri-Weekly Advocate, June 7, 10, 1867; Alexandria Louisiana Democrat, June 12, 1867; New York Times, June 5, 1867. The Daily Picayune (June 5, 1867) commented that Wells had been "pervasive and mischievous," but had not blocked or obstructed the Reconstruction laws.

\textsuperscript{23}Sheridan to Stanton, June 3, 1867, in House Exec. Docs., 40 Cong., 1 Sess., No. 20, p. 65; Sheridan to Grant, June 4, 1867, \textit{ibid.}, p.67.
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President Herron strongly criticized Sheridan and recommended that the general be relieved of his command. 24

Judge Thomas Durant, Sheridan's first choice as a replacement for Wells, refused to accept the governorship. Sheridan then appointed Benjamin F. Flanders, a former Treasury agent who had confiscated great amounts of cotton for the Federal government after the war. Flanders had been a Louisiana resident for twenty-three years, coming to the state after his graduation from Dartmouth College in 1842. He had served as a Louisiana congressman before the Civil War, but had left the state during the conflict. Returning to New Orleans with the Federal occupation, he resumed his political career, but had lost to Wells in the gubernatorial election in 1864. Although Flanders acknowledged his Radical affiliation, he had a reputation for honesty. Such ideological opponents as the Alexandria Louisiana Democrat and the New Orleans Republican both complimented Sheridan on his choice of a new governor. Sheridan himself believed Flanders to be a man of "integrity and ability." 25

However, Wells stubbornly refused to surrender his post. The obstinate Louisianian locked himself in the governor's office in the Mechanic's Institute. On June 7 Sheridan's aide, Major James W. Forsyth, personally delivered an ultimatum to Wells: leave the building

24 J. Madison Wells to Johnson, June 4, 1867; Herron to Johnson, June 4, 1867, both in Johnson Papers.

25 SO No. 62, 5 MD, June 6, 1867, ibid.; Sheridan to Grant, June 6, 1867, in Senate Exec. Docs., 40 Cong., 1 Sess., No. 14, p. 215; New Orleans Times, June 7, 1867; Shreveport South-Western, June 19, 1867; New Orleans Bee, June 7, 1867; New Orleans Crescent, June 7, 1867; Alexandria Louisiana Democrat, June 12, 1867; New Orleans Republican, June 7, 1867; Sheridan to Grant, June 8, 1867, in House Exec. Docs., 40 Cong., 1 Sess., No. 20, p. 94.
peaceably or be dragged out. Under this threat, Wells finally relinquished the office, and Flanders moved in the next day.\textsuperscript{26}

Flanders immediately demonstrated his willingness to cooperate with Sheridan by his action in the Cyrus Stauffer murder case in Natchitoches. Stauffer had been a Radical leader, local registrar of voters, and a former delegate to the 1864 Constitutional Convention. During a quarrel over money with Natchitoches Democrat Robert Jones a fight ensued in which Jones killed Stauffer. Negroes in the area idolized the Radical, and when they learned of his death a large mob demonstrated at the courthouse demanding the arrest of the killer. But Jones wounded sheriff John Hughes when he tried to make the arrest. Before the situation got out of hand, Freedmen's Bureau Agent James Cromie requested that the military take charge of the case. Flanders, apprised of all the particulars of the situation, asked the Army to apprehend Jones and his brother Richard, an accessory to the murder. Furthermore, to insure an impartial hearing, the governor requested that upon their capture the brothers be tried by a military commission instead of a civilian court. Sheridan acceded to the governor's wishes, and General Mower selected troops to track down the accused men.\textsuperscript{27}

\textsuperscript{26}New Orleans Times, June 9, 1867; New Orleans Crescent, June 9, 1867; New Orleans Bee, June 9, 1867; Alexandria Louisiana Democrat, June 12, 1867; New York Times, June 9, 1867; Sheridan to Grant, June 8, 1867, in House Exec. Docs., 40 Cong., 1 Sess., No. 20, p. 94; Sheridan to Wells, June 7, 1867, in U.S. Army Letterbook. 1867-1868 (Fifth Military District Papers, 1867-1868, Duke University Library, Durham, N.C.).

\textsuperscript{27}New Orleans Bee, June 8, 1867; Baton Rouge Tri-Weekly Advocate, June 21, 1867; James Cromie to 5 MD Headquarters, June 10, 1867, in House Exec. Docs., 40 Cong., 1 Sess., No. 20, pp. 104-106; AAG G. L. Hartsuff to Mower, June 20, 1867, \textit{ibid.}, p. 107; Benjamin F. Flanders to Sheridan, June 18, 1867, in Senate Exec. Docs., 40 Cong., 1 Sess., No. 14, p. 223. The Joneses were finally apprehended August 10, 1867. See New Orleans Bee, August 11, 1867.
Meanwhile, the registration of voters that began on April 21 proceeded rapidly. Many whites managed to register in spite of barriers that Sheridan maintained. The registrars received a fee of twenty-five cents for each person who signed the voting rolls. After most Unionists and a multitude of Negroes had signed, some registrars accepted the fee from Confederate veterans and others Sheridan had excluded from eligibility. Blacks had been encouraged to register, and by the end of June 1867, over half of the 87,941 registered voters were Negroes. Sheridan had planned to end registration on June 30, although the other four military districts had been ordered to continue the process until August 1. The President asked that Louisiana keep its books open until the same date. Sheridan informed Grant that registration in Louisiana was nearly complete and claimed that if it was continued it would create "a broad macadamized road for perjury and fraud to travel on." In other words, even more undesirables might find a way to register.

Nevertheless, to placate Johnson, Sheridan consented to extend registration to July 15.  

Grant advised Sheridan to comply fully with Johnson's request to extend registration until August 1. This course, he said, would avoid public disclosure of ill will between Sheridan and the President. Grant further suggested that Sheridan enforce his "own construction of the military bill until ordered to do otherwise" and not to interpret Stanbery's ruling as an order. Sheridan was thus persuaded and informed

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28 Sheridan to Grant, June 10, 18, 19, 21, 28, 1867, in Senate Exec. Docs., 40 Cong., 1 Sess., No. 14, pp. 222, 227, 235, 237; AAG E. D. Townsend to Sheridan, June 21, 1867, ibid., p. 235-36; Sheridan to Grant, June 22, 1867, in Johnson Papers; Sheridan, Memoirs, II, 269-70; Ficklen, Reconstruction in Louisiana, 191; Patrick, Reconstruction, 101.
Adjutant General Townsend that the Fifth District would conform to the President's wishes—registration would be prolonged until August 1. 29

Despite Sheridan's belief that the registrars would have little to do after the end of June, thousands of men flocked to the parish courthouses. Almost forty thousand more men signed the rolls between July 1 and August 1, many of whom came forward when they learned that simple service in the Confederate Army no longer meant disqualification. Registration ended with 127,639 Louisianians on the rolls, 82,907 of whom were Negroes. 30

On July 19 Congress, over Johnson's veto, passed the third Reconstruction Act. The new law permitted district commanders to remove any civil official in their jurisdiction if the generals believed that such a move would benefit the district and the process of Reconstruction. Any appeals from politicians so removed were to go to General Grant and Congress for review, bypassing President Johnson. This third act gave registrars final authority over any individual who desired to register. The Radicals included a barb directed at Attorney General Stanbery.

Henceforth, military personnel were not required to obey any "opinion of

29 Grant to Sheridan, June 24, 1867, in Sheridan Papers, (Autograph Letters); Sheridan to Grant, and reply, June 28, 1867, both in House Exec. Docs., 40 Cong., 1 Sess., No. 20, pp. 92-93; Sheridan to Townsend, June 29, 1867, in Johnson Papers; Sheridan, Memoirs, II, 271; Hans L. Trefousse, Impeachment of a President: Andrew Johnson, the Blacks, and Reconstruction (Knoxville, 1975), 73.

30 Sheridan to Grant, July 2, August 5, 1867, in Grant Papers. In July 39,698 men were registered. See Ficklen, Reconstruction in Louisiana, 191. E. D. Townsend to Military District Commanders, June 20, 1867, in James D. Richardson, A Compilation of the Messages and Papers of the Presidents, 1789-1897 (10 vols., Washington, 1896-1899), VI, 552-56. This "letter of information" stressed the validity of Stanbery's ruling and encouraged the generals to use it as a basis for registration.
any civil officer of the United States." This act increased Sheridan's confidence because it confirmed a policy he had followed since April.  

Grant had attempted earlier to cover up the antagonistic relationship between President Johnson and Sheridan, but Sheridan's removal of state officials and his disregard for the opinions of the U.S. Attorney General had irritated the President even more. The passage of the third Reconstruction Act made Johnson fear that Sheridan might become completely unrestrained. Now Johnson made it clear how little he trusted the commander of the Fifth District. In July the President sent Brigadier General Lovell Harrison Rousseau to New Orleans as his special representative. Rousseau had no official powers, but Johnson wanted Sheridan to know that he was under observation. For about a month the President received reports on Louisiana conditions from Rousseau. 

Sheridan disliked Rousseau and had even less regard for his assignment. After a conference with Rousseau, Sheridan revealed his bitter and uneasy feelings in two letters to Grant. Not intimidated by Rousseau's presence in Louisiana, Sheridan continued to exercise his authority. On July 30 Sheridan removed James W. Throckmorton, the governor of Texas, whom he considered to be an impediment to Reconstruction. In his place the general appointed a Unionist, E. M.

31 Shreveport, South-Western, July 17, 1867; New Orleans Times, July 20, 23, 1867; Patrick, Reconstruction, 101; Ficklen, Reconstruction in Louisiana, 183-84; Sefton, Army and Reconstruction, 135-36; William A. Dunning, Essays on the Civil War and Reconstruction (Gloucester, Mass., 1969), 154.

Pease, whom Throckmorton had soundly defeated only a few months before in the gubernatorial election. Following the removal of Throckmorton, Louisiana newspapers printed rumors that Sheridan’s transfer from the district was imminent. 33

Undaunted, Sheridan removed twenty-two New Orleans city councilmen on August 1. Evidence indicated that the council had badly mismanaged city finances and increased the city’s indebtedness. The editor of the New Orleans Bee commended most of the new councilmen chosen by Sheridan and expected them to do a "satisfactory" job. Likewise, "of the colored men appointed" most were "of a favorable character." On the other hand, the New Orleans Times disapproved of the new council, especially of prominent Negro politician Oscar J. Dunn. Later, on the recommendation of Governor Flanders, Sheridan replaced the mayor and two city councilmen in the southwest Louisiana town of Lake Charles. 34

Removals of Louisiana civil officials continued. On August 4 Sheridan dismissed the New Orleans treasurer for complicity in the misuse of municipal funds. Two days later, military orders deposed the mayor and board of aldermen of Shreveport, and new appointees occupied


34 Sheridan, Memoirs, II, 270; New Orleans Times, August 2, 1867; New Orleans Bee, August 3, 1867; New Orleans Crescent, August 2, 1867; New York Times, August 2, 1867. The New Orleans Daily Picayune (August 2, 1867) also opposed Sheridan’s replacements for the council. See also W. R. Rutland to Flanders, July 9, 1867, in 5 MD, Letters Recd (Civil Affairs), RG 393, NA.
their seats. On August 8 Sheridan selected a former Army major, J. J. Williamson, to be the new chief of police for the Crescent City.\textsuperscript{35}

President Johnson viewed all of this activity with increasing alarm. He feared that if the general were not curbed, Sheridan might replace every civil officer in Louisiana and Texas. Johnson had already asked the Cabinet members for their opinions on transferring Sheridan out of the Fifth Military District. The Cabinet divided equally on the ticklish subject. Meantime, Sheridan's aide-de-camp Major James Forsyth sent a telegram warning the general of his impending transfer.\textsuperscript{36}

Despite this warning, Sheridan struggled over the draft of a memorandum on juries, hoping to have it put into law before he left the state. He believed that jurors should be selected from the state's registered voters, including Negroes who had never exercised this responsibility. On the other hand, many whites who had been disfranchised would not be considered for jury duty, previously the exclusive task of their race. Grant agreed with Sheridan that jury members should be picked from the voting lists, but he left this decision to the district commander. Grant strongly recommended that Sheridan plan a schedule for the fall elections. In the event that Sheridan was transferred, the job of beginning a Republican state government would already be started.\textsuperscript{37}

\begin{flushleft}\\textsuperscript{35}New Orleans Times, August 6 and 9, 1867; New Orleans Bee, August 6, 1867; New York Times, August 5, 1867; New Orleans Crescent, August 6 and 9, 1867; Shreveport South-Western, August 28, 1867.\\textsuperscript{36}Sheridan to Grant, August 5, 1867, in Grant Papers; Beale (ed.), Diary of Welles, III, 149; Forsyth to Sheridan, August 12, 1867, in Sheridan Papers; New Orleans Times, August 14, 1867.\\textsuperscript{37}Sheridan to Grant, August 15, 1867, in Grant Papers; Grant to Sheridan, August 16, 21, 1867, ibid. See also Benjamin P. Thomas and\end{flushleft}
On August 17, 1867, after many days of agonizing over the situation, Johnson removed Sheridan as commander of the Fifth Military District. General Grant, then serving as Acting Secretary of War, told Johnson that the removal of an officer of Sheridan's stature would only encourage Southerners to violate the Reconstruction Acts. Taking an extreme stand to defend his old friend, Grant claimed that Sheridan's dismissal was "contrary to the wishes of the American people." The President replied that he had not heard the Northern people express such an opinion. In fact, Johnson believed Sheridan's "rule" had "interfered with . . . the acts of Congress." Another general must be found who would do a better job and repair the disruption in Louisiana.  

Johnson wanted a conservative and reliable moderate general to replace the Radical Sheridan. The President chose Major General George H. Thomas, hero of the battle of Chickamauga and commander of the Department of the Cumberland. To get Sheridan out of the South, Johnson assigned him to the important Department of the Missouri, where he would replace Major General Winfield Scott Hancock. In turn, Hancock would assume Thomas' command over Kentucky and Tennessee. However, Army Doctor Alexander B. Hasson reported that Thomas was suffering from a  

Harold M. Hyman, Stanton, The Life and Times of Lincoln's Secretary of War (New York, 1962), 555.  

38The Executive Order transferring the generals is in House Exec. Docs., 40 Cong., 2 Sess., No. 57, p. 3. See also Johnson to Grant, August 19, 1867, ibid., pp. 4-6; Grant to Johnson, August 17, 1867, ibid., pp. 1-2; Beale (ed.), Diary of Welles, III, 174; New Orleans Times, August 20 and 21, 1867; New Orleans Bee, August 20, 1867; New Orleans Crescent, August 20 and 21, 1867; New Orleans Republican, August 20, 1867; W. G. Moore, "Notes of Colonel W. G. Moore, Private Secretary to President Johnson, 1866-1868," American Historical Review, XVIX (October, 1913), 110; Trefousse, Impeachment of a President, 82, 101-102. Trefousse (p. 105) explains that Sheridan's removal was one of the key events in the process which led to Johnson's impeachment.
liver ailment and recommended that the general retain command of the Cumberland. Johnson concurred with the surgeon's advice and ordered all commanders to hold their posts until further notice. Grant cautioned Sheridan: "Relax nothing in consequence of probable change of commands."  

Johnson soon made his decision. Agreeing with the inadvisability of transferring Thomas, on August 26 the President simply ordered Sheridan and Hancock to switch commands: Sheridan would proceed "at once" to the Department of the Missouri, and Hancock would report to the Fifth District.  

The announcement of Sheridan's removal brought mixed reactions from Louisiana's newspapers. Some were glad to see him go. The Alexandria Louisiana Democrat was overjoyed and severely criticized the general's administration in a scalding editorial. The New Orleans Times condemned Sheridan's "close adherence to the partisan 'requirements of Congress.'" The Baton Rouge Tri-Weekly Advocate judged that Sheridan's rigorous enforcement of "the law entrusted to him" had created a gulf of bitterness between him and the majority of Louisiana citizens.  

39A. B. Hasson to Grant, August 21, 1867; Johnson's Executive Order, August 22, 1867; Grant to Sheridan, August 24, 1867, all in House Exec. Docs., 40 Cong., 2 Sess., No. 57, pp. 6-7. See also George F. Milton, The Age of Hate: Andrew Johnson and the Radicals (New York, 1930), 459.  

40Johnson's Executive Order, August 26, 1867, in House Exec. Docs., 40 Cong., 2 Sess., No. 57, p. 7; New Orleans Times, August 24 and 27, 1867; New Orleans Bee, August 27, 1867.  

41Other adverse comments on Sheridan are found in Alexandria Louisiana Democrat, September 4, 1867; New Orleans Times, August 24 and 28, 1867; Baton Rouge Tri-Weekly Advocate, August 28, 1867; New Orleans Daily Picayune, August 21, 1867; Monroe Ouachita Telegraph, August 29, September 5, 12, 1867; Shreveport South-Western, August 28, September 11, 1867.
On the other hand, two prominent New Orleans newspapers viewed Sheridan's removal in a different light. The Bee ran a long editorial which read in part:

The Radicals have made up their minds to take possession of the Southern State Governments, and run them in their own way. The end will be reached before we find peace, and what matters is whether it is done in the rapid, bold style of Sheridan, or brought about little by little as in the case of some other commanders. General Sheridan sees the work that he has to do and does it promptly. That much is decidedly in his favor; and we see no reason for blaming him for the removal of officials elected by the people and the substitution of Radicals. Congress expected him to do it. . . . For this, then, we must blame Congress and not Sheridan. . . . Should General Hancock or General Meade be appointed to succeed him the work . . . will still go on . . . .

The New Orleans Crescent likewise made some thoughtful comments:

It would be fulsome hypocrisy to pretend that the great majority of our citizens have not looked with aversion and alarm upon the partisan leanings of Gen. Sheridan. But it is just to say he has been daily more and more commending himself to general appreciation, as well as by the candor, directness and vigor with which he proceeded to his objects, as by the judicious character of some of his appointments. . . . Our people were, at all events, getting used to his rule and were beginning to comprehend him. . . . To many of our people, doubtless, the change of commanders will recall the question, "whether it were not better to bear the ills we have, than to fly to others that we know not of."43

In another editorial the Crescent commented further:

To pursue an uncompromising opposition to [the district commanders], and at the same time to propose allegiance to the government whose will, enacted into law, they are carrying out, is palpable inconsistence. [Opposition of this kind] serves as a protest for keeping up at the north the radical cry of disloyalty and rebellion among Southerners. [Therefore this opposition] plays into the hands of the most virulent and desperate enemies of the South.44

42 New Orleans Bee, August 6, 1867.
43 New Orleans Crescent, August 20, 1867.
44 Ibid., August 25, 1867.
During all the confusion over the command changes, Sheridan had calmly proceeded with his adjustments in civil government. He set September 27 and 28 as the dates for the election of delegates to the constitutional convention. The New Orleans surveyor, two city attorneys, and the city coroner were all removed for unsuitable performance of their jobs and impeding the Reconstruction Acts. Sheridan annulled $103,000 worth of public works contracts on the grounds that they were fraudulent. He drafted the final version of a special order that declared only registered voters were qualified for jury duty.  

Even after he received Johnson's orders directing him to report "at once" to the Indian frontier, Sheridan lingered on in New Orleans. Probably he planned to remain in Louisiana until Hancock relieved him. Until then there was much to do.

A spreading yellow fever epidemic affected soldiers and civilians alike. Sheridan ordered that more doctors and nurses be employed to combat the disease. Seeking protection from the fever, several companies of soldiers relocated their bivouacs from low lying areas to higher ground. "Yellow Jack" infected General Mower and half of the 1st Infantry. Eventually more than one hundred soldiers died from yellow fever at Jackson Barracks in 1867.


46Sheridan to Grant, August 20, 23, 27, 1867, in Grant Papers; Grant to Sheridan, August 21, 26, 1867, ibid.; Harry W. Pfanz, "Soldiering in the South During the Reconstruction Period, 1865-1877," (unpublished Ph.D. dissertation, Ohio State University, 1958), 323-24; Report on Yellow Fever Epidemic of 1867 by T. A. McParlin to CG, 5 MD, May 15, 1868, in 5 MD, Letters Rec'd, 1868, RG 393, NA.
In addition to matters of health, Sheridan attended to political and economic matters during his last days as district commander. On August 29 Sheridan ordered the removal of a Rapides Parish sheriff and a justice of the peace for failing to arrest the accused murderer of a Negro. The same day the New Orleans city controller and the St. Tammany Parish tax collector were cashiered for improper handling of funds. A military directive issued on August 30 outlined a program of needed levee repairs. Several local newspapers wholeheartedly approved of the planned renovations. Then Sheridan received permission from Grant to take a long leave in Washington as soon as he had transferred his headquarters to the West. This was the signal for which he had been waiting.  

On September 1, Sheridan designated Colonel Charles Griffin the interim commander of the Fifth District. Four days later, controversial "Little Phil" departed for his new assignment on the Missouri. On September 11, he detrained at Fort Leavenworth, Kansas, headquarters of his new department. Hancock yielded the seat of command the following day.

Within two weeks Sheridan began his trip east to Washington, and all across the North big crowds accorded the diminutive general a hero's welcome. As a gala reception in New York he sat as guest of honor. Sheridan was pleased to be back among people who appreciated him.  

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47 SO No. 129, 5 MD, August 29, 1867, in House Exec. Docs., 40 Cong., 2 Sess., No. 342, p. 172; New Orleans Times, August 30 and 31, 1867; New Orleans Crescent, August 21, 30, 31, 1867; New Orleans Republican, August 29, 1867; Grant to Sheridan, August 30, 1867, in Grant Papers.

48 Sheridan, Memoirs, II, 276-77; Baton Rouge Tri-Weekly Advocate, September 6, 1867; New Orleans Times, August 30, September 6, 1867; New Orleans Crescent, September 5 and 6, 1867; New Orleans Bee, September 5,
Sheridan believed that he had done a proper and necessary job of Reconstruction in Louisiana and that his removal harmed the congressional Reconstruction program. In a report submitted to Grant on September 20, 1867, Sheridan explained how he had governed Louisiana. It appeared to him that "nearly every civil officer within my command was either openly or secretly opposed to the law and to myself. . . ." Consequently, "[t]here was only one sensible course to pursue, and that was to remove every civil officer who did not faithfully execute the law, or who put any impediment in the way of its execution. . . ." He had developed this creed during twenty-one months of command in the Southwest before Congress passed the Reconstruction Acts. For much of this time Sheridan did not consider Reconstruction his main task. However, his idea of the methods that would be needed to carry out Reconstruction according to the wishes of Congress had evolved from that first June day in 1865 when he set foot in Louisiana. 49

Phil Sheridan is a classic example of the good combat soldier who finds it nearly impossible to shift from the aggressive and physically dangerous theater of war to the arena of politics. 50 His military training and experience made Sheridan easily displeased with two things: negligence in the performance of duty and obvious violation of the laws of Congress. The Reconstruction Acts were to him, as Richard O'Connor

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50 Sefton, Army and Reconstruction, 8; O'Connor, Sheridan, 276.
has written, like a "manual of arms," as valid as any order from a military superior. Sometimes generals issued incomplete or unclear orders which lent themselves to interpretation by subordinates. Likewise, Congress at times vaguely phrased a law as it did with regard to the removal powers of a district commander in the Reconstruction Act of March 2, 1867. With no qualms, Sheridan filled in the missing details, granting to himself powers Congress later formalized in the third Reconstruction Act.

The instability of the times called for a vigorous coordinator who would adjust the state government to meet the requirements of the national laws. Sheridan helped establish the Army as the agent by which these laws would be enforced. Most importantly, if the whole process was to succeed, voter registration had to be handled competently and thoroughly. Sheridan did this, giving encouragement to the freedmen and putting up as many barriers as possible to ex-Confederates. Determination to do a thorough job prompted him to investigate suspicious individuals and situations at all levels of Louisiana politics. Sheridan definitely shirked his duty during the 1866 riot in New Orleans. However, in several episodes thereafter, such as the levee board dispute and the matter of the judicious appointments to office, especially the replacement of the confused, uncooperative Governor Wells, Sheridan carried out the laws strictly, but not harshly. He replaced administrators who he believed were genuine impediments to Reconstruction or who had overtly violated Federal statutes. He put men into office whose dedication was needed to make Reconstruction successful.
His removals were not haphazard, "highhanded," "arbitrary," or summary. 51

Two factors made the problem of removals very complex. First, he went patently against a hundred years of American tradition and law for a military officer to have veto power over elected officials. The circumstances which created such an unusual situation were, of course, based upon the unprecedented division of the nation during four years of Civil War. After the war, the winning side dictated the terms to the loser. Congress assigned the job of enforcing these terms to the U.S. Army. Sheridan's enforcement was no harsher than the terms themselves. It was not a despot, "satrap," proconsul, or merciless administrator. 52

Second, during Reconstruction Sheridan usually dealt with Southerners of limited capabilities, men of secondary quality, mere politicians, not statesmen. The South needed gifted men during Reconstruction who knew when to concede and when to hold firm. The defeated section required leaders who knew how to compromise, how to make the best of an unpleasant situation, and how to adjust to a tremendous change in their society. Louisiana had too few men of this type. Those few made little impression on the many who took the path of defiance, resistance, and violence. Losing the Civil War had filled these stubborn, individualistic Southerners with sadness, frustration, and

51 Ficklen, Reconstruction in Louisiana, 187; Carter, Angry Scar, 130, 164; O'Connor, Sheridan, 287-92. See also Sefton, Army and Reconstruction, 110, 157-58, 253.

hostility. At various times during Reconstruction these complicated emotions inspired hostile actions directed against Sheridan and the other soldiers, who were primarily responsible for the South's defeat and subjugation. It would have been difficult for any Federal commander to receive cooperation from men motivated by such emotions, no matter how discreet, restrained, and tactful the officer might have been.53

Sheridan believed he saw at least one positive accomplishment during his tenure in Louisiana. He witnessed "some improvement in the tone of the public in reference to the rights and privileges of the freedmen." It became apparent during the next several years that if the freedmen were to keep these rights and privileges the Army would have to stand guard over them. However, in a relatively short time Sheridan had integrated New Orleans street cars, registered thousands of black voters, and directed them to serve on juries like any other enfranchised citizen. Also, several Negroes had been appointed to public office. Sheridan's administration did not rescue Negroes from discrimination and intimidation, but he attempted to lay the groundwork for their participation in democracy.54

Shortly before Sheridan left Louisiana in 1867, the New Orleans Bee editorialized: "We may blame the General for being too ready to carry out the Congressional measures, and for displaying too much alacrity in


54 SW, Annual Report, 1867-68, p. 379; House Reports, 39 Cong., 1 Sess., No. 30, Pt. 4, p. 123; Coulter, Reconstruction, 130-31; O'Connor, Sheridan, 287; Ficklen, Reconstruction in Louisiana, 188; Sefton, Army and Reconstruction, 61.
its service, but at the same time no man believes he is acting contrary to order[s]. . . ." Twenty years later Sheridan wrote in his Memoirs: "I simply tried to carry out, without fear or favor, the Reconstruction Acts as they came to me." A modern authority condenses the subject in a similar fashion. "Whatever they [the military commanders] might have thought privately of the federal policy, they enforced it, as it was their duty." Philip H. Sheridan carried out his duty as he saw it.

55 New Orleans Bee, August 6, 1867; Sheridan, Memoirs, II, 278. Sheridan gave an impromptu farewell speech at the train station in New Orleans which shows striking similarity to this passage in his Memoirs. See New Orleans Republican, September 5, 1867. For a similar description, see Frank A. Burr and Richard J. Hinton, The Life of Gen. Philip H. Sheridan (Providence, R.I., 1888), 341.

56 Sefton, Army and Reconstruction, 253.
CHAPTER V
MOWER AND HANCOCK: OPPOSITE ENDS

Brevet Major General Charles Griffin became the interim commander of the Fifth Military District when Sheridan left Louisiana on September 5, 1867. Like most of the Fifth District commanders, Griffin had been graduated from West Point, completing his studies in 1847. He saw only limited duty in the Mexican War and was afterward stationed in New Mexico Territory from 1849 to 1858. On the eve of the Civil War, Griffin returned to West Point as an artillery instructor. He served in the Eastern theater from First Manassas to Appomattox, rising eventually to command a corps in the Army of the Potomac. After the war, he was ordered to the Southwest and since November 28, 1866, had been Sheridan's commander of Texas, with headquarters at Galveston. Griffin had consistently supported Sheridan's ideas on Reconstruction.¹

In New Orleans, the Fifth District staff waited for Griffin to decide whether they would stay in Louisiana or join him in Texas, but the general's attention was diverted from normal administrative matters to the spreading peril of yellow fever. The disease had reached epidemic proportions in August, making survival one of Griffin's main concerns.

Health conditions were so bad in Galveston that most of the doctors had been infected by the raging fever. Unfortunately, Griffin never had to decide whether or not to leave Galveston, for he contracted yellow fever on September 12 and died three days later at the age of forty-one.  

Griffin's place was taken by Joseph A. Mower, senior officer in Louisiana. Immediately upon assuming full control of his office, Mower requested that additional troops be stationed in Louisiana to guard against violence in the upcoming election for the constitutional convention. However, unacclimated troops were particularly vulnerable to yellow fever, which had already caused the death of seven hundred persons in Louisiana. Therefore, Mower actually wanted permission to postpone the election until the fever abated and then reinforcements could be used to protect the polls.

The new commander expected election violence in Louisiana because excitement was evident among all classes of citizens. Increasing numbers of Negro semi-military organizations annoyed white citizens by frequent drilling and unnecessary shooting practice. White organizations, styled "gunclubs," intimidated local Negroes, white Unionists, and other settlers from the North. Circuit Judge John Ilsley informed Louisiana Supreme Court Justice James G. Taliaferro that a "panic throughout the whole" countryside prevented government men from traveling in the

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2 Charles Griffin to U. S. Grant, September 3, 1867, in Andrew Johnson Papers (Manuscript Division, Library of Congress); New York Times, August 25, 27, 1867; Surgeon H. A. Swartworth to Grant, September 13, 1867, in U. S. Grant Papers (Manuscript Division, Library of Congress); Abner Doubleday to AG Lorenzo Thomas, September 15, 1867, ibid.

3 Joseph A. Mower to Grant, September 16, 1867, in Grant Papers; New Orleans Crescent, September 16, 1867; New York Times, September 24, 1867.
vicinity of Opelousas. To quiet the fear of trouble, Mower issued an order prohibiting any extra-legal gatherings of armed men, black or white. 4

Mower's edict sufficiently quieted the state to enable preparations for the election to proceed on schedule. Governor Flanders and Republican political leader Judge Henry Clay Warmoth met with the general to discuss the situation. Since Warmoth was commander of the Louisiana Grand Army of the Republic, the state's branch of the nationwide bi-racial reserve organization for ex-Union soldiers, Mower asked him to restrain his friends in the G. A. R., particularly the black members, during the perilous election period. In an attempt to ensure that there would be no disruptions in New Orleans, Mower ordered twelve infantry companies, nine of the 1st Infantry and three of the 39th Infantry, brought into the city. An artillery battery and a cavalry company were sent to support the foot soldiers. Altogether, Mower had more than one thousand troops in the New Orleans area. 5

Outside of the New Orleans vicinity was the U.S. 20th Infantry, 665 men in ten companies, distributed among the important towns of Alexandria, Baton Rouge, Monroe, and Shreveport. The regiment's colonel, West

4 John Ilsley to James G. Taliaferro, September 4, 1867, in James G. Taliaferro and Family Papers, Department of Archives and Manuscripts, Louisiana State University Library, Baton Rouge; GO No. 11, 5 MD, September 16, 1867, in American Annual Cyclopedia and Register of Important Events, 1867 (New York, 1868), 462-63; Mower to AAG George L. Hartsuff, September 15, 1867, in Dept Gulf, vol. 274, RG 393, NA; New Orleans Times, September 17, 18, 1867; Baton Rouge Tri-Weekly Advocate, September 24, 1867. For the type of activity among the Negro groups see Otis A. Singletary, Negro Militia and Reconstruction (Austin, 1957), 24-25, 46-49, 66.

Pointer George Sykes, had been a corps commander in the Army of the Potomac during the Civil War and had served before the war at Fort Jesup, near Natchitoches. Although other officers of the regiment had no previous experience in Louisiana, the 20th acquired a reputation for friendliness and cooperation with the people. The Shreveport South-Western cited the good conduct of the companies assigned to that town, commenting that it had "no cause for complaint" against the soldiers of the 20th Infantry. The Baton Rouge Tri-Weekly Advocate complimented Lieutenant Colonel Louis Watkins for his helpful actions while he commanded the garrison there.

Thus, in the event of trouble Mower could depend on three infantry regiments, two companies of the 4th Cavalry and one battery of the 1st Artillery with a total strength of 2400 men. This figure represented a decline from more than 5,000 men in the state during the previous year. Few re-enlistments, the mustering out of the last Negro volunteer regiments, and the transfer of another regiment caused the decline. However, Grant apparently believed that Mower had enough troops to maintain order, and the reinforcements that Mower had requested earlier were not sent. In 1867 Louisiana ranked third among the Southern states, behind Texas and Virginia, in the number of soldiers located within its borders.

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7Shreveport South-Western, April 17, July 24, 1867; Baton Rouge, Tri-Weekly Advocate, June 10, 1867. Watkins died while on duty in Baton Rouge the following year. The Advocate (March 30, 1868) lamented his passing and called him a "generous" commander who had sympathy with the people of Louisiana.

8SW, Annual Report, 1868-1869, p. 310, in House Exec. Docs., 40
Prior to the election, Mower sent out detachments of troops to several parish seats throughout the state with orders to protect the polls and prevent violence or intimidation of the voters. At the request of district headquarters, most towns closed their saloons on the election days. Despite widespread rumors predicting riots, the military proceeded with the voting on September 27 and 28. When the polls closed, more than 75,000 men had voted in favor of a constitutional convention and elected ninety-eight delegates. Slightly more than four thousand negative votes were cast. Much to Mower's relief, the election passed with only minor disturbances. The scattered detachments across the state had done a good job preserving order. In most cases, these troops returned to their parent garrisons during October.9

In the days after the election, Mower followed Sheridan's approach to Reconstruction in the Fifth District by issuing orders concerning elections and by removing uncooperative officials. He began by ordering that all Texas jury members be registered voters, copying Sheridan's similar ruling for Louisiana. On the recommendation of Governor Flanders, Mower removed a justice of the peace in St. Charles Parish on October 9.

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9 Alexandria Louisiana Democrat, September 25, 1867; Mower to Grant, September 19, 24, 25, 26, 27, 28, 29, 1867, in Grant Papers; SO No. 116, 5 MD, October 21, 1867, in House Exec. Docs., 40 Cong., 2 Sess., No. 342, p. 174. AAG Nathanial Burbank to COs at Shreveport, Monroe, Alexandria, Vidalia, Baton Rouge, and Amite, September 18, 1867, in Dept Gulf, vol. 274; AAG George Baldey to COs at Vidalia, Shreveport, Baton Rouge, Amite, Monroe, and Alexandria, October 2, 1867, ibid.; AAAG Hartsuff to Mayors of New Orleans and Jefferson, September 25, 1867, in 5 MD, vol. 1; Lt. B. S. Humphrey to W. T. Gentry, September 19, 1867, in 5 MD, Letters Recd, Civil Affairs, all in RG 393, NA.
A few days later, Mower removed five members of the Jefferson board of aldermen for violating Sheridan's Special Order No. 7 of the previous March. This order prohibited any elections for public office until the state had drafted a new constitution and the election of new state officers had taken place. The aldermen passed an ordinance for the election of city officials in Jefferson.

Mower's approach to the state problems disappointed the New Orleans Crescent. In the editor's opinion, the district commander had needlessly dismissed the Jefferson councilmen. Perhaps a more reasonable course would have been to invalidate the improper election and issue a warning reminding the aldermen of Sheridan's order. Even more disturbing to local Democrats, Mower also removed a sheriff and a clerk of court in St. John the Baptist Parish on the vague grounds that they were "impediments to Reconstruction," without giving any specific reasons for the removals. In only one month, he had replaced eight public officials.

In Louisiana the yellow fever epidemic slackened about half way through October. By the time November arrived, the incidence of the disease among both soldiers and civilians had slowed down considerably.

Now that the yellow fever had subsided, Louisiana waited expectantly for the arrival of General Hancock. Most citizens expected

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11 New Orleans Crescent, October 22, 1867.

12 Mower to AG C. B. Comstock, October 21, 1867, in Grant Papers; New Orleans Crescent, November 1, 1867; New Orleans Daily Picayune, October 18, 1867.
Hancock to wield his authority less arbitrarily than Mower. Even Sheridan had normally accompanied his removals with explanations.

Mower, however, continued in his own style on November 1 when he removed Orleans Parish Sheriff Harry T. Hays, a former Confederate officer, as an "impediment to Reconstruction" and for participation in the July 1866 New Orleans riot. Although Sheridan had reorganized the police department, he had not removed Hays. Mower also replaced George Braugh, an Orleans justice of the peace, for unspecified "malfeasance in office." Braugh accepted his fate, but Hays sent a letter of protest directly to General Grant. Hays claimed that the man whom Mower had appointed to be his successor, Cuthbert Bullitt, had embezzled Federal funds in Louisiana after the Civil War. Grant decided the situation merited investigation and wired Mower to "revoke the order appointing Bullitt," as it appeared the new sheriff had somehow defrauded the Treasury Department. Mower revoked the order that removed Hays. A subsequent investigation revealed that Bullitt had illegally sold some confiscated Confederate property and had pocketed the money instead of giving it to the Treasury. Mower now realized that Bullitt was unacceptable for the "Sheriffality," and Hays resumed his office.

Mower sought out ways to use his powers of removal and appointment. On November 12 the general appointed a well-known Republican, R. King

13SO No. 176, 5 MD, November 1, 1867, in House Exec. Docs., 40 Cong., 2 Sess., No. 342, p. 176; Harry T. Hays to Grant, November 1, 1867, in Grant Papers; Grant to Mower, November 2, 1867, ibid.; New York Times, September 24, 1867.

14Comstock to Mower, November 2, 1867, in Grant Papers; Mower to Grant, November 3, 1867, ibid.
Cutler, to an Orleans Parish judgeship recently vacated by a resignation. At the same time, Governor Flanders approved the removal of a Jefferson Parish justice of the peace. Within a few days, on November 16, Mower again removed Sheriff Harry Hays. This time Mower intended to make the dismissal permanent. In the same order he also deposed an Orleans clerk of court for malfeasance and dismissed three members of the town council of Brashear, but no reasons were given. In the next few days, Mower displaced six more civil officials, including a judge and a state tax collector, calling them "impediments to Reconstruction." Since Sheridan's departure, twenty officials had been removed from office. Only the New Orleans Republican applauded Mower's wholesale housecleaning.¹⁵

For his next political targets, Mower chose higher appointees than constables and city councilmen. Apparently motivated by a desire to finish the process begun by Sheridan, Mower removed Lieutenant Governor Albert Voorhies, the secretary of state, the state treasurer, the superintendent of public education, the state auditor, and yet another tax collector. As before, Mower used the phrase "impediment to Reconstruction" to justify the dismissals. Governor Flanders strenuously objected to this latest flurry of removals, calling them "inexpedient," and noted that some of the new appointees were unsuitable for their positions. The governor broke friendly relations with Mower and suggested that Grant nullify all of Mower's orders since November 10, leaving Hancock to make the ultimate determinations concerning these

¹⁵ SO No. 184, November 12, 1867; SO No. 188, November 16, 1867; and SO No. 191, November 20, 1867, 5 MD, all in House Exec. Docs., 40 Cong., 2 Sess., No. 342, p. 177; Mower to Grant, November 17, 1867, in Grant Papers.
personnel matters. Grant quickly agreed. He ordered Mower to suspend all of these removals pending the arrival of General Hancock, who would then decide each case individually. The district commander promptly complied with Grant's demand.\(^{16}\)

Meanwhile, on November 23, the constitutional convention opened in New Orleans. The delegates selected Judge James Taliaferro as chairman. Negroes occupied half of the ninety-eight seats in the convention. Many of these black delegates were well educated, and most were respected businessmen and landowners. Under Taliaferro’s direction the convention took four months to draw up a new constitution for the state.\(^{17}\)

As the convention was beginning its deliberations, General Hancock was expected momentarily in New Orleans; in fact, on one occasion an honor guard was called out to welcome the general, but he failed to arrive. Disregarding the fact that Hancock would soon take command, Mower threw aside caution and good judgment and requested specific authority from Grant to remove Governor Flanders. Mower complained that the governor had blocked the removal of officials who were not properly doing their jobs. But before Grant replied, General Hancock reached New Orleans by riverboat on the evening of November 28.\(^{18}\)

\(^{16}\)SO No. 192, November 21, 1867, and SO No. 193, November 22, 1867, 5 MD, in House Exec. Docs., 40 Cong., 2 Sess., No. 342, pp. 177-78; Benjamin F. Flanders to Grant, November 21, 1867, in Grant Papers; Grant to Mower, November 22, 1867, ibid.; Mower to Grant, November 22, 1867, in Johnson Papers.

\(^{17}\)American Annual Cyclopedia, 1867, p. 464. For a good overview of black delegates to the convention see Charles Vincent, Black Legislators in Louisiana During Reconstruction (Baton Rouge, 1976), 48-67. The convention and the resulting constitution are thoroughly treated in Joe Gray Taylor, Louisiana Reconstructed, 1863-1877 (Baton Rouge, 1974), 147-55.

\(^{18}\)AAG Burbank to CG, Dist La, November 22, 1867, in 5 MD, vol. 1,
Mower had directed Louisiana through the potentially violent period of election time with no pronounced disturbances. For this he earned neither affection nor respect from Louisiana's white citizens. Many of them had been pleased by Sheridan's departure, only to find his successor even more Radical than "Little Phil." A Northern newspaper commented that Mower "out Sheridan's [sic] Sheridan." The New Orleans Republican labeled Mower "a sterling custodian" of government like Generals Butler and Banks before him. The Alexandria Louisiana Democrat and the Daily Picayune spoke for the majority, however, in their criticism of Mower. The Picayune was particularly gratified that the general had been shunted off to the regimental headquarters of the "dusky 39th" at Greenville, where command would not require either "bodily or mental exertion."\footnote{Brooklyn Union, quoted in New Orleans Republican, October 25, 1867; \textit{ibid.}, November 23 and 30, 1867; Alexandria Louisiana Democrat, November 27, 1867; New Orleans Daily Picayune, December 5, 1867.} Luckily, Mower did nothing drastic to dislocate the foundation that Sheridan built for him. But Mower's impolitic and ill-considered removals marred his record. Although he adopted Sheridan's attitude and approach to Reconstruction problems, Mower's solutions lacked the reasonableness and soundness of the senior general's.

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Winfield S. Hancock, well-known in Army circles as a Democrat, assumed command on November 29, 1867; and on that same day he issued his important General Order No. 40, an order which pleased most of the white

RG 393, NA; Mower to Grant, November 25, 1867, in Grant Papers.
people of Louisiana and Texas. Hancock declared that "the military power should cease to lead and the civil administration resume its natural and rightful dominion." The military would henceforth leave purely civil offenses and problems to the responsible elected officials. The rights of trial by jury, habeas corpus, and freedom of speech and of the press were all reconfirmed. In actual fact, Hancock's order did no more than spell out the conditions that legally existed under Sheridan and Mower. Thus, Hancock did not really institute any drastic change in policy; but as was soon evident, he did institute a change in attitude. Friendly messages of welcome from New Orleanians filled the mail trays in Hancock's office and the post box at his home in the Garden District. Newspapers carried editorials lauding Order No. 40. Hancock's wife later wrote that "The gratitude was universal. . . ." 20

Hancock, who was forty-three years old in 1867, had had experience in both combat and administration. Appointed to West Point from Pennsylvania, he was graduated in 1844. Like so many other officers, the Mexican War provided Hancock with his first battlefield experience. His combat record in the Civil War was crowned by his outstanding

leadership at the battle of Gettysburg. His corps repulsed several important Confederate assaults, including Pickett's Charge, but Hancock received a severe wound. Congress awarded him a special vote of thanks for his actions in the pivotal battle. After the war he served on two special Army commissions and then resumed field duty against the Indians in the Department of the Missouri.²¹

One of Hancock's first duties upon assuming command in New Orleans was to deal with the appointments and removals which had been made by Mower, and usually Hancock followed the practice of replacing Radicals with Conservatives. On orders from General Grant, Hancock removed Judge King Cutler from office, leaving the position temporarily vacant. After reviewing their cases, Hancock reinstated two policemen Mower had dismissed from the New Orleans police force. Within four days, Hancock reinstated three more Mower removals, a clerk of court, the state auditor, and the state treasurer.²²

Besides replacing Mower's appointees with more conservative officials, Hancock canceled Sheridan's order of August 24, 1867, which allowed Negroes to qualify as jurors simply by being registered voters. Hancock ruled that determination of "who shall and who shall not be jurors" belonged to the state legislature. The New Orleans Times praised the order in an editorial with the headline "No More Negroes on Juries." Hancock's order did not immediately eliminate Negroes, but his cancellation of Sheridan's edict was the first step toward virtual

²¹Cullum, Register of West Point, II, 108-109; Warner, Generals in Blue, 202-204.

exclusion of blacks from juries. New Orleans residents roared their
approval of Hancock's new policy by cheering him when he appeared at an
opera house on December 7.\textsuperscript{23}

Using his authorized powers, Hancock continued his crusade to
displace the Radicals. On December 14 he replaced the mayor of Shreve­
port and the town council as well, all of whom had been appointed to
office only four months before by General Sheridan. Five days later,
nine more men who had been removed by Mower were reinstated by Hancock.
These included Lieutenant Governor Albert Voorhies, the secretary of
state, and the director of public education. Hancock appointed thirteen
other minor officials, such as police jurors and constables, to fill
vacancies which had occurred around the state. Most of these new
appointees, to the delight of the state's Democratic press, were
Conservatives.\textsuperscript{24}

From the time of Hancock's arrival in Louisiana, Republicans and
Democrats from various parts of the state had inundated him with letters
requesting troops. A recurring theme of these letters was the fear that
Negroes might revolt around Christmas time. The threat of such a holiday
rebellion had constantly worried Southerners during the prewar years,
although none had ever occurred. He responded to these requests by
asking the Adjutant General and General Grant for more troops—
specifically white ones. "A few soldiers at various posts under

\textsuperscript{23}SO No. 203, 5 MD, December 5, 1867, \textit{ibid.}, pp. 180-81; New
Orleans Times, December 6 and 8, 1867.

\textsuperscript{24}SO No. 210, 5 MD, December 14, 1867, in New Orleans Times,
December 14, 1867; Shreveport South-Western, January 1, 1868, SO No. 214,
342, p. 184; Alexandria \textit{Louisiana Democrat}, December 18, 1867.
discreet commanders, to represent the Federal Authority and maintain the laws, are in my opinion absolutely necessary," Hancock wrote, "but they must be white: black troops are unsuited for the performance of this peculiar service." Grant's secretary, Cyrus B. Comstock, replied that three or four companies of white troops would probably be sent to Louisiana from the Third Military District. However, this reply must have disappointed Hancock, for he had hoped for at least another regiment.25

Before these reinforcements arrived, important changes took place in the command structure of the Louisiana department. Hancock requested that Lieutenant Colonel William H. Wood temporarily replace Mower as the commander of Louisiana and superintendent of the Freedmen's Bureau until Brevet Major General Robert Christie Buchanan, commanding officer of the 1st Infantry, arrived in the state to assume both of these duties. Grant approved Hancock's request, and although Mower retained command of the 39th Infantry, he had had enough of high level politics for the time being. On January 2, 1868, Buchanan was ready to begin his multiple duties. Buchanan was a good choice as commander of Louisiana because he had held two assignments in the state before the Civil War. Like Wood and Hancock, Buchanan was an alumnus of West Point, but he had preceded them by many years, having graduated in 1830. Notations of battlefield service filled Buchanan's military file: he had participated in the

25James M. Eddy to Hancock, December 2, 1867, and A. R. Whitney to Hancock, December 2, 1867, in Dept Gulf, vol. 274; Hancock to AGO, December 18, 1867, in 5 MD, vol. 1; "Petition of Citizens of Tensas and Madison Parishes" to Hancock, December 18, 1867, in 5 MD, Letters Recd; George W. Green to Hancock, December 27, 1867, ibid.; all of above in RG 393, NA. Hancock to Grant, December 23, 1867, and C. B. Comstock to Hancock, December 27, 1867, in Grant Papers.
Black Hawk War, fought against the Seminoles in 1837, and earned promotion to brevet lieutenant colonel in the Mexican War. He had experienced some of the roughest fighting in the Eastern Theater during the Civil War and also served for a few months in New Orleans. As a senior colonel, Buchanan served in Washington, D.C., on three Army boards after the war from 1865 to 1867.26

In addition to a new commander, Louisiana also got a new governor in 1868. Sheridan's appointee, Benjamin Flanders, resigned from office because he and Hancock could not cooperate on running the state. To replace Flanders, Hancock chose Joshua Baker, a sixty-nine year old planter. Baker had lived in Louisiana for fifty-seven years and had received one of the state's earliest appointments to West Point, graduating in 1819. After only one year in the Army, Baker turned to the law and planting. Between 1826 and 1860, his law practice helped him to obtain a judgeship and a seat in the state senate. He also served as an officer in the militia. A firm Unionist, but not a Radical, Baker supported Andrew Johnson's mild Reconstruction requirements. The New Orleans Times claimed Baker's honesty was unimpeachable.27

26Hancock to Grant, November 30, 1867, in U.S. Army Letterbook, 1867-1868, (Fifth Military District Papers, 1867-1868, Duke University Library, Durham, N.C.); Grant to Hancock, December 3, 1867, in Grant Papers; SO No. 201, 5 MD, December 3, 1867, in House Exec. Docs., 40 Cong., 2 Sess., No. 342, p. 180; SO No. 1, 5M, January 2, 1868, ibid., p. 187. Warner, Generals in Blue, 48-49; Cullum, Register of West Point, II, 373-75.

27Cullum, Register of West Point, I, 187-88; New Orleans Times, January 3, 4, 12, 1868; Alexandria Louisiana Democrat, January 15, 1868. Lt. Col. W. G. Mitchell to Flanders, December 30, 1867, in The Civil Record of Major General Winfield S. Hancock During His Administration in Louisiana and Texas (New Orleans [?], 1871), 22; Joshua Baker to Hancock, January 4, 1868, in 5 MD, Telegrams Recd, RG 393, NA.
The new year seemed a propitious time to announce other changes. Hancock declared that it was no longer the place of the commanding general, simply by virtue of his rank, to assume "judicial functions in civil cases." In the future, questions of civil law and procedure would be handled as much as possible by the appropriate branch of the state government. Furthermore, voiding another of Sheridan's rulings, Hancock agreed with Attorney General Stanbery's opinion on voter registration: heads of state asylums, school board members, town councilmen, and several other minor officials—heretofore disqualified by Sheridan's order—were to be allowed to vote. Hancock proclaimed that it was the "duty of the members of the boards of registration," without direction from the military, "to decide upon the questions as to the right of any applicant" to register. Louisianians and most registrars realized that many of the men denied registration under Sheridan were free now to come forward and sign the rolls. By this action, Hancock influenced the voter registration process as much as Sheridan had, but in a negative way. Sheridan had wanted to prevent as many ex-Confederates as possible from participating in government, so that the Republican party could take root and grow. Hancock allowed as many men as he could to regain their rights, thereby speeding the eventual recovery of the Democratic party and the demise of the Republicans.

Texas did not concern Hancock greatly while he commanded the Fifth District. Frontier fortifications and the need to arrange for a new telegraph line demanded Hancock's personal attention in the Lone Star

28GO No. 1, 5 MD, January 1, 1868, in Civil Record of Hancock, 22-23; Tucker, Hancock, 284; SO No. 3, 5 MD, January 11, 1868, in SW, Annual Report, 1868-1869, pp. 219-21; New Orleans Times, January 12, 1868; Baton Rouge Tri-Weekly Advocate, March 16, 1868.
State from January 25 to February 1. Colonel Wood investigated a small
disturbance in Marshall, Texas, that was of little consequence.\(^29\)

Shortly after he returned from Texas, Hancock removed nine New
Orleans city councilmen from office. Two of the councilmen were white,
seven were black, and all had been appointed by Sheridan. The council­
men had voted to fill a vacant municipal office, thereby violating the
national Reconstruction Act which prohibited elections to any office
until the state was readmitted by Congress. Hancock had warned the
councilmen that such an action was illegal, and he had a precedent to
support him. General Mower had removed some Jefferson aldermen on
October 15, 1867, for holding a similar election. Hancock dispatched a
brief report on the changes in the council to Grant on February 7, but
he was less than pleased with Hancock's action.\(^30\) His terse telegram
reached New Orleans on February 8: "suspend your order removing city
council of New Orleans until full report is sent." Hancock responded
that he believed an adequate summary of the situation had already been
forwarded, and the state newspapers supported him. For example, the New

\(^{29}\) Hancock to Grant, January 21, February 3, 6, 1868, all in Grant
Papers. The report of Col. Wood on the Marshall incident is in SW,
Annual Report, 1868-1869, pp. 254-58. See also Richter, "Army in Texas,"
129-40, 295.

\(^{30}\) SO No. 28, 5 MD, February 7, 1868, in SW, Annual Report, 1868-
1869, p. 222; Hancock to Grant, February 7, 1868, in House Exec. Docs.,
40 Cong., 2 Sess., No. 172, p. 1; Tucker, Hancock, 286-87; William J.
Ulrich, "The Northern Military Mind in Regard to Reconstruction, 1865-
1872: The Attitudes of Ten Leading Union Generals," (unpublished Ph.D.
dissertation, Ohio State University, 1959), 69. The incident can be
found in Hancock, Reminiscences, 128-32. Hancock also removed New
Orleans Street Commissioner William Baker, a Sheridan appointee, for
accepting kickbacks in the letting of street repair contracts. See
Hancock to Grant, February 5, 1868; Grant to Hancock, February 7, 1868,
both in Grant Papers. Also see Hancock to Grant, February 17, 1868, in
5 MD, vol. 1, RG 393, NA. Hancock had to reinstate Baker. SO No. 50,
5 MD, March 5, 1868, in SW, Annual Report, 1868-1869, p. 205.
Orleans Times endorsed Hancock's appointees as old and dependable citizens who would make good councilmen. The Baton Rouge Tri-Weekly Advocate defended them as "reliable and competent." Grant then retreated. If the new appointees had been installed, he said, then Hancock was to let them keep their positions. Indeed, several of the council seats had already been filled.  

This last exchange of telegrams appeared to solve the problem. However, ten days later on February 21, a wire unexpectedly arrived which called on Hancock to reinstate Sheridan's old councilmen. Army Chief of Staff John Rawlins explained that after consultations with staff members, Grant had changed his mind and decided that Hancock's reasons for the removals were not satisfactory, and that the councilmen had not done anything illegal.

Hancock permitted Sheridan's councilmen to reoccupy their seats as ordered, but he did so with "serious apprehension." Upon reflection, Hancock wired Grant, reiterating all his previous arguments for his initial decision and asked Grant to reconsider his orders, but Grant stood firm. He did not want a misunderstanding, he said, but Hancock's reasons did not warrant the removal of the councilmen.

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31 Grant to Hancock, February 8, 11, 1868, in House Exec. Docs., 40 Cong., 2 Sess., No. 172, pp. 2-3; Hancock to Grant, February 9, 11, 1868, ibid.; New Orleans Times, February 8, 9, 11, 1868; Baton Rouge Tri-Weekly Advocate, February 10, 1868.


33 The Lake Providence Carroll Record (March 7, 1868) supported Hancock's right to make removals just like Sheridan had done. Obviously a Democratic sheet, the Record saw Sheridan's appointees as "worthless fellows" replaced by Hancock's "men of fitness and ability. . . ."
The council dispute prompted Hancock to request a transfer from the Fifth District, "where it is no longer useful or agreeable for me to serve." He planned to leave as soon as possible to discuss a new assignment with President Johnson in Washington. Hancock assumed that Brevet Major General Joseph J. Reynolds of the Department of Texas was the senior officer in the district and put him with command "[d]uring the absence of Major General Hancock, or until further orders." When Hancock departed from New Orleans on March 16, 1868, citizens and newspaper editors speculated about the permanence of the absence. Even Hancock himself was unsure if he would return to Louisiana, but it was obvious he wanted a post somewhere else. President Johnson reserved judgment on the transfer until he conferred with Hancock. Within a few days after the meeting between the general and the President, Hancock received orders to report to the Division of the Atlantic under Major General George G. Meade.

Hancock's approach to Reconstruction in Louisiana was a marked departure from that of Sheridan and Mower. Under those two officers, the direct military influence on the state reached its zenith. Hancock diluted the effect of the military by a series of orders. Taken together, General Order No. 40, the directive on jury selection, and the change in voter registration greatly damaged Sheridan's efforts to aid the Republican party and hindered his program to force equal opportunity for Negroes. Hancock's relaxation in voter registration requirements

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34 Hancock to AG Lorenzo Thomas, February 27, 1868, in SW, Annual Report, 1868-1869, p. 223; Tucker, Hancock, 287; Baton Rouge Tri-Weekly Advocate, February 28, March 18, 1868; New Orleans Times, March 17, 1868; New Orleans Daily Picayune, March 9, 1868; Grant to Hancock, March 14 and 15, in Grant Papers; Hancock to Grant, March 15, 1868, endorsed by Johnson, ibid.
enabled some deserving whites to register, but it also opened the way for registrars to bar blacks from signing the rolls solely on racial grounds.

No elections, no riots, and no massive removals of officeholders occurred in Louisiana during Hancock's time in command. His removal of the New Orleans councilmen was legal and entirely within the authority of a district commander. However, Grant disapproved of Hancock's action because the councilmen had been appointed by Sheridan. Although Grant was well within his powers as General in Chief on this matter, he undermined Hancock's position as an important independent commander and ruled against a law Sheridan strongly supported. Democrats saw Hancock as a savior from Radical devils like Sheridan and Mower. Republicans feared that all political advances and advantages built up so laboriously during the past few years would be ruined and discarded in only a few months of an administration like Hancock's. To the surprise of both parties, Hancock's successor was perhaps the most objective and fair-minded commander to serve in the state during the postwar years.

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35 For an excellent summary of Hancock's time in Louisiana, see Sefton, Army and Reconstruction, 176-78.
On March 18, 1868, from his office in Texas, Brevet Major General Joseph Jones Reynolds took command of the Fifth District. The New Orleans Republican greeted Reynolds favorably, calling him "a fair minded gentleman" whose command would "result in great good to all classes of our people." In contrast, a Democratic paper, the West Baton Rouge Sugar Planter, lamented Hancock's departure and said that his replacement "unquestionably will be of the blackest Radical stripe."

In fact, within a few years Reynolds did ally himself closely with the Republican party.

Although Reynolds was graduated from West Point in 1843, he saw no combat in the Mexican War. Instead, he served with occupation forces in Texas from 1845 to 1846. In the latter year he began a ten-year assignment at the Military Academy, where he taught history and geography. Reynolds resigned from the service in 1857 with the rank of first lieutenant. His Army career apparently finished, Reynolds became a professor at Washington University in St. Louis, Missouri.

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1New Orleans Republican, March 18, 1868; West Baton Rouge Sugar Planter, March 21, 1868.

2George W. Cullum, Biographical Register of the Officers and Graduates of the U.S. Military Academy at West Point, N.Y. . . . 1802-1867 (2 vols., New York, 1868), II, 78-79; Ezra J. Warner, Generals in Blue: Lives of the Union Commanders (Baton Rouge, 1964), 397-98; GO No. 15, 5 MD, March 18, 1868, in GO, 5 MD, 1868, RG 393, NA.
The Civil War altered Joseph Reynolds' life, as it changed the lives of so many people in the 1860s. After Fort Sumter, Reynolds left St. Louis and returned to his boyhood state of Indiana, where he raised two volunteer regiments. During the war he participated in the important battles of Chickamauga and Chattanooga and became a major general of volunteers. For six months in 1864 he commanded the defenses of New Orleans. Like many other officers, Reynolds took a demotion at the end of the war to remain in the Army. With the rank of full colonel he commanded troops in Arkansas and later served along the Rio Grande in Texas. 3

Reynolds assumed control over Louisiana at a crucial time. A new state constitution that had taken four months to draft had just been completed. This document was to go before the voters for ratification or rejection on April 17 and 18. Prior to leaving Louisiana, Hancock had issued an important order on voter registration and state elections. Newly appointed registrars set out to revise the voting rolls by striking off the names of persons who had died or moved from the state. Simultaneously, the registrars urged qualified men not heretofore registered to sign the rolls. In this same election, Louisiana voters, acting under a recently passed Federal law, would cast ballots for new state officers and Congressional representatives. 4

3Cullum, Register of West Point, II, 79; Warner, Generals in Blue, 398.

Before Reynolds could even locate a residence in New Orleans, Brevet Major General Robert C. Buchanan replaced him as district commander on March 25. Buchanan succeeded to the position because Army headquarters in Washington learned that he had received his brevet rank of major general ahead of Reynolds. Hancock had mistakenly assumed that Reynolds was the senior of the two officers. However, the adjutant general in Washington announced that Buchanan's assignment was only temporary, but did not specify when a permanent commander would be named.5

Buchanan was fifty-seven years old in 1868, making him the second oldest officer to command Louisiana between 1865 and 1877.6 Buchanan's age did not hinder him in carrying out his duties. Four previous assignments in Louisiana both before and during the Civil War had given Buchanan a familiarity with the state that no other postwar commander could equal. He was unusually well qualified to be Reconstruction commander of the state.7

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5Joseph J. Reynolds to AGO, March 24, 1868, in Telegrams Sent, 5 MD, 1868; GO No. 16, 5 MD, March 25, 1868, in GO, 5 MD, 1868; both of above in RG 393, NA. New Orleans Daily Picayune, March 25, 1868; Baton Rouge Tri-Weekly Advocate, March 25, 1868.

6General William H. Emory was sixty years old when he took command of Louisiana in November 1871. He commanded the state until March 1875.

7Cullum, Register of West Point, I, 373-74; Francis B. Heitman, Historical Register and Dictionary of the United States Army, 1789-1903 (2 vols., Washington, 1903), I, 258. One of the most interesting aspects of Buchanan's life is the effect he may have had on U. S. Grant's military career. Buchanan was Grant's superior at two different military posts before the Civil War. Apparently, great antagonism built up between the two officers because of Grant's drinking habits. Buchanan supposedly goaded Grant into submitting his resignation from the service in 1854. The incidents are best described in Lloyd Lewis, Captain Sam Grant (Boston, 1950), 329-32. See also William B. Hesseltine, Ulysses S. Grant, Politician (New York, 1935), 10-11. Grant had little to say about the problem in his Personal Memoirs of U. S. Grant.
Buchanan wanted an honest and peaceful election. He ordered a revision of the state voting lists and designated April 3 to April 7 as registration dates for new applicants. While this was being done, Buchanan received permission from Washington to retain three infantry companies from the Third District (sent previously at Hancock's request), increasing the number of soldiers available to guard the polls. Buchanan issued a special proclamation which notified the public that every man's right to vote would be protected and that the Army would be quickly dispatched to any area troubled by violence. Furthermore, military orders prohibited any nighttime political parades or rallies until the election was completed. Only authorized law enforcement officers or soldiers were allowed to carry firearms in public. Special detachments of troops marched into normally ungarri­soned towns. As election eve neared, Buchanan held a public review of the troops in New Orleans and put the soldiers there on a forty-eight-hour alert. The quartermaster hired a steamboat capable of moving on short notice an additional 250 troops to New Orleans. The steamer waited alongside the dock near Jackson Barracks. After all these preparations, Buchanan was ready for the voting to begin.8

Running for governor on April 17 and 18 were two Republican judges, Henry Clay Warmoth and James G. Taliaferro. Both men were Radicals, but

(2 vols., New York, 1885), I, 210. The past difficulties did not appear to have any adverse effect on the relations between the two officers when Buchanan was commander of Louisiana and Grant was General in Chief.

8 Robert C. Buchanan to Grant, April 6, 1868, in Grant Papers; John A. Rawlins to Buchanan, April 8, 1868, ibid.; American Annual Cyclopaedia, 1868 (New York, 1869), 433; AAG George Baldey to Chief Quartermaster, Dist La, April 16, 1868, in Dept Gulf, vol. 274, RG 393, NA; New Orleans Times, March 31, April 15, 1868; SW, Annual Report, 1868-1869, p. 313.
Taliaferro received some support from the Democrats, who did not nominate a candidate for governor and appeared to prefer an old resident Unionist rather than a young, brash, Northerner who had come to Louisiana only a few years before. Taliaferro had recently gained prominence by serving as the chairman of the state constitutional convention. Warmoth had achieved recognition in 1865 as the unofficial and unrecognized "territorial delegate" from Louisiana. Since then he had enlarged his law practice, served as a judge, and presided over the Louisiana chapter of the Grant Army of the Republic.9

The election produced the ratification of the new constitution and a win for Warmoth. A concerted effort by Democrats in New Orleans resulted in victory for the conservative candidate for mayor, John R. Conway. The tabulation revealed that 66,152 Louisiana men voted for the constitution, 48,739 against it. Warmoth defeated Taliaferro by 26,895 votes, 64,941 to 38,046. The election had been a calm one by Louisiana standards. Buchanan called it "the most peaceful, quiet, and orderly of any that had taken place in the State of Louisiana for a great many years. . . ." The authorities arrested only forty-seven people in New Orleans.

Orleans for "disorderly conduct." There were no reports of riots or other violence associated with the election, although Negroes reportedly voted in large numbers. Within a few days, Buchanan ordered the three companies of soldiers on loan from the Third District to return to their posts in Mississippi.¹⁰

Despite the peaceful election, Buchanan had to keep his guard up, and he prepared to use troops if the circumstances warranted. He had to dispatch a company of the 20th Infantry from Baton Rouge to St. Francisville to guard against a riot. A St. Francisville judge had sentenced two convicted Negro murderers to hang, and local blacks threatened to prevent the execution and rescue the convicts. The presence of the troops in the small town prevented any disturbance, and the execution took place as scheduled.¹¹

More serious than any real threats of violence were the charges of violence made by Stephen B. Packard, a Republican serving as chairman of the state board of voter registration. A native of Maine and a former Union Army captain, Packard established a law practice in New Orleans after the Civil War, hoping to profit from the state's unsettled political and economic conditions. Following the gubernatorial election,


¹¹Buchanan's Departmental Report, p. 314; Baton Rouge Tri-Weekly Advocate, May 1, 1868; AAG Baldey to CO, Baton Rouge, April 29, 1868, in Dept Gulf, vol. 274, RG 393, NA.
Packard wrote General Grant a grim description of the situation in Louisiana. "Revenge and murders are rampant in our state," the board chairman claimed and went on to accuse Buchanan of failure to investigate the crimes because of his mistaken assumption that the civilian authorities were able to protect the citizens of Louisiana. Such a statement from a Radical Republican disturbed Grant, who demanded that Buchanan forward as soon as possible a detailed report on "the state of affairs" in the district. Buchanan replied promptly. He explained that there had been only seventeen murders in the state in the month following Warmoth's election. The civil authorities (who were usually Republicans) had investigated all of these crimes vigorously, and most of the murders had not been associated with politics. This report satisfied Grant.  

Having failed to make good on his charges of disorder in Louisiana, Packard next criticized Buchanan from a different angle. (Obviously, the old soldier was not radical enough for the registrar.) Packard wanted Warmoth inaugurated quickly, but it appeared to him that Buchanan was taking longer than necessary to promulgate the April election results. Buchanan had previously informed Grant that the new officeholders would be installed sometime after military officers tabulated the results of the election. They completed the count on June 2, and Buchanan dutifully announced the winners. He issued an order notifying the public that the new officials would take their posts on the first Monday in November, or whenever Congress approved the new state

12 Stephen B. Packard to Grant, May 14, 1868; Grant to Buchanan, May 15, 1868; Buchanan to Grant, May 16, 1868, all in Grant Papers; Binning, "Henry Clay Warmoth," 193.
constitution, whichever came first. Most Republicans, led by the New Orleans Republican, opposed such a long wait for Warmoth's inauguration and did not want to keep the old officials in office any longer than necessary. Packard attempted to nullify Buchanan's order by issuing an illegal proclamation which called for the inauguration of the new state government before November.13

Buchanan decided Packard's actions violated a provision of one of his orders prohibiting anyone in the state from issuing orders contrary to his own. On June 6 a military detachment arrested Packard, and Buchanan arranged for a speedy trial by military commission. Then, perhaps under pressure because of the comments of Packard and other Republicans, Buchanan unexpectedly declared that all newly elected municipal officials would be allowed to take office on June 8, except those in New Orleans, who would be installed on June 10. All state officials had to wait investiture until Congress approved the state constitution.14

Grant ordered Buchanan to drop the case against Packard on June 8. Congress was considering a bill that would allow Louisiana and five other Southern states to regain their representation in Congress pending each state's approval of the Fourteenth Amendment. With this important step so close, Grant did not want divisive activities between Buchanan and Packard to endanger the re-entry of Louisiana's representatives to

13Buchanan to Grant, May 22, 1868; Packard to Grant, May 21 and June 4, 1868, all in Grant Papers; Baton Rouge Tri-Weekly Advocate, June 3, 1868; New Orleans Republican, June 7, 1868; SO No. 121, 5 MD, June 2, 1868, in New Orleans Times, June 3, 1868.

14Buchanan to Grant, June 6, 1868, in Grant Papers; SO No. 125, 5 MD, June 6, 1868, in New Orleans Times, June 7, 1868. Concerning Baton Rouge municipal officials see I. B. Johnson to Col. George Sykes, June 26, 1868, in 5 MD, Telegrams Sent, Civil Affairs, 1868, RG 393, NA.
Congress. Army Chief of Staff John Rawlins reprimanded Packard and commanded the registrar not to issue any more proclamations which conflicted with the orders of the district commander.  

Despite the knowledge that civilian control was only a few weeks away, Packard disregarded Rawlins' directions and seized the first opportunity after his release from jail to call for the installment of all state civil officials by June 15. He also declared that the legislature should meet on June 22 regardless of any orders from Buchanan. State officials paid no heed to Packard, but waited instead for orders from the military. However, Radical Mayor Edward Heath of New Orleans refused to allow Mayor-elect John R. Conway to move into the office. Buchanan ordered Heath's removal, and the conservative Conway established himself as the new mayor.  

To quiet the carping Packard and his supporters and bolster his own position, Buchanan released two letters to the New Orleans Times. The author of the letters, Captain Birney B. Keeler of the 39th Infantry, was in Washington temporarily and alertly had picked up information in the adjutant general's office relating to the Louisiana situation. In Keeler's opinion, Johnson, Grant, and General Rawlins all "warmly" approved of Buchanan's recent actions which prohibited inaugurating the

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15 Grant to Buchanan, June 8, 1868, in Grant Papers; Rawlins to Packard, June 9, 1868, ibid.

16 Buchanan to Grant, June 10, 1868, ibid.; Edward Heath to Grant, June 10, 1868; ibid.; Alexandria Louisiana Democrat, June 10, 1868; New Orleans Times, June 11, 1868; New Orleans Daily Picayune, June 10, 11, 12, 1868.
governor or calling the legislature until Congress had accepted Louisiana's new constitution.17

On June 26 Buchanan learned that Congress had approved Louisiana's new constitution and that the state's representatives would be seated when the legislature ratified the Fourteenth Amendment. Accordingly, on June 27 Warmoth was inaugurated as governor. Oscar J. Dunn, a Negro who had been a former Union Army officer and New Orleans councilman, took the oath as lieutenant governor. Simultaneously, using his powers as district commander, Buchanan appointed the two men to their new positions by military order, making it clear that the Army endorsed the Republican administration. Warmoth scheduled the opening of the state legislature for Monday, June 29.18

The convening of the legislature immediately created a crisis which alarmed Buchanan. Lieutenant Governor Dunn, presiding officer in the senate, demanded that all the senators take a strict "test oath" before they could be seated, although this extra oath was not a part of the new constitution. The test oath, like the old "iron clad" oath used during the Civil War and earlier in Reconstruction, required the new senators to swear that they had not fought against the United States or aided those who did. Robert H. Isabelle, temporary chairman of the house, cooperated with Dunn and refused to seat representatives in the lower chamber unless they also took the oath. By 1868 all Democrats elected

17 B. B. Keeler to Buchanan, June 13, 18, 1868, in New Orleans Times, June 14, 19, 1868; Keeler to AAAG Thomas Neill, June 17, 1868, in 5 MD, Telegrams Recd, 1868, RG 393, NA.

18 Grant to Buchanan, June 26, 27, 1868, in Grant Papers; AAAG Neill to Joshua Baker, June 27, 1868, in 5 MD, Telegrams Sent, 1868, RG 393, NA; New Orleans Times, June 27, 1868; New Orleans Daily Picayune, June 28, 1868; Ficklen, Reconstruction in Louisiana, 203.
to the legislature had received pardons or had been granted amnesty. The standard oath required by the new constitution asked only that the legislator swear to uphold the laws of the state. The legislature adjourned after an abbreviated first session, with most of the sixty-one Democrats still unseated. Fearing trouble because of this unexpected turn of events, Buchanan wired Grant for instructions.19

Shortly after daylight on the morning of June 30, Buchanan learned of a Conservative plot to disrupt the legislature because the Democrats had been denied their seats. The general acted swiftly. He asked the mayor to dispatch a squad of city policemen to guard the entrances to the legislature's meeting hall at the Mechanic's Institute, site of the bloody riot in 1866. In front of the building a motley crowd of 2,000 persons had gathered by ten o'clock. About that time a detachment of the 1st Infantry arrived at the Institute and formed a cordon around the building. The soldiers permitted only legislators and reporters to pass through the line. Buchanan stationed a horse-drawn artillery battery and Company G of the 6th Cavalry a few blocks away from the meeting site. The crowd grew to an estimated three thousand persons, but it did not become disorderly. At noon the rap of the gavel brought the legislature into session without interruption. The crowd dispersed shortly after twelve o'clock, leaving only a few hangers-on that always loitered near the legislature. Inside the building the representatives and senators listened while a clerk read a letter from Grant to Buchanan. Grant declared that the only oath required of new legislators was the one in

19Buchanan to Grant, June 27, 1868, in Grant Papers; New Orleans Times, June 30, 1868. The Republicans held an edge in each legislative chamber: 20 to 16 in the senate, and 56 to 45 in the house.
the Louisiana constitution. This statement settled the controversy, and the Republicans permitted the Democrats to occupy their seats. However, on Buchanan's order, troops remained near the institute for several days.20

Buchanan's swift and decisive action prevented a civil disturbance which could have turned into a major riot. The New Orleans Daily Picayune complimented Buchanan on his decisiveness. The editor said it was a pleasant contrast to Absalom Baird's ineffective actions two years before.21 But 1868 was a very different year from 1866. Buchanan commanded an established occupation force second in size only to the one stationed in Texas, and he managed the state in a firm and capable manner under the Congressional Reconstruction Acts. This firmness averted a repetition of the terrible events of July 30, 1866. If another riot had erupted in the summer of 1868, it probably would have canceled Louisiana's impending readmission to Congress, and military government would have continued indefinitely.

Some areas of the state apparently still needed the firm hand of military government. Army detachments from Monroe and Shreveport had to be sent into Claiborne, Bienville, and DeSoto parishes to investigate reports of alleged intimidation and acts of violence against blacks. Captain William W. Webb reported that the civil authorities in the town of Homer in Claiborne Parish were capably handling their responsibilities.


21New Orleans Daily Picayune, July 2, 1868.
The Freedmen's Bureau agent in the area told Webb that most violence in the parish involved personal quarrels and not political rivalries. Several outrages against peaceful citizens had been committed, but the perpetrators were "desperate characters" who usually left the parish after their crimes, perhaps returning just across the border into Arkansas. Lieutenant Charles O. Bradley reported from Mansfield in DeSoto Parish that "the presence of a small military force would give the Agent of the Bureau the moral support which he needs." In Bradley's opinion, troops were needed in the parish because the whites appeared to hold the Negroes in "a system of terrorism." With such conflicting reports in hand, Buchanan did not alter the arrangement of his soldiers, who with few exceptions, remained stationed in the larger towns. From these centers troops could be dispatched to locations where violence threatened.

On July 13, 1868, after being officially notified that the Fourteenth Amendment had been passed by the state legislature, Buchanan announced "to the people of the state, and to the troops under [this] command, that the provisions of the Reconstruction acts of Congress cease[d] to operate in Louisiana." Buchanan further stated that "military authority will no longer be exercised ... unless upon a proper application by the civil authorities to preserve the peace. . . ."

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22Throughout the Reconstruction period, citizens in north Louisiana complained about desperadoes from Arkansas crossing the border, committing crimes, and then recrossing into Arkansas. See, for example, Capt. W. W. Webb to AAAG, Dist La, July 1, 1868, in Dist La, Letters Recd, 1868. See also AAG Baldey to Webb, June 12, 1868, and Baldey to CO, Shreveport, June 27, 1868, in Dept Gulf, vol. 274. All of above in RG 393, NA.

23Charles O. Bradley to Capt. Charles E. Farrand, July 21, 1868, in Dist La, Letters Recd, 1868, RG 393, NA.
Concluding his remarks, Buchanan congratulated the people of Louisiana for regaining their civil government, gave them good wishes for the future, and ended by saying that "civil law was once more supreme."24

In addition to Louisiana, Florida, Alabama, and the two Carolinas regained their representation in Congress during the summer of 1868, and since these states were again operating under civilian governments, the adjutant general's office had to reorganize the military districts. On July 28 the Second and Third Districts were discontinued. Georgia, Alabama, Florida, North Carolina, and South Carolina were placed in the new Department of the South with headquarters in Atlanta. Virginia kept its designation as the First Military District. In the Southwest, Mississippi continued to be called the Fourth District. Texas retained the title of Fifth District, and Joseph Reynolds remained in command. Arkansas and Louisiana were joined to form the new Department of Louisiana, and Brevet Major General Lovell H. Rousseau was assigned as the commander. Buchanan remained in charge until Rousseau transferred his headquarters from Washington Territory to New Orleans.25

Before the new commander arrived, Buchanan had to deal with several problems growing out of the 1868 presidential campaign. The Republicans nominated Ulysses S. Grant, General in Chief of the Northern armies. Opposing Grant was the Democratic war governor of New York, Horatio


Seymour. To balance their ticket, the Democrats chose as their vice-presidential candidate Francis P. Blair, a former Union general and congressman from the border state of Missouri. Most white Louisianians favored Seymour and Blair, and organizations of former Confederate soldiers paraded in the streets in support of the Democrats.  

Governor Warmoth believed that the Democrats were not restricting themselves to parades and rallies, but were also using violence to intimidate Republicans. In a letter to President Johnson on August 1, Warmoth described acts of violence against Republicans and claimed that secret white groups, such as the Knights of the White Camellia, were well armed and drilling openly. Warmoth criticized the Army for not investigating some 150 murders supposedly committed in Louisiana during June and July. The governor demanded that additional troops be sent to Louisiana to curb the mounting violence.

When Warmoth's reports reached the Northern press, Adjutant General Edward Townsend in Washington directed Buchanan to keep the War Department fully briefed on all violence or threats of insurrection in Louisiana. Townsend expected that Buchanan had already placed his troops at important points within the state and that they were prepared for any eventuality. Despite Warmoth's pleas, Townsend made no plans to send extra soldiers to Louisiana.

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26 Alexandria Louisiana Democrat, August 5, 1868.


Two Democratic public officials wrote to President Johnson to deny Warmoth's assertions of widespread violence in Louisiana. A district attorney in Opelousas blamed only "a few irresponsible desperadoes" for the crimes in his area. Baton Rouge state Senator Richard Day called Warmoth's charge of statewide violence "a positive misrepresentation of the facts." Day claimed that most Louisiana citizens were law abiding and hoped that "law and order" could be maintained in the state without additional troops.29

Buchanan also criticized Warmoth's assertions and said that the figure of 150 murders was exaggerated. The general confirmed that there had been twenty-five homicides in the state during June and July, with no one parish being singled out as particularly troublesome. Given Louisiana's frontier-like conditions and the fact that men often carried weapons as standard accouterments, twenty-five killings did not seem excessive to Buchanan. Furthermore, the Democrats had not prevented the election of Warmoth and many other Republicans in April.30

However, the conservative whites had become more active after the nomination of Seymour and Blair. By Buchanan's own figures, murders were committed in the state at the rate of almost one every other day, and it seemed logical that some of these homicides must be politically motivated. Accordingly, Buchanan issued a proclamation which announced that he and his troops would act decisively in the event of a major disturbance anywhere in Louisiana. He emphasized that the Army had not

29G. W. Hudspeth to Johnson, August 10, 1868; R. H. Day to Johnson, August 10, 1868, both in Johnson Papers.

30Buchanan to Townsend, August 19, 1868, in Dept Gulf, vol. 266, RG 393, NA.
relaxed its protective vigil over the state. But a separate order promised citizens that the military would no longer interfere in routine legal cases or investigations. All standard civilian law enforcement efforts had to be exhausted before sheriffs or marshals could call on the Army for assistance. When it was obvious that a riot was imminent, local commanders could, of course, go to the aid of local police forces. Otherwise, troops could not be used without the approval of the department commander. Buchanan was not trying to assist the Democrats or hamstring the Republicans with these orders, but he did not want the Army to be accused of interfering with the prerogatives of the new civilian government.

Robert Buchanan had one more test at keeping the peace as commander of the Department of Louisiana before Rousseau arrived. Early in September the Radicals scheduled a huge torchlight parade in New Orleans for Saturday, September 12. On September 11 Colonel Edward Hatch, superintendent of the Louisiana Freedmen's Bureau, telegraphed Secretary of War John M. Schofield requesting that Buchanan be specifically ordered to protect the large number of Negro marchers expected on the streets the next night. Schofield complied with the request. When Buchanan received the order he replied that in his estimation the Negroes might cause serious property damage if allowed to march unrestricted through the city, so he planned to place guards along the parade route. John S. Walton, assistant treasurer at the New Orleans mint, asked Buchanan to supply a squad of soldiers to guard the mint.

31Go No. 3, Dept La, August 13, 1868, in GO, Dept La, 1868, RG 393, NA; New Orleans Times, August 14, 1868; New York Times, September 8, 1868; AAG J. C. Kelton to Buchanan, August 25, 1868, in Senate Exec. Docs., 41 Cong., 3 Sess., No. 16, Pt. 1, p. 32.
On the evening of the parade the general dispersed troops from seven companies of the 1st Infantry to several locations within the city, including the mint. More than 6,500 Radicals and Negroes participated in the rally, creating a carnival atmosphere lasting until late Saturday night. Buchanan was relieved to learn that no violence or property damage occurred. Once again his planning and ample use of troops had kept a dangerous situation peaceful.

On Tuesday, September 15, General Rousseau arrived in New Orleans. In a brief ceremony Buchanan relinquished the department to his new commander, for he remained on and commanded the state of Louisiana under Rousseau.

While Buchanan commanded Louisiana, the Army abandoned three minor military posts, leaving the state with twelve. This cutback followed the trend in the South, where the number of military posts dropped from 141 to 100 during 1867 and 1868. Although the total number of troops in Louisiana decreased from 2,434 to 2,251 in 1868, the state still had more soldiers within its borders than any other Southern state except Texas, where Indian-fighting required additional men. The troop decrease in Louisiana was due mainly to deaths by disease, although desertions and discharges also played their parts. There were three regiments and four auxiliary companies stationed in the state in both

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32 AAG Baldey to W. M. Graham, September 12, 1868, Dept Gulf, vol. 274A; John W. Walton to Buchanan, September 12, 1868, in Dept La, Letters Recd, 1868; Buchanan to Walton, September 12, 1868, in Dept Gulf, vol. 266, all above in RG 393, NA. Edward Hatch to John M. Schofield, September 11, 1868; Schofield to Hatch, September 12, 1868; AAG J. C. Kelton to Buchanan, September 12, 1868, and reply, all in SW, Annual Report, 1868-1869, pp. xxxiii-xxxiv. New Orleans Bee, September 13, 1868; New Orleans Times, September 13, 1868.

33 New Orleans Times, September 16, 1868.
1867 and 1868. Therefore, though the number of soldiers declined, the number of companies remained stable.  

Buchanan kept the peace in Louisiana during months filled with potentially dangerous situations. Heated political controversy was commonplace, but the state had held a gubernatorial election, convened a new legislature, and regained its congressional representation with only minor violence. Never waiting until a crisis exploded into violence, Buchanan judiciously posted troops to key locations in New Orleans when danger threatened. Even the Picayune, a Democratic newspaper, called Buchanan a "distinguished old soldier" who had "wisely and delicately performed the novel and difficult duties imposed on him" in Louisiana. His successors would find it difficult to do as well.

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34SW, Annual Report, 1867-1868, pp. 460-73, in House Exec. Docs., 40 Cong., 2 Sess., No. 1; SW, Annual Report, 1868-1869, pp. 752-67; Sefton, Army and Reconstruction, 186, 261-62. These figures differ from those in Sefton (pp. 261-62, above), who apparently did not combine the totals of the three cavalry companies and one artillery company with that of the three infantry regiments.

35New Orleans Daily Picayune, July 2, 1868.
On September 15, 1868, Brevet Major General Lovell Harrison Rousseau replaced Buchanan as commander of the Department of Louisiana. Buchanan had been a professional military man since he entered West Point at the age of fifteen. In contrast, Rousseau was a citizen-soldier who had only recently entered the regular Army. Rousseau was born in 1818 near Stanford, Kentucky, and as a young man studied law in the office of an attorney in Lexington. Soon after his twenty-third birthday, Rousseau moved to Indiana, where he was admitted to the bar. Three years later he began his political career, serving a term in the Indiana house of representatives. In the Mexican War Rousseau raised and commanded a volunteer infantry company. Following this wartime service, he was elected to the Indiana senate. Later Rousseau returned to Kentucky, where he became one of the top criminal lawyers in the state, and ran successfully in 1860 for a seat in the Kentucky senate.¹

The election of Abraham Lincoln in November 1860 aroused divided feelings in many Kentuckians, but Rousseau had no doubts about his loyalties. He resigned his senate seat and recruited pro-Union Kentucky volunteers on the Indiana side of the Ohio River. Initially Rousseau served as colonel, and after his participation in the battles of Shiloh

and Perryville in 1862, he was promoted to major general of volunteers. He held staff assignments and commanded part of occupied Tennessee. At the end of the war and while still in uniform, Rousseau ran for the U.S. Senate in Kentucky and suffered his first major political defeat. Shortly after this setback, he resigned from the Army and won election to the U.S. House as a congressman from his native state. Radical Republicans supported Rousseau in each of these elections. To the disappointment of his backers, the Kentuckian changed his allegiance after only a few weeks in the House and voted against the Freedmen's Bureau Bill and other Radical legislation. Rousseau's abrupt political shift naturally led to a break with Republicans. During a violent argument in the Capitol corridors, Rousseau caned Radical Representative Josiah B. Grinnel of Iowa. As a point of honor, Rousseau resigned his seat in Congress and returned to Kentucky to seek vindication. Overwhelmingly re-elected, he served in the House until 1867. While in Congress, he became friends with President Andrew Johnson and consistently supported the President's Reconstruction policies. In March 1867 Johnson made Rousseau a brigadier general in the regular Army and gave him a special mission. The United States had recently purchased Alaska from Russia, and Johnson picked Rousseau to lead the official delegation that received the transfer of the large territory from the Russians. After returning from Alaska, Rousseau unofficially inspected conditions in Louisiana while Sheridan commanded the state, and then was assigned to command in Washington Territory. He was there when he received orders in 1868 to take charge of the Louisiana department.  

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Louisiana Republicans immediately recognized Rousseau's political inclination. One of Louisiana's U.S. Senators, William Pitt Kellogg, warned Governor Warmoth that he would probably be "disappointed in Rousseau." Warmoth described the general as "a fine fellow, and a brilliant soldier in the Union Army, but . . . also a Kentucky Democrat, with all of the prejudices against Reconstruction, and a supporter of President Johnson's policy."  

As the 1868 presidential campaign mounted in intensity in Louisiana, so also did threats of violence increase in frequency. The greatest danger appeared to come from the Democrats. Voter registration was reopened, which allowed many unsigned Democrats to register. The Democrats not only began to gain in voter strength, but they also began to use their powers of intimidation. All over the state Democrats organized many political clubs to support their nominee, and groups like the "Cadets," "Southrons," "Sentinels," "Knights," and "Innocents" paraded noisely for their ticket. The demonstrators usually attended rallies and other political events well armed.  

On the night of September 22 two rival political processions, one white and the other black, clashed in downtown New Orleans. In a short but deadly fight, three Negroes were killed, and an undetermined number on both sides were wounded. Before the incident could mushroom, soldiers from the New Orleans garrison and city police restored order. The following day the Democrats, as if celebrating a victory, held a


4New Orleans Times, September 18 and October 23, 1868.
large and enthusiastic political rally under the watchful eyes of additional troops brought in from Jackson Barracks.5

Rousseau penned a gloomy report on the situation to President Johnson on September 26. The "condition of affairs here . . . could not be much worse," wrote the general in dismay. Rousseau expressed little faith in the strength of the civilian authorities alone to maintain order. He believed that most citizens still looked to the military to keep the peace. Although it seemed premature to do so, Rousseau predicted a Democratic victory for Seymour in November. The general promised Johnson that he would do his best to ensure law and order, but he concluded that he could "compare the population here to nothing so apt as a volcano ready for an explosion at any moment."6

Just two days later Rousseau's "volcano" erupted violently in St. Landry Parish. Three local Democrats assaulted and caned Emerson Bentley, Radical editor of the Opelousas St. Landry Progress. The attackers smashed the newspaper presses and destroyed Bentley's office. Local Radicals, who had been organizing St. Landry Negroes into political clubs, sent out messengers to gather the clubs together and demanded punishment for Bentley's attackers. Responding to what they saw as a black uprising, well armed whites quickly assembled, and gunfire was


6Rousseau to Andrew Johnson, September 26, 1868, in Andrew Johnson Papers (Manuscript Division, Library of Congress).
exchanged between the rival groups. The shots killed one Negro and wounded three whites and several blacks. The sheriff and white vigilantes arrested between ten and twenty-nine blacks, locked them in jail, and charged them with disturbing the peace. The next night all but a few of the freedmen were removed from jail and murdered. For the next two weeks, armed whites rode through the parish terrorizing the Negro population. The vigilantes killed several dozen more blacks. The New Orleans Times reported that more than one hundred Negroes were killed in St. Landry during the reign of terror. When Rousseau finally dispatched a squad of soldiers to Opelousas several days after the riot started, the troops found that whites were patrolling the town and the surrounding countryside. The inspecting officers obtained little information on the violence from the terror-stricken Negroes, who feared reprisals if they cooperated with the Army. The violence accomplished its purpose—the complete intimidation of all St. Landry Republicans on election day in November. Grant received no votes in that parish, which had given more than 2,500 votes to Warmoth in April.  

Rousseau made no concerted effort to curb the mounting wave of violence, which ripped through several parishes, including St. Mary, Caddo, Bossier, Carroll, and Rapides. Rampaging Democrats destroyed two

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Republican newspapers and killed several Republicans. The need for the use of troops was manifest, and eventually detachments did reach areas troubled by violence, but Rousseau's response was not decisive. The commanding general spoke before a gathering of Democratic clubs in New Orleans and advised them not to riot because the Army would strictly enforce all laws. Privately, Rousseau wrote President Johnson that the "ascendance of the negro [sic] in this state is approaching its end . . ." and that "A Fair vote will give the state to the democrats . . ." Rousseau probably based this prediction on the increased registration of whites, but also on the effect of the terror tactics of the Democrats. Despite the general's opinion, the number of votes cast for Warmoth six months before indicated that a "fair vote" would be very close and might yield another Republican victory.

Continuing violence prompted Rousseau to request that two more regiments be sent to Louisiana. A request for so many troops was unusual, and Rousseau knew that at most only a few companies could be spared from other departments. He also asked General Reynolds in Texas to send him two "complete" Gatling guns, weapons that would be useful in combating riotous mobs. In response to these requests, Adjutant General Townsend ordered Mississippi commander Major General Alvan C.

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8Baton Rouge Tri-Weekly Advocate, October 7, 1868; Ficklen, Reconstruction in Louisiana, 226; New York Times, October 6 and 29, 1868; Rousseau to Johnson, October 4, 1868, in Johnson Papers; Rousseau to Ulysses S. Grant, October 20, 1868, in U. S. Grant Papers (Manuscript Division, Library of Congress); "Rousseau's District Report," p. 303; New Orleans Times, October 20, 1868. Capt. C. E. Farrand (Caddo & Bossier Parishes) to AAAG George Baldey, November 27, 1868, in Dist La, Letters Recd, 1868; Lt. Stanton Weaver (Iberia) to Baldey, October 7, 1868, in Dept La, Letters Recd, 1868; Baldey to CO, Brashear City, October 19, 1868, in Dept Gulf, vol. 274A; correspondence in RG 393, NARA. See also Joe G. Taylor, Louisiana Reconstructed, 1863-1877 (Baton Rouge, 1974), 169.
Gillem to assign temporarily as many soldiers as possible to aid Rousseau in Louisiana. 9

The Louisiana commander needed the extra troops. On October 23 a white mob killed two Negroes accused of setting fire to a store in Gretna, a town across the river from New Orleans, and fighting broke out after the killings. Rousseau canceled the ferry service to Gretna to prevent more armed whites from crossing the river to join in the violence, and he dispatched two companies of the 1st Infantry to quell the disturbance. One company remained on guard in the town until after the November election. 10

Governor Warmoth implored Rousseau to allow him to form a state militia to control the violence in the vicinity of New Orleans, where six Negroes had been killed in street fighting on October 24. Rousseau forwarded Warmoth's letter to Secretary of War Schofield, asking for specific instructions on Warmoth's request. Schofield replied that Rousseau should take whatever action was required to "preserve peace and good order." Rousseau decided not to approve Warmoth's request for a state militia, which undoubtedly would be composed mostly of blacks. Prodded by the increasingly dangerous situation in New Orleans, he did, however, order all unassigned troops into the Crescent City and

9Rousseau to SW John M. Schofield, October 20, 1868; AG E. D. Townsend to Gen. Alvan C. Gillem, October 22, 1868, both in SW, Annual Report, 1868-1869, p. xxxiv; Rousseau to Gen. Joseph J. Reynolds, October 9, 1868, in Dept Gulf, vol. 266, RG 393, NA.

10New Orleans Times, October 24, 1868; SW, Annual Report, 1868-1869, p. 304; Trelease, White Terror, 134; Baldey to Capt. Placidus Ord, October 24 and 26, 1868, in Dept Gulf, vol. 274A, RG 393, NA; Rousseau to Grant, October 24, 1868, in Grant Papers.
beseeched General Gillem to hurry the reinforcements on to Louisiana.\(^{11}\)

Another violent incident showed the need for more troops. On the evening of October 26, whites leaving a Democratic rally killed a Negro in St. Bernard Parish near New Orleans. Blacks gathered later that night and killed two white Democrats, one a policeman on his beat, the other an Italian grocery owner named Pablo Fellio. A company of the 1st Infantry commanded by Captain Kinzie Bates marched into St. Bernard the next day, but not before several other men on each side had been killed or wounded. White vigilantes arrested sixty freedmen who were supposedly implicated in Fellio's murder, but they were later released. An inspecting officer, Lieutenant Jesse M. Lee, reported that there was "no civil law in St. Bernard Parish." Troops were needed in St. Bernard, he declared, "to protect from outrage men loyal to the government, to prevent the murder of freed people, and to preserve general peace. . . ." But the damage had been done; St. Bernard also voted overwhelmingly Democratic in the coming election.\(^{12}\)

Adding to the confusion in the New Orleans area was the fact that rival police organizations might at any time challenge each other for

\(^{11}\)Warmoth to Rousseau, October 25, 1868, in Warmoth, Politics and Reconstruction, 76; Rousseau to Schofield, October 26, 1868, and Schofield to Rousseau, October 27, 1868, both in SW, Annual Report, 1868-1869, p. xxxv; ibid., p. 304. AAAG Thomas Neill to Gen. Robert C. Buchanan, October 26, 1868, in Dist La, Letters Recd, 1868, and Rousseau to Gillem, October 24, 1868, in Dept Gulf, vol. 266, both in RG 393, NA.

control of the southern parishes. The state legislature, at Governor Warmoth's direction, had passed a law establishing a special 375-man (two-thirds of whom were black) Metropolitan Police force to operate in the parishes of Orleans, Jefferson, and St. Bernard. Responsibility for controlling this unusual organization was given to a board of five legislators and Lieutenant Governor Dunn, the chairman. However, Warmoth held the actual power over the Metropolitans, and he employed them like a state militia. The mayors of municipalities in the parishes naturally had no control over the special force and therefore maintained independent police departments. Armed groups of white citizens conducted their own unauthorized patrols of the streets. Rousseau claimed that the majority of all citizens had no respect for the Metropolitans, whom the general called "practically worthless" because of poor organization, lack of training, and low morale. This division of authority among the police underscored the alarming situation in south Louisiana.13

Rousseau could not abide the possibility of rival police departments battling for supremacy. To forestall trouble, he held meetings with Mayor John Conway of New Orleans, the five members of the Metropolitan Police Board, and James B. Steedman, a Democrat and former Union general from Ohio now serving as collector of revenue for New Orleans. These conferences led to Steedman's appointment as chief of the Metropolitan Police on October 28 and an agreement by Conway not to appoint a new chief for the city police until after the election. The

appointment of Steedman calmed the several factions, especially when Rousseau announced that the Army would support him. Rousseau issued a special pre-election proclamation which prohibited large assemblies and parades and forbade the carrying of firearms in public. He urged the people to go about their "ordinary vocations." Such a proclamation, issued two or three weeks earlier and backed by an appropriate show of force, might have prevented or curtailed the violence which had occurred during October.

At this point Warmoth asked for a conference with Rousseau to discuss the unstable situation. The governor said that he fully expected rioting in the streets on election day if violence continued to build at its present rate. Rousseau replied that Steedman's appointment and the Army's support would discourage other disturbances.

Nevertheless, Rousseau asked Warmoth to issue a public statement telling Negroes to remain away from the polls in the interest of peace and civil order. Rousseau must have thought that the situation was desperate to request such a statement from the Republican governor, but the general had made no secret of his support of Johnson's policy and the Democratic party. If black voters heeded Warmoth's advice, the likelihood of a Democratic victory in Louisiana would be increased. Warmoth, of course, knew that such a proclamation would severely damage the Republicans, but concluded that the situation was dangerous enough to require a statement discouraging blacks from voting. If they voted, there might be riots;

if they abstained, the Democrats would probably win the election. Warmoth was in an unenviable position. 15

A week before the election Rousseau received the extra troops he had previously requested. Five companies of the 34th Infantry arrived from Mississippi. The total number of troops within New Orleans was now more than 550. 16

Despite all the conferences, proclamations, and additional troops, Rousseau doubted his ability to keep the peace. On October 29, in two telegrams to Secretary of War Schofield, Rousseau tried to explain the tense situation which had developed because of the rival police factions, and he asked whether it was his place to decide the legality of the Metropolitan Police Law itself. He also requested orders as to how to "interpose" his forces between the rival factions in the event of trouble, or whether he should "intermeddle" at all. Rousseau reported that Steedman disliked his job as Metropolitan Police chief and had threatened to resign. Rousseau also requested one or two "Men-of-War" for service along the New Orleans riverfront during the election. "Time is pressing," Rousseau concluded. "Please send a prompt reply." 17

Schofield responded with three telegrams. The secretary said that it was "impossible to give instructions in detail from this distance in the short time allowed," but that Rousseau already had ample authority


16 "Rousseau's District Report," p. 304; Gillem to Buchanan, October 27, 1868, in Dist La, Letters Recd, 1868, RG 393, NA.

17 Rousseau to Schofield, October 29, 1868, in SW, Annual Report, 1868-1869, pp. xxxv-xxxvi; Rousseau to Schofield, October 29, 1868, filed with 5 MD, Telegrams Recd, 1868, RG 393, NA.
to do what was "necessary to preserve the peace." As the local commander, Rousseau "must take the responsibility of action." A warship was unavailable, but a revenue cutter had been ordered to New Orleans. In an "unofficial," personal telegram Schofield was even more emphatic. You must act decisively to protect all citizens, the war secretary told Rousseau, and he added that if necessary "[y]our troops would be a good temporary substitute for both rival police forces, but of that you must judge."18

Rousseau did not use his troops as a substitute for the police. But he did fear that once the tenuous compromise arranged for the election ended, the New Orleans city police might openly challenge the Metropolitans for supremacy. Once again he asked Schofield's advice on the matter. This time Schofield referred Rousseau's message to President Johnson, who wrote on October 31: "You are expected and authorized to take all legitimate steps necessary and proper to prevent breaches of the peace or hostile collisions between citizens." Johnson further reminded Rousseau that strictly civil affairs were to be left "to the proper civil authorities for [their] consideration and settlement."19

The civil authorities, however, were divided on the issue of multiple police departments. Steedman's administration displeased Warmoth. The chief had initiated a program to enlarge the Metropolitan force from 375 men to 500, but had also begun to alter its composition from two-thirds Negro to all white. Warmoth complained about Steedman's

18Schofield to Rousseau, October 29, 1868 (two communications), in SW, Annual Report, 1868-1869, p. xxxvi; Schofield to Rousseau, October 30, 1868, filed with 5 MD, Telegrams Recd, 1868, RG 393, NA.

19Rousseau to Schofield, October 30, 1868, and Johnson to Rousseau, October 31, 1868, in SW, Annual Report, 1868-1869, p. xxxvii.
actions to Schofield, who cut off the complaint by simply referring Warmoth to Johnson's telegram of October 31 to Rousseau. Moreover, the Louisiana courts had heard arguments on the legality of the Metropolitan Police Law, and Rousseau informed Schofield that a decision was expected soon.  

On the afternoon of October 31 James Steedman abruptly resigned as chief of the Metropolitan Police after serving only four days in the position. Steedman probably did not expect the job to be so difficult. There had been problems with Steedman's proposed reorganization of the force, for which Warmoth had criticized him. Furthermore, there was the possibility of armed conflict with other area police forces; and, to add to the confusion, Mayor Conway had offered him the job of New Orleans city police chief. Steedman decided that resigning was the best way out of a perplexing situation. One of Steedman's assistants took command of the Metropolitans during the election.  

During the last few days before the election Rousseau made his final preparations. By now detachments had been placed in several towns where troops normally were not stationed, such as Gretna and Brashear City. Rousseau also sent soldiers to the towns of St. Joseph in Tensas Parish and Franklin in St. Mary Parish to fulfill requests to assist local authorities, protect the polls, and arrest accused murderers of Republicans.  

20 Rousseau to Schofield, October 31, 1868; Warmoth to Schofield, October 29, 1868; Schofield to Warmoth, October 31, 1868, all in ibid., pp. xxxvi, xxxviii; New Orleans Times, October 28, 1868.  

21 New Orleans Times, October 30, 31, November 1, 1868.  

22 Warmoth to Rousseau, October 31, 1868, and AAAG Thomas Neill, to Buchanan, November 2, 1868 (two communications), in Dist La, Letters
Election day, November 3, 1868, dawned cool and gray. Most stores, shops, and cafes were closed in New Orleans. Policemen and soldiers were stationed in prominent places. The election proceeded very quietly, almost with a "Sabbath-like stillness," according to the New Orleans Times. Following the advice of Warmoth and other radical leaders, few Negroes voted in Louisiana. In spite of the low turnout, marauding whites murdered three freedmen near Monroe. However, reports from other parishes indicated a peaceful election. 23

Grant won the national election handily with 3,013,421 popular votes and 214 electoral votes to Seymour's 2,706,829 popular votes and 80 electoral votes. The Democrats carried only eight states, including two in the South, Georgia and Louisiana. Seymour won Louisiana with 80,225 votes to Grant's 33,225. In the April election Warmoth had received more than 69,000 votes. Thirty-two Louisiana parishes went Democratic, including parishes which had been disturbed by pre-election violence, such as Orleans, Jefferson, St. Bernard, Caddo, Bossier, St. Landry, and St. Mary. Sixteen parishes recorded majorities for Grant. 24

Reed, 1868, RG 393, NA.

23 Rousseau to Schofield, November 3 and 4, 1868, in SW, Annual Report, 1868-1869, pp. xxxviii-xxxix; New Orleans Times, November 4, 1868. Capt. W. W. Webb (Monroe) to AAAG Baldey, November 10, 1868; Lt. John S. Allanson (Carroll Parish) to Baldey, November 4, 1868; Capt. A. A. Harback (Tensas Parish) to Capt. William Fletcher, November 4, 1868, in Dist La, Letters Reed, 1868; Lt. W. O. Cory (Madison Parish) to AAAG John Tyler, November 5, 1868, Lt. H. R. Williams (Concordia Parish) to Tyler, November 5, 1868, both in Dept La, Letters Reed, 1868; all above in RG 393, NA.

24 New Orleans Times, November 25, 1868; Alexandria Louisiana Democrat, November 11, 1868; Ficklen, Reconstruction in Louisiana, 230-31; Trelease, White Terror, 135-36; Taylor, Louisiana Reconstructed, 172.
Although Rousseau charged that Republicans had instigated the pre-election violence, it is evident that the Democrats succeeded in carrying Louisiana through intimidation of Republican voters, especially Negroes. Rousseau had encouraged Warmoth to warn blacks away from the polls, instead of using the Army to guarantee every man's right to vote as Buchanan had done only a few months before. In fairness to Rousseau, it became clear during a subsequent congressional investigation of election violence that the Democrats were better organized at this time than they had been during Warmoth's election. But Rousseau responded slowly to reports of riots in St. Landry and St. Bernard, waited until the eve of the election to position troops in other parishes where violence had already occurred, and did not enforce existing orders against unauthorized armed patrols, even when such vigilantes rode within the city of New Orleans itself.

Rousseau's allegiance to the Democratic party was well-known, but this does not excuse his actions, or lack of them. Rousseau faced strengthened Democratic organizations which were determined to carry the election by whatever means were necessary. He wanted to avoid a violent confrontation between the Army and the Democrats, but in his effort to prevent such a confrontation the general sometimes failed even to "show the flag" in areas where intimidation was blatant. The longer he neglected to use his troops effectively, the bolder the vigilantes became.

At various times during Reconstruction the Democrats complained loudly about the Army's "bayonet rule" and "military oppression," these charges being heard especially under Sheridan and in the 1870s when they were the Democratic rallying cries to overthrow the Republican state government. But such complaints could not be made against Rousseau. On the contrary, Rousseau relaxed his supervision nearly to the point of negligence and allowed the Democrats almost a free hand in several parishes of the state.

After the tumult surrounding the election, the remainder of November passed quietly in Louisiana. Rousseau ordered the five companies of the 34th Infantry to return to Mississippi on November 5, and about the same time, he decided to close down the posts at New Iberia and Lake Providence. The troops there were later sent to Baton Rouge and Alexandria. Social events, circuses, horse races, theatrical productions, and commercial and agricultural affairs kept Louisianians occupied until December.²⁶

December too was a placid month filled mostly, but not totally, with the usual social activities of the holiday season. On December 25, to coincide with Christmas, President Johnson issued a Proclamation of General Amenity to all former Confederates who had not been pardoned. General Rousseau testified in court as a character witness on December 24 and 28 on behalf of an old Army friend from Indiana, former

²⁶Rousseau to Johnson, November 10, 1868, in Johnson Papers; New Orleans Times, November 14, 15, 21, 1868; Shreveport South-Western, November 11, 1868. Rousseau to Gillem, November 5, 1868, in Dept Gulf, vol. 266, and Baldey to Col. George Sykes, November 17, 1868, in Dept Gulf, vol. 274A, both in RG 393, NA.
Brigadier General William G. Mank, who was later convicted of mail fraud.  

A comment by the editor of the Alexandria Louisiana Democrat appears to typify Louisiana in December of 1868:

Our town, despite the bad weather, has been excessively lively for the past ten days. We do not know when we have seen such solid signs of business and prosperity before. Our streets are jammed with wagons, carts and other transportation tricks, filled with sugar, molasses, cotton, corn, potatoes, fodder and other produce for shipment and for sale. In the country the planters have nearly all finished with their various crops, are settling with their freedmen; [and] are making ready for a big Christmas burst.  .  .  .  

On January 4, after visiting Governor Warmoth, Rousseau was suddenly and inexplicably stricken with severe cramps and congestion of the lower intestinal tract. His condition worsened rapidly, and at 11:00 p.m. on the night of January 7 he died. "We have to record, with a regret heightened by the circumstances, a loss to the people of the United States, and a graver loss to the people of Louisiana, in the death of General Lovell H. Rousseau .  .  .," intoned the editor of the New Orleans Times. The Picayune called Rousseau a "distinguished soldier and noble hearted gentleman. .  .  ." The Crescent commented that the general was an "honorable and worthy champion of liberty and law" whose "kind and impartial rule" would be missed in Louisiana. Robert Buchanan, after sadly reporting Rousseau's death to President Johnson, temporarily assumed command.  

27 New Orleans Times, December 1, 2, 8, 25, 1868; New Orleans Daily Picayune, December 4, 25, 29, 1868; Francis B. Heitman, Historical Register and Dictionary of the United States Army, 1789-1903 (2 vols., Washington, 1903), I, 687.  

28 Alexandria Louisiana Democrat, December 23, 1868.  

29 New Orleans Daily Picayune, January 6 and 8, 1869; New Orleans
According to the New Orleans Times, the sky of Saturday, January 9
"assumed a dark and lowering gloom" as Rousseau's long funeral cortege
assembled. At 2:00 p.m. almost every store and shop in the city closed
its doors in honor of the departed general. Thousands of New Orleanians
lined the sidewalks, standing bareheaded in a slight drizzle, to watch
as the procession passed down Canal Street on its way to Lafayette
Cemetery. Four companies of the 1st Infantry headed the long line,
followed by the regimental band with drummers tapping their sticks on
the drumrims. Next in line was a horse-drawn artillery battery and a
cavalry company. Rousseau's Masonic fraternity brothers and
General Buchanan with the departmental staff preceded the flag draped
casket. Local Democratic dignitaries followed. Next walked Rousseau's
riderless horse led by an enlisted man. Following the horse was the
carriage of the general's wife and four children. Governor Warmoth,
members of the legislature, foreign consuls, the mayor, and city offi­
cials trailed behind. A reporter for the New Orleans Times believed
that perhaps it was one of the largest funerals ever held in the city.30

During the next several days articles appeared in state newspapers
lauding Rousseau, detailing his career, and lamenting his death. The
Alexandria Louisiana Democrat voiced the praise of many when it said
that Rousseau "respected the feelings and even the prejudices of our
people. . . ." This comment underscored the reason behind such an

30 New Orleans Times, New Orleans Crescent, New Orleans Daily
Picayune, New Orleans Republican, all dated January 10, 1869.
outpouring of sentiment for a Union general by Southerners. 31
Unquestionably Rousseau had been extremely well liked by the white
citizens of the state, and his actions had catered to the white
majority. To have acted otherwise would have required a complete
personal change for Rousseau. Like his friend Andrew Johnson, he had
stayed with the Union in its crisis, but he did not support radical
changes after the shooting stopped.

^Shreveport South-Western, January 13, 1869; New Orleans Daily
Picayune, January 12 and 13, 1869; Alexandria Louisiana Democrat,
January 20, 1869; Thibodeaux Sentinel, January 16, 1869; Lake Providence
Carroll Record, January 16, 1869. See also Sefton, Army and
Reconstruction, 216.
On January 11, 1869, Robert C. Buchanan again took command of the Department of Louisiana. He had held a temporary command in 1868, and he realized that his present position was only temporary. When a permanent commander might be selected or who he would be, Buchanan did not know. Nevertheless, he correctly assumed that the duties of his office required him to take full responsibility for the Army in Louisiana rather than simply to wait for his replacement to arrive.\(^1\)

Within a few days after taking command Buchanan became involved in a bitter argument with Governor Henry Clay Warmoth, who alleged that the general had shown favoritism to ex-Confederates during his former assignment as commander. In a letter to U.S. Senator William Pitt Kellogg, Warmoth wrote that Louisiana Republicans "had no friend in Genl. Buchanan, and that but little reliance was to be put in his active cooperation." The general, who had prided himself on his objectivity toward all factions during the dangerous days before and after Warmoth's election the previous year, was outraged at Warmoth's charges. Defending his actions to Kellogg, Buchanan reminded the Senator that Congress had "passed certain laws, and I . . . executed them . . . in accordance with what I believed to be their intent and meaning—as a

\(^1\)GO No. 1, Dept La, January 8, 1869, in GO, 1869, Dept La, RG 393, NA; New Orleans Daily Picayune, January 9, 1869; New Orleans Crescent, January 13, 1869.
Soldier and not as a politician." Several newspapers obtained and printed Buchanan's reply to Warmoth's criticisms, which did nothing to improve relations between the two men.²

When Buchanan assumed the position of departmental commander, he did not want to continue as state commander of Louisiana, and therefore he had to designate someone to fill that vacancy. Buchanan chose General Joseph A. Mower, who had been acting commander of the state for a few months in 1867. Since that time, however, Mower had been in near exile on Ship Island in the Gulf of Mexico, occupying himself with the training of the recently created black regiment, the 39th Infantry, and supervising the military prison located on the island. Buchanan ordered Mower out of "that desolate place" and back to the civilized environs of the Crescent City. Mower arrived in New Orleans on January 25 and assumed his new duties two days later.³

Mower's appointment brought a warning blast from the New Orleans Crescent, whose editor expressed the hope that "the civil power is in the ascendency, and officials are no longer mere Jacks-in-the-box to be shoved up or down at the bidding of a military dictator." Although the Crescent opposed "the present bastard State government in Louisiana," it preferred that government to "the exercises of the caprice of a partisan


general commanding." Accordingly, the Crescent expected that Mower, "who swept his scythe so unmercifully and with so little discrimination in the latter part of 1867" had since "learned [the] wisdom" to leave the civil government alone.4

One of the first important tasks Mower had as state commander was to receive an inspection tour by the commanding general of the Army, William T. Sherman. Mower had served under Sherman during the Civil War and was on good terms with him. Sherman spent a couple of evenings in the Crescent City, attending the opera and sightseeing. On February 10 the visiting general and his aides inspected the river defenses at Forts Jackson and St. Philip, once described by departmental Adjutant George Baldey as "not fit for the occupation of human beings." Although improvements had been made over the years, the forts were still isolated from towns and cities and provided few comforts or diversions for the soldiers of the 39th Infantry, who amused themselves by throwing mess hall scraps to the alligators in the moats. Sherman also went by riverboat to Alexandria, where he visited the Louisiana State University campus and talked with his old friend David F. Boyd, president of the struggling college. Before the Civil War Sherman had been superintendent of the school, and he maintained a fond attachment for the institution throughout his life.5 Sherman's visit seemed to be a

4New Orleans Crescent, January 22, 1869; similar tone taken by Plaquemine Iberville South, January 23, 1869.

pleasant one. However, if Buchanan and Mower expected to learn from the commanding general the identity of a permanent commander for the Department of Louisiana they were disappointed.

Quite possibly Sherman knew of the bill in Congress, passed in early March, which reduced the size of the Army and consequently called for the redisposition of troops throughout the nation. Buchanan learned from a friend in Washington that his regiment, the 1st Infantry, had been assigned to Fort Leavenworth, Kansas. Unless he was ordered to remain on detached assignment in Louisiana, Buchanan would be leaving the state soon. At about this same time, the War Department ordered the transfer of the 20th Infantry from Louisiana to Minnesota. This meant that two regiments experienced in dealing with Reconstruction problems in Louisiana were to be removed simultaneously.

Reducing the number of soldiers in the Army necessitated combining several infantry regiments. The 19th and 28th joined to become the 19th, and the 39th and 40th united to form a single black regiment, the 25th. The men of the 28th moved to Louisiana from Arkansas, and the 40th came to Louisiana from South Carolina. The old 19th also shifted

William T. Sherman Letters/David F. Boyd Family Papers (Louisiana State University Department of Archives and Manuscripts, Baton Rouge); Alexandria Louisiana Democrat, February 17, 1869.

\(^{6}\)Major George Gibson to Buchanan, February 19, 1869, filed with 5 MD, Telegrams Recd, 1869, RG 393, NA. The regiment's orders were later changed, and it was sent instead to the Great Lakes area. See New Orleans Crescent, March 26, 1869.

some of its troops down from Arkansas, leaving Little Rock, garrisoned by six companies, the only post in that state. 8

Adding to the confusion of these consolidations and troop movements were Buchanan’s orders to close down the military posts at Shreveport, Alexandria, Monroe, and Amite. Apparently Congress and the War Department ordered these closings and similar ones in other states to save money. Building maintenance or rent at these places cost thousands of dollars each year, and the supplying of several posts in different areas of the state added to the cost. The soldiers of the 1st and 20th regiments on duty in Shreveport, Alexandria, Monroe, and Amite moved to either Jackson Barracks or Greenville Barracks and prepared to leave the state. These posts were closed despite Louisiana’s demonstrated need for close supervision, but no contingency plans were made to reopen them in the event of trouble. The Army soon learned that it had abandoned some of them prematurely. 9

The orders closing several posts pleased most white Louisianians, but the War Department released another order which surprised many people in the state. President Grant asked Phil Sheridan to resume command of Louisiana. Announcement of the new orders disappointed Sheridan as much as Louisiana’s Democrats. The little general


9 “Report of Mower,” p. 96; AAAG Thomas Neill to Joseph A. Mower, March 1 and 5, 1869, in Dept Gulf, vol. 266, AAG Luke O’Reilly to CO, Amite, February 26, 1869, in Dept Gulf, vol. 274A, both in RG 393, NA; Alexandria Louisiana Democrat, March 17, 1869. Apparently, Congress applied pressure on the Army to close down posts to save money. See William T. Sherman’s endorsement on Montgomery Meigs to Sherman, March 30, 1869, in Dept La, Letters Recd, 1869, RG 393, NA.
previously had told Grant that he wanted nothing more to do with
Louisiana's Byzantine politics, and that he would serve there again only
on Grant's direct orders.

Within a few days the orders were changed. Sheridan, recently
promoted to the rank of lieutenant general, was given command of the
Indian-fighting Army in the huge Division of the Missouri. Major
General Oliver O. Howard, director of the Freedmen's Bureau, drew the
Louisiana assignment. Until Howard arrived, Joe Mower assumed temporary
command. 10

As Mower prepared for Howard's arrival, he learned that the
one-armed Civil War hero would remain in Washington as superintendent of
the Freedmen's Bureau. Command of the Department of Louisiana, rejected
by two of the Army's senior generals, fell by default to Mower. 11

During March, Mower and his subordinates processed more than one
hundred and fifty white recruits who had arrived in New Orleans from
depots in the North. The replacements were assigned to posts at New
Orleans, Jackson Barracks, and Baton Rouge.

The rookie soldiers received uniforms dispensed by the
quartermaster from old stocks left over from the Civil War. The
trousers and jackets rarely fitted properly, and the soldiers had to
have them altered by a company or civilian tailor. The paymaster

10 GO No. 10, AGO, March 5, 1869, in New Orleans Crescent, March 7,
1869; ibid., March 9 and 17, 1869; Philip H. Sheridan to Ulysses S.
Grant, February 19, 1869, in Philip H. Sheridan Papers (Autograph
Letters) (Division of Manuscripts, Library of Congress); GO No. 18, AGO,
March 16, 1869, in Edward McPherson, The Political History of the United
States of America During the Period of Reconstruction, 1865-1870 (2nd

11 "Report of Mower," p. 97; New Orleans Crescent, April 2, 1869;
New Orleans Times, April 2, 1869; New Orleans Bee, April 3, 1869.
deducted the cost of any alterations from a private's beginning pay of sixteen dollars per month. Infrequently, individual commanders outfitted their men with distinctive items of wearing apparel. For example, using his own money, Major Robert H. Offley purchased straw hats for the men of his company, in place of the standard blue kepi which most soldiers wore.

The troops were assigned to deteriorating old barracks and consequently spent considerable amounts of time repairing their roofs, walls, and windows. The buildings were sparsely furnished. Rows of wooden bunks lined the walls, with footlockers and wall pegs for personal belongings and uniforms. The soldiers followed the standard training exercises: close order drill, manual of arms, guard mount, care of weapons, and target practice. Few of them were proficient with their rifles. 12

However, standard infantry units, such as those to which most of the recruits were assigned, did not always meet the commander's needs. Cavalry was more mobile and better suited than infantry to operate at some distance from regular garrisons, especially in the interior of the state, where Republicans complained of a lack of protection from vigilantes and desperadoes. Moreover, if called for by the civil

authorities, cavalry could reach the site of a riot more quickly than infantry. Three cavalry companies had been on duty in Louisiana, but in order to fulfill the reorganization requirements, they had been sent to the Texas frontier. Therefore, Mower requested permission of the War Department to purchase some horses and mount some of his infantry companies as cavalry. 13

General Sherman refused Mower's request to buy horses, saying that instead every effort should be made toward "a thorough and systematic reduction in expenses" of the Army in Louisiana. Giving advice on the use of troops, the commanding general told Mower to intervene in civil affairs only when "the Civil Authorities confess themselves powerless. If Cavalry is needed in upper Louisiana and Arkansas," Sherman concluded, "I may order a few companies from Texas." 14 Undoubtedly Sherman's reply disappointed Mower. The lack of mounted troops reduced the speed with which his orders could be carried out. The decreasing number of seasoned troops in Louisiana also reduced the Army's effectiveness.

The 20th Infantry was the next veteran regiment to leave Louisiana. On April 4 it followed the 1st Infantry to new duty stations in the North. Citizens from the Baton Rouge vicinity gathered at the mayor's office to pay tribute to the officers and men of the 20th. Colonel George Sykes, the regiment's commander, said he had learned "with regret" that the 20th was moving to Minnesota. A special citizens committee tendered their "sincere thanks" to Sykes and the soldiers of

13 Mower to AG Edward D. Townsend, April 2, 1869, in Dept Gulf, vol. 266, RG 393, NA.

14 Sherman to Mower, April 3, 1869, filed with 5 MD, Telegrams Recd, 1869, RG 393, NA.
the regiment for their "kindness and courtesy on the discharge of their official duties" while in Baton Rouge. The committee also proclaimed its "warmest wishes" for the regiment's "welfare and happiness" in its future assignments. The West Baton Rouge Sugar Planter noted that the departure of the 20th would deprive local music lovers of concerts by the regiment's "excellent amateur minstrel band" which had performed regularly on Friday and Saturday nights. Within a few days, elements of the 19th Infantry arrived to take over the garrison at Baton Rouge.15

The reduced number of troops in the state prompted Mower to continue Buchanan's consolidation program. Mower ordered the closing of the post in New Orleans and the transfer of the troops from their rented billets in the city to the main post of Jackson Barracks. Only headquarters orderlies and staff officers would remain in New Orleans. The barracks at Greenville were to be closed by the end of April, after the 39th and 40th regiments were consolidated to form the 25th. Mower ordered troops withdrawn from Shreveport on April 12. Upon their departure, they took all the movable supplies with them to the post at Jefferson, Texas. All the military buildings in Shreveport, including the officers quarters, adjutant's office, barracks, kitchen, mess hall, hospital, and stable, were sold at auction on April 19.16

Meanwhile, troubles in south Louisiana caused Republicans to call for the Army's assistance. Rowdies and brigands had set upon blacks and

15Baton Rouge Tri-Weekly Advocate, April 5, 1869; West Baton Rouge Sugar Planter, February 6, 1869; Capt. J. B. Mulligan to AAAG Baldey, April 19, 1869, in Dept La, Letters Recd, 1869, RG 393, NA.

16Sherman to Mower, April 3, 1869, filed with 5 MD, Telegrams Recd, 1869, RG 393, NA; New Orleans Crescent, April 6 and 10, 1869; "Report of Mower," p. 97; Shreveport South-Western, April 14, 1869.
Republicans in St. Landry Parish. Local authorities asked the governor to send in the state militia, and in turn Warmoth asked Mower to dispatch troops to Opelousas. Two years before Mower had unhesitatingly ordered squads or even companies of soldiers to help Republican officials. In this case, however, he telegraphed General Sherman, asking both for permission to give military help and for advice on how to do it. Sherman approved sending the troops, leaving the details to Mower. Sherman also wanted reports of murders in the parish investigated without delay.  

Accordingly, on April 27 Mower ordered Company H of the 25th (Negro) Infantry to Opelousas, telling Captain Frank M. Coxe to keep his men "entirely aloof from the citizens" and not to interfere in civil affairs. Mower believed that the soldiers' presence served "to quiet the public mind and hold in check the lawless portion of the inhabitants. ..." Company H remained in Opelousas for more than five months.  

Captain Coxe found Opelousas citizens "laboring under great political agitation. ... The Democrats ... evince[d] open hostility to the reconstruction acts, both by incendiary language and by their general deportment towards the civil officers of the Government." The local whites displayed "a temper (only suppressed by the presence of troops) which if uncontrolled would jeopardize the life of any

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17 Mower to Henry Clay Warmoth, April 17, 1869, in Dept Gulf, vol. 266; Sherman to Mower, April 21, 1869, filed with 5 MD, Telegrams Recd, 1869, both in RG 393, NA.

18 "Report of Mower," pp. 98-99; AAAG Baldey to Capt. Frank M. Coxe, April 27, 1869, in Dept Gulf, vol. 266, RG 393, NA.
Republican in his public expression of opinion." The captain concluded that loyal Union men lived "in hourly dread of our removal. . . ."  

Stationing black troops in the Conservative stronghold of Opelousas caused tempers to flare. Several citizens ("noted debauchers and outlaws," according to Coxe) threatened some soldiers as they walked to a dance in town. The soldiers ran back to camp with gunshots and catcalls ringing in their ears. When Coxe persuaded a local judge to hold a hearing on the incident, a fight almost broke out in the courtroom between spectators and soldiers. The captain quit trying to have the rowdies arrested because the case would have been "presented to a jury of men pledged to save from punishment their own Confederates."  

Having persuaded Mower to send troops to one town, Warmoth was emboldened to ask for similar assistance in other places. When Republicans in Franklin Parish wanted the Army to enforce the peace in Winnsboro, Mower ordered Lieutenant Richard Vance a company of the 19th Infantry from Baton Rouge to "protect, aid and sustain the civil authorities. . . ." But Mower, again unwilling to rely in his own judgment, requested approval from Washington. Adjutant General E. D. Townsend replied that Sherman approved of the temporary garrison. Mower believed that Franklin Parish was in "the worst portion of the State, . . . infested by a gang of desperadoes and thieves, who defy and ignore the local civil authorities entirely." Corroborating Mower's

19 Coxe to Baldey, May 9 and 10, 1868, in Dept La, Letters Recd, 1869, RG 393, NA. Coxe's May 9 report is partially summarized in Senate Exec. Docs., 41 Cong., 3 Sess., No. 16, Pt. 1, p. 15. See also Opelousas Journal, May 15, 1869.  

20 Coxe to Baldey, June 28, 1869, in Dept La, Letters Recd, 1869, RG 393, NA; Opelousas Journal, July 10, 1869.
opinion, Lieutenant Vance reported that whipping of black field hands was commonplace, civil law appeared to have broken down completely, and drunken citizens raced horses up and down the streets of Winnsboro. Vance's detachment remained in the town until October. 21

About two weeks after sending troops to Winnsboro, Mower learned that the state supreme court had declared the Metropolitan Police a legal and proper law enforcement agency, a ruling that angered the local police departments in the parishes surrounding New Orleans. Legally empowered by the court to extend their authority, the Metropolitans established a precinct station in Jefferson Parish.

On May 18 the Jefferson police fired on the Metropolitans, threatening to bring on the full-scale inter-police battle that General Rousseau had feared might occur the previous year. Warmoth demanded that the military intervene. Without hesitating, Mower ordered a company of the 25th Infantry to move into the troubled area. In this case, simply the foreknowledge of a quick military response dispersed the rioters. Troops bivouacked near the precinct station for several days before returning to Jackson Barracks. As he had done before, Mower asked for and received approval of his conduct from the War Department. However, the New Orleans Times condemned the interference in civil affairs by the "hireling soldiery." 22


But no sooner was one fire dampened than another broke out. Former Union Army Major Ross Wilkinson, a prominent Republican in Caddo Parish, reported a threat had been made against his life by unnamed "desperadoes." Subsequently Mower received Warmoth's familiar plea for troops. Cooperating with Mower, General Joseph Reynolds, commander of Texas, temporarily provided Company F, 6th Cavalry, to patrol Caddo, protect Wilkinson, and arrest some men accused of horse stealing.

The use of troops for such domestic duties displeased General Sherman in Washington. He wanted Warmoth to certify in writing that military assistance was necessary. Nevertheless, the post at Shreveport, so carefully dismantled only a few weeks before, was temporarily reestablished. Wilkinson later offered the use of his plantation as a base for the cavalry. 23

Meanwhile, the embers flamed again in Jefferson. Warmoth wanted Mower to reassign a detachment to the town because a local judge had created a crisis by issuing an injunction against the Metropolitan Police, prohibiting "them from performing their duty in Jefferson City and parish."

Mower sent two companies of the 25th Infantry and two Gatling guns to the town, stationing them near the courthouse. When Secretary of War John A. Rawlins learned that troops had returned to Jefferson, he

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admonished Mower to use his forces "only to preserve the peace" in time of dire need. Upon receiving the secretary's comment, Mower withdrew the troops, whose presence had possibly prevented another riot.  

The New Orleans Picayune criticized Mower for ordering the recent troop movements, calling him Warmoth's "willing lieutenant." The Picayune's editorialist lamented: "Are we never to have done with the military? Must the gleam of the sabre and the glint of the bayonet meet us which way so ever we turn?"

The newspaperman would have been pleased to read General Sherman's latest letter to Mower. The General in Chief wrote that henceforth "troops must not be used to do the work of Police . . . and . . . soldiers should only be called on when unlawful assemblages occur too large to be controlled by the civil powers of the State." Sherman told Mower to tell Governor Warmoth about these orders.

The situation in Louisiana was more difficult than Sherman could appreciate in Washington. For example, at Shreveport the sheriff, fearing a violent attempt to free his prisoners, asked Captain Joseph Kerin for a squad of soldiers to guard the parish jail. (In describing the jail, a local physician said that "the notorious Black Hole of Calcutta could possibly be no worse than . . . this shameful sink of infection." ) The squad stood guard at the lockup for nine days in July.

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24 Mower to Townsend, June 14 and 17, 1869, Mower to Warmoth, June 14, 1869, Baldey to Lt. Col. E. W. Hinks, June 14, 1869, all in Dept Gulf, vol. 266; Warmoth to Mower, June 15, 1869, in Dept La, Letters Recd, 1869; Townsend to Mower, June 17, 1869, filed with 5 MD, Telegrams Recd, 1869, all in RG 393, NA.

25 New Orleans Daily Picayune, June 16 and 17, 1869; Townsend to Mower, June 22, 1869, in Dept La, Letters Recd, RG 393, NA.
At the sheriff’s request, Kerin later ordered soldiers to act as temporary jail guards in October and November.  

The remainder of the summer passed quietly, and Warmoth advised Mower in September that the troops could be withdrawn from Opelousas and Winnsboro. Coxe’s company returned to Jackson Barracks, against the judgment of Captain Coxe, who reported that "loyal citizens . . . earnestly desire our retention at this station . . . ." The soldiers were probably pleased to leave Opelousas. They had been living in leaky tents for five months and looked forward to the security and warmth of their barracks. Certainly, most of the town's white citizens expressed "a sense of relief" when the troops marched away. Following the final session of the district court at Winnsboro, Lieutenant Vance and his detachment returned to Baton Rouge. Warmoth told Mower that using the troops had been necessary to quiet Franklin Parish and protect the court.  

However, Warmoth’s requests for military assistance had not ended. He soon asked for troops to protect prisoners in the Ouachita Parish jail in Monroe. Remembering Sherman’s past warnings, Mower doubted the advisability of dispatching soldiers before violence had occurred. His reluctance represented quite a change in attitude by the general who,  

26Joseph Kerin to Baldey, July 4 and 12, October 1, 1869, Kerin to HQ, Dept La, November 30, 1869, in Dept La, Letters Recd, 1869, RG 393, NA.  


next to Sheridan, was most closely associated with the Radical Republicans.

Under these circumstances, Mower requested orders from Washington. Replying through Adjutant General Townsend, General Sherman left to Mower's "discretion the power to aid, or withhold aid from, the civil power," but reminded him "that the State authorities should exhaust their power first." No records have been found indicating that Mower sent any troops to Monroe at that time.29

Mower thankfully welcomed the quietude of December, when, after studying inspection reports, he recommended closing the distant and uncomfortable post on Ship Island in the Gulf of Mexico. Toward the end of the month, the Secretary of War approved the abandonment of Ship Island and suggested that the companies of troops there be relocated to Forts Jackson and St. Philip.30 Undoubtedly, Mower would have liked personally to supervise the closing of Ship Island, the post where he had spent several months separated from the mainland and the mainstream of military and political affairs. However, that was not to be.

In early January 1870, Mower contracted a severe case of pneumonia. Army and civilian doctors tried, but could not effect a cure. On the night of January 6 Mower died at the age of forty-seven. Unlike the outpouring of grief for Rousseau the year before, Louisiana newspapers and citizens took only perfunctory notice of Mower's death.31

29Warmoth to Mower, October 15, 1869; Townsend to Mower, (emphasis in the original), November 9, 1869, in Dept La, Letters Recd, 1869, RG 393, NA.

30Lt. Col. R. B. Ayres to AAAG, Dept La; Townsend to Mower, both dated December 29, 1869, in Dept La, Letters Recd, 1869, RG 393, NA.

31Baldey to Townsend, January 6, 1870, in Dept Gulf, vol. 266, RG
Adjutant General Townsend appointed Colonel Charles H. Smith temporary commander of the Louisiana department. Smith, then commanding troops at Little Rock, Arkansas, ordered the Louisiana headquarters staff to expect his arrival at New Orleans within a week.

Meanwhile, the staff made the necessary arrangements for Mower's funeral, which was held on January 8. Governor Warmoth, military officers, and local dignitaries attended the ceremonies. 32

Mower's postwar service drew respectful comments from the Army and Navy Journal, which noted that the general had twice been called upon to command troops in Louisiana, "one of the worst States to manage" in the South. General Sherman remembered Mower as "an officer in whom I had the utmost confidence and in whose future I had the most unbounded faith." 33

Mower's two periods of command in Louisiana differed from each other in several respects. In 1869 Mower served for a year, whereas in 1867 he had commanded only for three months. More importantly, in 1869 he had to take account of the authority of a civilian governor. Warmoth had been officially elected and was a capable and skillful executive. He wielded many of the powers formerly held by the military commander

32 Gen. C. H. Smith to Baldey, January 8, 1870, filed with 5 MD, Telegrams Recd, 1870; Baldey to Smith, January 8, 1870, in Dept Gulf, vol. 266, RG 393, NA.

33 Army and Navy Journal, January 15, 1870, vol. VII, No. 22, p. 333; Sherman to Baldey, January 7, 1870, filed with 5 MD, Telegrams Recd, 1870, RG 393, NA.
and at the same time courted the Army and knew its value to his Republican administration. Warmoth was much more powerful and influential than Benjamin Flanders, who had been dominated by Mower in 1867.

Moreover, Mower felt restraints of protocol in 1869 that were absent in 1867. In 1869 Mower could not remove and appoint officeholders on his own. New appointments were made by Warmoth, and the military had little or no say in who was chosen. In 1867 Mower could (and did) send troops to any potential trouble spot in the state on his own orders. In 1869 Mower acted mostly in response to Warmoth's requests for military assistance, and usually the general sought retroactive approval of his actions from the War Department.

Another restraining influence on Mower was the attitude of General Sherman. Sherman shared the opinion of many white Louisianians who believed that frequent military assistance to local Republicans was uncalled for and more dangerous than helpful. Mower, who had not completely shed his Radical heritage, soon realized that the tone of Reconstruction had changed militarily and politically. The Republicans in Louisiana expected the Army's aid at any time, but officials in Washington were more reluctant to condone the use of soldiers as local policemen. The sharp edge of the Reconstruction crusade had worn dull, and Mower may have doubted the usefulness of the Army to affect or maintain social change. Mower, the acolyte who had served at Sheridan's Radical altar, could no longer have counted on the unstinting support of higher command.

With Mower gone and Smith temporarily in charge, Louisiana Democrats wondered about the future of their state and their party under
the altering conditions of Reconstruction and the apparent decreasing military influence.
CHAPTER IX

REYNOLDS AND THE DECLINE OF WARMOTH

In January 1870 the Monroe Ouachita Telegraph ran an editorial which reflected the hopes of many Democrats. "The reconstruction of the South is nearly finished up, and so too is the Radical party. The two have been fast friends and will expire together." At this time only one Southern state, Tennessee, had shaken off Radical control, but Virginia and North Carolina Democrats were consolidating their power and would elect Conservative governors and legislative majorities later in 1870. Looking at these positive signs, Louisiana Democrats hoped that the time of redemption was near at hand for the Pelican State. Louisiana Republicans were on the verge of an open split in their party, and the Army in the state appeared to be moribund. However, obituaries in either case would have been premature.

Colonel Charles H. Smith, the acting commander of Louisiana, made decisions concerning troop dispositions in the department from his office in Little Rock, Arkansas. Smith considered and recommended approval of General Mower's proposal to close the post and prison on Ship Island. In late March, after communicating with his superiors at the headquarters of the Military Division of the South at Louisville, Kentucky, Smith ordered the transfer of soldiers from Ship Island to other posts in Louisiana and reestablished the prison at Forts Jackson

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1Monroe Ouachita Telegraph, January 22, 1870.

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and St. Philip. The relocation was completed in April. In the meantime, Smith issued orders through two special aides in New Orleans, Adjutants George Baldey and Luke O'Reilly.  

Before Smith's arrival in the Crescent City, Captain Baldey and Lieutenant Colonel Edward W. Hinks, commanding Jackson Barracks, faced a minor crisis in the capital. Prominent Democrats called for a public meeting to protest Governor Warmoth's proposed bill in the legislature designed to enable him to appoint his own election supervisors. Similar public convocations in the past had disintegrated into riots, and Baldey and Hinks were determined to prevent that from happening again. They made no secret of the fact that two companies of the 25th (Negro) Infantry, reinforced by two Gatling guns, were on alert in case of violence in the streets. However, the troops were kept outside the city.  

At the meeting more than one thousand persons listened attentively while former sheriff Harry T. Hays and other speakers railed against Warmoth's political and economic policies, particularly the governor's personal command of the Metropolitan Police. Fortunately the crowd dispersed quietly, and the troops resumed their routine duties at their barracks.  

On March 31, 1870, the Adjutant General's Office in Washington issued an order reshuffling the military commands in the South and  

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3 New Orleans Daily Picayune, January 30, 31, and February 1, 1870; Baldey to Edward W. Hinks, January 31, February 2, 1870, in Dept Gulf, vol. 266, RG 393, NA.
separating Arkansas and Louisiana. The orders shifted Arkansas to the
Department of Missouri and placed Louisiana in the newly designated
Department of Texas, comprised of Texas and Louisiana. General Joseph J.
Reynolds, commander of troops in Texas, officially took command of the
new department on April 16. Rather than move to New Orleans, Reynolds,
who was involved in Texas politics, decided to keep his headquarters in
Austin. 

Accompanying this change in departmental structure, another order
directed the 25th Infantry to move from Louisiana to the Texas frontier
and required the 19th regiment to garrison Louisiana by itself. By June
all of the troopers of the black regiment had been transferred to Texas.
During April and May Colonel Smith redistributed the remaining six
companies of the 19th Infantry from Little Rock to posts at Jackson
Barracks, Baton Rouge, and Forts Jackson, St. Philip, and Pike. 
Completing the redistribution, Company B of the 19th moved to Shreveport,
replacing Company F of the 6th Cavalry, which returned to its regular
duty station, Fort Griffin, Texas.

4GO No. 35, ACO, March 31, 1870, in House Exec. Docs., 41 Cong.,
3 Sess., No. 1 (SW, Annual Report, 1870-1871), p. 36; GO No. 1, Dept
Texas, April 16, 1870, in New Orleans Republican, April 26, 1870;
William L. Richter, "The Army in Texas During Reconstruction, 1865-1870"
(unpublished Ph.D. dissertation, Louisiana State University, 1970),
312-15.

5John Nankivell (comp. & ed.), History of the Twenty-fifth Regiment
of United States Infantry, 1869-1926 (Denver, 1927), 15; AAAG H. Clay
Wood to Hinks, April 21, 1870, in Dept Texas, Letters Sent; C. H. Smith
to Gen. Joseph J. Reynolds, April 22 (two communications), in Dept
Texas, Letters Rec'd; Smith to AAG, Dept Texas, May 25 and 26, 1870,
ibid., RG 393, NA. Annual Report of the Dept Texas, 1870, (Microcopy
M-619, reel 828), RG 94, NA.

6Capt. Joseph Kerin to AAG/Dept Texas, April 29, 1870, in Dept
Texas, Letters Rec'd; AAG Wood to Kerin, May 7, 1870, in Dept Texas,
Letters Sent, RG 393, NA.
The decreasing strength of the Army in Louisiana probably made Governor Warmoth feel somewhat uneasy, but he had already taken steps to provide his administration with its own armed support. In April the Louisiana legislature had passed a bill, sponsored by the governor, creating the state's first postwar militia. As governor, Warmoth commanded the state troops, and he chose as adjutant general James Longstreet, an important Confederate general who had become a Republican. Longstreet had resided in Louisiana since March 1869, when President Grant had appointed him surveyor of customs for the port of New Orleans. During the summer of 1870 Longstreet organized and trained the militia, which was composed almost entirely of Negroes.  

Warmoth realized that his unproven militia would be inadequate to protect the polls in the state's November elections, and he wanted the Army to strengthen Louisiana's garrisons. An outbreak of yellow fever had prompted General Smith to move three companies of soldiers from their Louisiana posts to temporary quarters on Ship Island. Warmoth wanted these troops returned to the mainland by the time of the election. Moreover, the governor and other Republican officials asked General Reynolds to send additional troops to aid the 19th Infantry before the polls opened. However, no reinforcements were sent. President Grant believed that Louisiana was safe enough, but Florida was

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not. Therefore, he directed Reynolds to send two companies of the 19th regiment to Tallahassee for election duty there. 

By election day, November 7, the three companies formerly on Ship Island had returned to Louisiana and, along with three other companies, were assigned to New Orleans. According to Warmoth, the Crescent City and Shreveport were the most likely spots for disturbances during the voting, and the troops in those towns were especially watchful for anything unusual. Lieutenant Colonel Romy B. Ayres (commanding troops in New Orleans in the absence of Colonel Smith, who had been called to serve on a special Army board in Washington) reported that election day was quiet and orderly. Ayres stationed troops near the Customs House, in the city parks, and on the riverfront levee.

Republicans did very well in the election. Warmoth's handpicked man, former governor Benjamin F. Flanders, won the race for mayor of New Orleans. Republicans captured all of Louisiana's congressional seats and elected a majority of the next state legislature.

Although November 7 passed quietly in New Orleans and Shreveport, a riot unexpectedly erupted in Baton Rouge after the polls had closed.

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8 AAG Wood to Reynolds, September 13, 1870, in Dept Texas, Letters Sent; C. H. Smith to AAG, Dept Texas, September 13, 1870, in Dept Texas, Letters Recd; Caddo Parish Sheriff John O'Connor and other Caddo Republicans to Reynolds, November 1, 1870, ibid.; Warmoth to Reynolds, November 3, 1870, in Dept Texas, ibid.; AG James Fry to Reynolds, November 6, 1870, ibid.; all in RG 393, NA.

9 Fry to Lt. Col. Romy B. Ayres, November 2, 1870; Fry to Reynolds, November 3, 1870; Ayres to Fry, November 25, 1870, ibid.; Reynolds to CO, Shreveport, November 3, 1870; Reynolds to Henry Clay Warmoth, November 4, 1870, in Dept Texas, Letters Sent, RG 393, NA.

The reasons for the fighting are unknown, but clashes between armed blacks and whites left four Negroes dead and about twenty blacks and whites wounded. Troops from the local garrison went quickly to the scene and arrested one Negro and fifty-nine whites, many of whom were among the town's most prominent citizens. After the soldiers restored order, Colonel Ayres sent the U.S. revenue cutter Wilderness from New Orleans to Baton Rouge with a company of troops commanded by Captain Edward S. Meyer. Upon his arrival, Meyer placed Baton Rouge under martial law, and soldiers patrolled the town's streets for several days.¹¹

On November 10, three days after the election, a confrontation occurred between self-styled Negro "militiamen" and some armed white citizens in the town of Donaldsonville in Ascension Parish. An argument between the two groups developed over the possession of the town's ballot boxes and which side should protect them until state officials took custody of the ballots. The argument degenerated into fighting punctuated by gunfire from both sides. Among those killed were the mayor and former mayor of Donaldsonville, both white men. On November 11 Colonel Ayres sent Captain William T. Gentry and two companies of troops to Donaldsonville, and the soldiers soon pacified the town and

¹¹Baton Rouge Weekly Advocate, November 12 and December 10, 1870; New Orleans Daily Picayune, November 11, 1870; Summary of Report of CO, Baton Rouge, November 14, 1870, in Senate Exec. Docs., 41 Cong., 3 Sess., No. 16, Pt. 1, p. 17; Ayres to Fry, November 25, 1870, in Dept Texas, Letters Recd, RG 393, NA. In December the sixty arrested Baton Rougesians were arraigned on charges of violating the Enforcement Act of May 30, 1870. Specifically, the men were charged with rioting, obstructing supervisors of voter registration, and using armed force to intimidate voters. Because of "insufficient evidence" the charges were dropped and all of the accused men were released. See Baton Rouge Tri-Weekly Advocate, December 5, 1870; Weekly Advocate, December 10, 1870; New Orleans Daily Picayune, November 15, 1870.
the surrounding area. A month later one of the companies returned to Jackson Barracks, but the other remained in Donaldsonville until early February 1871.\textsuperscript{12}

Despite the post-election disturbances in Baton Rouge and Donaldsonville, Governor Warmoth viewed the results of the canvass favorably. He later called it "the quietest and fairest election ever held in the State of Louisiana up to that time." The New Orleans Republican echoed the governor's opinion, praising the Army for protecting the polls and saving "the city of Baton Rouge from sack and pillage. . . ." The Republican proclaimed that the soldiers were "the defenders of the weak, the rescuers of the oppressed, and terrible only to evil-doers." The newspaper's editorial concluded that "no honest man can have any objection to the presence of United States troops."\textsuperscript{13}

In contrast, the New Orleans Times denounced the Army after the election with the blazoned headline "Have We a Military Government?" The Times claimed that Warmoth deserved "grave censure for inflicting upon this city the insult and disgrace of such employment, in a time of profound peace, of the military forces of the Federal Government." If the Republicans called out troops for every election "under the pretext of preserving the peace," the Times editorialist continued, "it would be wiser to give up all elections and not preserve the forms of them in sad

\textsuperscript{12}New Orleans Daily Picayune, November 10, 11, 12, 1870. Ayres to Fry, November 25, 1870, Ayres to Wood, November 26, 1870, in Dept Texas, Letters Recd; Wood to Ayres, December 27, 1870, in Dept Texas, Letters Sent, RG 393, NA. Company C, 19th Infantry, remained in Donaldsonville until February 7, 1871. See Dept Texas, Annual Report, 1871, Records of the AGO (Microcopy M-666, reel 44), RG 94, NA.

\textsuperscript{13}Henry C. Warmoth, War, Politics, and Reconstruction: Stormy Days in Louisiana (New York, 1930), 101; New Orleans Republican, November 10, 1870.
mockery of a right we once enjoyed." The writer concluded with the forlorn hope that this display of military power for partisan political purposes would be "the last exhibition of the sort ever made in this city."^14

Colonel Smith did not return from his official business in Washington until January 1871, and therefore missed all the exciting activities after the election and the subsequent newspaper debate on the role of the Army. To reacquaint himself with his command, Smith inspected the posts and troops in Louisiana during February. A few weeks later Smith made use of the information gained on the inspection when he conferred with General William T. Sherman in New Orleans.15

After questioning Smith and reviewing his own notes, Sherman recommended several changes in troop dispositions and posts in Louisiana. First of all, for reasons that are not clear, Sherman wanted the main post in the state located at Baton Rouge instead of Jackson Barracks, near the capital city of New Orleans, where political confrontations were common. Furthermore, Sherman recommended closing all posts in Louisiana except Baton Rouge and Jackson Barracks. Forts Jackson and St. Philip (which Sherman called "invested by mosquitoes and otherwise unfit for the habitations of man . . .") and Fort Pike (which he called "utterly useless") deserved to be manned by only small caretaker squads. Sherman convinced General Reynolds of the economy of his plan. Accordingly, Reynolds sought Governor Warmoth's permission to transfer

^14New Orleans Times, November 8, 1870.

the military convicts at Forts Jackson and St. Philip to the Louisiana State Penitentiary.16

During the summer Reynolds implemented Sherman's plan. He closed the post at Shreveport and moved its garrison to Baton Rouge—once again leaving northern Louisiana without an Army post. As expected, Warmoth approved the transfer of military prisoners to the state penitentiary. The transfer completed, the garrison of the twin forts was ordered to Baton Rouge. Colonel Smith commanded that post, which included the headquarters and six companies (378 men) of the 19th Infantry and a small detachment at the arsenal. Lieutenant Colonel Alfred Sully commanded the remaining four companies (238 soldiers) of the regiment at Jackson Barracks.17 Thus consolidated by the late summer of 1871, the Army in Louisiana prepared to face the state's next political crisis.

In 1871 Henry Clay Warmoth still held substantial power in Louisiana, but he was losing his domination over the state's Republican party. Various men had opposed Warmoth from the beginning of his term as governor in 1868, and now the anti-Warmoth forces had coalesced into a formidable group that included some of Louisiana's most important Negro leaders. Many black politicians had been angered by Warmoth's veto in 1868 of a state civil rights bill. Warmoth had vetoed the bill on the practical grounds that its promises of additional rights were

16 William T. Sherman to Edward D. Townsend, April 21, 1871, ibid.; Reynolds to Warmoth, May 3, 1871, Reynolds to C. H. Smith, May 8, 1871, in Dept Texas, Letters Sent, RG 393, NA.

unrealizable at that time. Some black leaders insisted that the law be on the books whether or not a majority of whites would abide by it. Moreover, James F. Casey, Republican collector of customs for New Orleans and brother-in-law of President Grant, led a biracial personal following of his own against the governor. The ultimate split came in 1871 when Warmoth opposed Casey's elevation to the U.S. Senate and persuaded the legislature to elect one of his own supporters, Joseph R. West, a former Union Army officer from Louisiana. After this victory Warmoth tried to oust Casey from power and called for his resignation as collector of customs. Casey refused to resign and thereafter was titular leader of the anti-Warmoth Republicans, called the Custom House Ring. Other anti-Warmoth leaders were U.S. Marshal Stephen B. Packard, a former Union Army officer from Maine who displaced Casey as the actual boss of the Ring; Oscar J. Dunn, black lieutenant governor who sought increased powers for himself and disdained Warmoth's lack of support for Negro rights and education; and U.S. Senator William Pitt Kellogg, a former Vermont lawyer and Warmoth supporter who had decided his future was with the pro-Grant Custom House Ring.18

Warmoth created enemies easily by his high-handed operation of the state government and personal control of the state voting supervisors, ___________________

the Metropolitan Police, and the state militia. However, many of his
opponents, whether Democrats or Republicans, wanted Warmoth out so that
their own faction could have more influence in filling state jobs,
getting state public works contracts, and grabbing other spoils of
office. No doubt Warmoth and his cronies were corrupt, but Louisianians
needed no lessons in political pettifoggery from a young Missouri lawyer
(or anyone else). Warmoth himself appropriately described the situation
in his oft-quoted statement: "Why damn it, everybody is demoralized
down here. Corruption is the fashion."  

In July 1871 Packard, Casey, Dunn, and other anti-Warmoth
Republicans decided to force a test of strength at the party's state
convention, scheduled to begin on August 9. At stake was the selection
of the new Republican state central committee, which Packard was
determined to control. However, the Custom House leaders knew that
Warmoth controlled a majority of the convention delegates. Therefore,
Packard appointed several extra deputy marshals and pulled from his
sleeve the trump card in any game of Reconstruction politics—the
Army.  

Hoping to prevent violence between the Republican factions,
Colonel Smith ordered two companies of troops from Jackson Barracks into
New Orleans one week before the convention began, and observers


speculated openly about which Republican faction the troops would support. The New Orleans Times predicted that in the event of a showdown the Army would aid the Custom House Ring. Speaking for Warmoth, Senator Joseph West protested against the use of troops to oppose the governor or upset the internal operation of the convention. Replying for the Ring, Senator Kellogg cited the "[d]eplorable condition [of] affairs in New Orleans" and hoped that the authorities would "protect lawful assemblies of Republicans." 21

Marshal Packard used his official position to bring pressure on General Reynolds to send in troops. In a telegram, Packard charged that "thugs and bruisers" would try to disrupt the convention and requested "a guard of soldiers . . . to protect the custom-house and other public property." This was simply a pretense on Packard's part to obtain the Army's support and deny Warmoth his rightful role in the convention. Packard asked Reynolds for the troops in his position as U.S. marshal without explaining that the anticipated "thugs and bruisers" were other Republicans and that the Custom House, rather than the state capitol or some other building, was the location of the convention. Reynolds, either woefully ignorant of the complex situation, or more likely prompted by his own pro-Grant Republicanism, ordered Colonel Sully to place "a guard" at the Custom House, leaving Sully to decide how many troops to send. 22

21 New Orleans Times, August 5, 1871; New Orleans Daily Picayune, August 5, 1871. Joseph R. West to A. T. Ackerman, August 5, 1871; Kellogg to Ackerman, August 7, 1871, in Letters Recd by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 1), RG 60, NA.

22 Packard to Reynolds, August 8, 1871, in House Misc. Docs., 42 Cong., 2 Sess., No. 211, p. 127; AAG Wood to Alfred Sully, August 8, 1871, in Dept Texas, Letters Sent, RG 393, NA; Harris, "Henry Clay
A special detachment of three companies of the 19th Infantry, supported by two Gatling guns, under the command of Captain Jacob H. Smith marched up to the Custom House at about 8:30 a.m. on August 9. Smith later said that he occupied the building on orders from Colonel Sully only "to protect United States property" and disclaimed any intention of assisting one side or the other at the convention. The troops stacked their unloaded, bayoneted rifles in the hallway near the main stairway inside the Custom House and put the Gatling guns in the basement. Although the Gatlings were not used, their presence gave the name "Gatling Gun Convention" to the meeting that was about to take place.  

About 11:00 a.m. Warmoth entered the building, followed by thirty delegates and well-wishers. Once inside, the governor recognized several of the special deputy marshals, all of whom were armed. Warmoth then happened to glance through a door that was temporarily ajar and saw Custom House leaders and delegates holding a caucus in an obvious attempt to organize the convention and elect the state central committee while the Warmoth faction was absent. According to Captain Smith, Warmoth summoned his followers and "got up in . . . [a] chair and made a speech to the soldiers and friends around him. . . . [H]e . . . made some remarks not very complimentary to the Army." Apparently some of

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his remarks were also not very complimentary to Packard. Fearing an altercation between the marshals and Warmoth's men, Captain Smith told the governor that he would have to stop his speech and leave the building. Without dissenting, Warmoth and his friends walked out of the Custom House and across the street to Turner's Hall and waited for the rest of their delegates. Subsequently the Warmoth faction held their own ineffectual meeting, but the national Republican party recognized the Custom House's state central committee.  

Packard had successfully maneuvered the Army into a position where soldiers forced Warmoth out of the convention on the grounds of preventing a disturbance that would damage government property. Warmoth claimed that the Army had disrupted the legal activities of the convention and prevented his delegates from participating in the meeting. However, Mayor Benjamin Flanders believed that the presence of the soldiers in New Orleans and at the Custom House had "prevented a scene of bloodshed which would again have disgraced this city. . . ."  

New Orleans newspapers roundly condemned Packard and his minions. For example, Warmoth's Republican flatly accused Packard of obtaining military assistance "under false representations" and concluded that the ultimate responsibility of the party's split rested on President Grant himself for condoning the Custom House Ring. The New Orleans Times, no

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friend of Warmoth, let go with the following editorial barrage:

Irrespective of the merits of the quarrel, the unwarranted and uncalled for interposition of federal bayonets to stifle free speech and overawe civil authority has certainly given the Warmoth party the best position in public estimation. People are not used to the employment of the bayonet in party disputes, and the Customhouse [sic] faction, by involving this terrible power, have secured their triumph at a fearful cost of popularity and credit.

The New Orleans Bee commented that "[w]ho, a year ago, could have imagined that Gov. Warmoth would be prevented by an officer of the United States army . . . from making in public a speech to his friends and followers?" 26

Only the Picayune dissented from the chorus of criticism, saying that it would prefer military government instead of "the corrupt, degraded, meretricious, ignorant, rapacious, remorseless, and wholly unscrupulous rule" of the Republicans. "Louisiana, as a military division under martial law, with a Hancock, a Canby or a Sherman for its chief, would be quiet, prosperous and progressive, and far better off than now," concluded the Picayune. 27

Despite his recent difficulties, Warmoth still nurtured hopes for a second term. Lieutenant Governor Dunn died unexpectedly in November, and Warmoth's political fortunes seemed brighter when he persuaded the state senate to elect as Dunn's replacement P. B. S. Pinchback, an important black leader and a Warmoth supporter. Naturally, the governor

26 New Orleans Republican, New Orleans Times, New Orleans Bee, all August 10, 1871.

27 New Orleans Daily Picayune, August 17, 1871.
looked ahead with some optimism to the next test of political strength, the meeting of the state legislature in January 1872.  

Meanwhile, the War Department made another series of alterations in the Military Division of the South. On November 1 Louisiana was joined with Arkansas and Mississippi to form the new Department of the Gulf under the command of Brevet Major General William H. Emory, who established his headquarters in New Orleans on November 28. During Emory's tenure, Army troops experienced some of the most dangerous events during Reconstruction—events so disturbing that General Sheridan eventually had to return to Louisiana.

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29 William H. Emory to Gen. Henry W. Halleck, November 29, 1871, in Dept Gulf, vol. 139/Dept South-Late, RG 393, NA. (When RG 393 was organized, some material formerly filed with the Department of the South records was judged to properly belong with the Department of the Gulf. Therefore, the manuscripts are in the Department of the Gulf records, but the volumes still carry a Department of the South number. Hereinafter, citations to the materials will be given with the appropriate volume number, followed by DSL.) New Orleans Republican, November 30, 1871; SW, *Annual Report, 1871-1872*, in House Exec. Docs., 42 Cong., 3 Sess., No. 1, p. 82; The Department of the Gulf also included three forts in Florida: Fort Barrancas in Pensacola, Fort Jefferson in the Dry Tortugas, and Key West.
CHAPTER X

EMORY AND THE BEGINNINGS OF DUAL GOVERNMENT

Brevet Major General William Hemsley Emory chose as his headquarters a house at the corner of Camp and St. Joseph Streets, some ten blocks distant from the Custom House, and prepared to fulfill his new assignment as commander of the Department of the Gulf, just as he had capably fulfilled a variety of military duties during a long career. In 1871 Emory was in his thirty-eighth year of military service and had recently celebrated his sixtieth birthday, making him the oldest officer to command Louisiana during Reconstruction. He had been appointed to West Point from his home state of Maryland and was graduated in 1831, standing fourteenth in a class of thirty-three. He had then served as a second lieutenant in the 4th Artillery for five years and resigned from the Army in 1836. After working as a civil engineer for twenty-one months, he was reinstated in the Topographical Engineers with the rank of first lieutenant and was second in command of the Army survey detachment that completed marking the boundary between the United States and Canada from 1844 to 1846. At the outbreak of hostilities with Mexico, Emory was appointed chief engineer in General Stephen W. Kearny's Army of the West, and he won brevets of captain and major in the California fighting. Following the Mexican War, Emory transferred to the 2nd Cavalry Regiment, but actually spent most of his time in making maps, commanding the survey parties which established the boundary of the
Gadsden Purchase and the California–Mexico border, and writing reports, most notably his *Notes of a Military Reconnaissance from Fort Leavenworth in Missouri to San Diego in California* (1847). ¹

At the start of the Civil War, Lieutenant Colonel Emory commanded all U.S. troops in the Indian Territory. Threatened by Texas state troops, Emory managed to extricate himself and his soldiers, taking them from Indian Territory to Fort Leavenworth without losing a man. Ordered to report to the East, Emory took over a brigade in the Army of the Potomac and served in General George B. McClellan's Peninsula Campaign, receiving a brevet of colonel for gallantry at the battle of Hanover Court House in May 1862. Six months later he was transferred to the Department of the Gulf.

From December 1862 to July 1864 Emory held various assignments in Louisiana, under the command of General Nathaniel P. Banks, but neither he nor his superior achieved much success or recognition in the field. Emory commanded a division in the Port Hudson and Red River campaigns and for a time supervised the defenses of New Orleans. In May 1864 he took command of the XIX Army Corps, and in July Emory and his corps were sent to the Eastern Theater.

In Phil Sheridan's Shenandoah Valley Campaign, Emory and the XIX Corps fumbled their opportunity to acquit themselves well, and instead were handled roughly by General Jubal Early's Confederate forces.

Sheridan and Emory got along well enough, despite the older man's lack of flair and his difficulties on the battlefield. In fact, Sheridan recommended Emory for a brevet of major general of volunteers for meritorious service at the decisive battle of Cedar Creek. The two men remained on cordial terms after the war, but they did not serve together in the same department. Sheridan commanded troops in the Southwest and on the Great Plains; Emory served in West Virginia, Washington D.C., and the Pacific Northwest. While in the last command, Emory received orders to proceed to the Department of the Gulf.²

Upon his arrival in New Orleans, Emory learned about the unsettling events of the past few months, especially the intra-party struggle at the Republican convention in August. Emory's senior officers probably warned him about the possibility of trouble at the upcoming session of the legislature, scheduled to open on January 1, 1872. However, Emory ordered no extraordinary military preparations for the new year.

To learn more about his new post, Emory read the New Orleans newspapers, which frequently directed acerbic and derisive comments toward the state Republican party and President Ulysses S. Grant. The Democratic papers, when they were not calling for curtailing Governor Warmoth's powers, supported plans to impeach him. One Picayune editorialist concluded that if Louisiana's rival political factions attempted to gain or maintain control of the government by violent

²In addition to sources cited above in note 1, see also T. Harry Williams, Hayes of the Twenty-third: The Civil War Volunteer Officer (New York, 1965), 233, 256-57, 297, 299-300; Philip H. Sheridan to Edwin M. Stanton, April 18, 1866, in Philip H. Sheridan Papers (Manuscript Division, Library of Congress).
means, the state would "be handed back to its condition of military
dependency."³

Unsure of exactly what the Army's role was if the political parties
in Louisiana did turn to violence, Emory applied for some operational
guidelines from General Henry W. Halleck, commander of the Military
Division of the South at Louisville. Assistant Adjutant
General Robert N. Scott of Halleck's staff sent the following reply:

You will use the troops of your command to preserve order
as in your judgment may be proper without referring to these
headquarters . . . but reporting such action [that you take].
No further instructions [are] deemed necessary.
By order of Major General Halleck⁴

Halleck's noncommittal orders typified the ones sent out by division
headquarters and the War Department to Southern commanders desperate for
some concrete instructions to direct them through the unusual situations
of Reconstruction.⁵ The Southern commanders wanted orders to cover
peculiar, even unique, relations between state governments and the Army.
However, the military hierarchy left as many of the difficult decisions
as possible to the commanders on the spot, letting them take the credit
(or the blame) for whatever happened. Such nebulous orders hurt Emory
more than any other Southern commander because Louisiana was consist-
tently the most troublesome Southern state to the national
administration in Washington.

³New Orleans Daily Picayune, December 15 and 20, 1871. See also
Joe Gray Taylor, Louisiana Reconstructed, 1863-1877 (Baton Rouge, 1974),
222.

⁴Robert N. Scott to William H. Emory, December 2, 1871 (emphasis

⁵See James E. Sefton, The United States Army and Reconstruction,
1865-1877 (Baton Rouge, 1967), 213-14, 216-17.
On January 1, 1872, the Louisiana legislature opened amid conditions designed to prevent the assembling of a quorum in the senate—conditions which led to the tension-filled days for the remainder of the month. Stephen Packard had schemed with the aid of most of the Democrats in the legislature to impeach Governor Warmoth. Once impeached, Warmoth would be suspended from office while awaiting trial in the senate. Packard, however, knew that he could not muster two-thirds of the senators to vote for conviction. Therefore, he arranged for eleven Custom House Republican senators and three of their Democratic colleagues to leave New Orleans aboard the U.S. revenue cutter Wilderness. Their absence would prevent obtaining a quorum in the senate, and when the house impeached the governor, he would be effectively if temporarily, removed from office. This part of Packard's plan was successful; the senate did not have a quorum for the first nineteen days of the legislative session. Moreover, the Packard forces succeeded in obtaining the necessary cooperation of the House speaker, George W. Carter, a former crony of Warmoth's. However, Carter was not acting solely out of any spirit of revenge or simple antagonism to an old political ally: if Packard's scheme worked completely, Carter might become acting governor of the state. The Custom House faction challenged the legality of Lieutenant Governor Pinchback's election by the state senate the month before. If Packard's men nullified Pinchback's election and then impeached Warmoth, Carter, as speaker of the house, would assume the governorship.6

The legislature met as scheduled, and the plot began to unfold: there was no quorum in the senate, and the house adjourned out of respect for the memory of the late lieutenant governor, Oscar J. Dunn. On January 2, in a close vote (49 to 45), the house voted to continue Speaker Carter in his influential position, but transacted no substantive business. However, the next day the Warmoth forces called for an election of a new speaker, and when Carter declined to acknowledge the motion, the Warmothites moved toward the podium, threatening to force Carter to relinquish his seat. Carter had prepared for such a threat, and several well-armed hired thugs surrounded the speaker and prevented the coup. The house adjourned in disarray.7

On the evening of January 3, after being apprised of the situation at the capitol, Emory decided to use his troops to prevent civil disorder. He ordered Colonel Charles Smith in Baton Rouge to prepare four of his six companies to move to New Orleans. All four companies from Jackson Barracks marched into the city, taking up positions downtown to prevent a collision between Packard's men and Warmoth's militia, which the governor had mobilized under the field (or street) command of James Longstreet.8

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7 A detailed presentation of the legislature's turmoil is Taylor, Louisiana Reconstructed, 223. See also Lonn, Reconstruction in Louisiana, 113-16; New Orleans Daily Picayune, January 2, 3, 4, 1872; New Orleans Bee, January 4, 1872.

The next morning, Packard attempted to regain control of the legislature and remove the opposition's leadership. Producing some trumped-up charges, Packard dispatched deputy U.S. marshals with orders to arrest Warmoth, Lieutenant Governor P. B. S. Pinchback, twenty-two legislators, and Algernon S. Badger, chief of the Metropolitan Police. With the arrest of the legislators, the Custom House-Democratic coalition would have a working majority in the house; and with Warmoth, Pinchback, and Badger behind bars, what was left of the governor's faction would be leaderless. The deputies arrested everyone on Packard's list, but the marshal's gambit to control the house was foiled when several other pro-Warmoth representatives walked out of the capitol, leaving the house without a quorum. Warmoth's supporters soon posted bail for the governor and his friends, and by 1:00 p.m. the kings and the pawns were back on their original squares. It was Warmoth's move.9

The governor called for the legislature to meet in the capitol at 4:30 p.m., but very few Democrats or Custom House Republicans were notified of the meeting; or if they heard of it, they failed to attend. The senate, of course, did not have a quorum, but one was present in the house. Promptly, the Warmoth men elected their own house speaker,

O. H. Brewster. The militia guarded the State House, and by nightfall Warmoth clearly held the advantage after the day’s turmoil.\(^{10}\)

General Emory was now more convinced than ever that the Army must keep the peace between the political factions. He ordered two of the companies in Baton Rouge to rush to New Orleans. Despite the earlier advice from Adjutant General Scott to use his own judgment in such matters, Emory telegraphed Washington, described the circumstances, and asked for official authorization to intervene in the political struggle. Secretary of War William W. Belknap approved Emory’s request to use his troops to maintain order in Louisiana.\(^{11}\)

Meanwhile, the authorities in Washington fretted over the arrest of Warmoth and the other state officials. Adjutant General of the Army Edward D. Townsend wanted to know whether or not United States soldiers had participated in making the arrests. No troops had assisted the deputies in their duties, Emory replied, but he left undescribed Packard’s role in the affair. However, Governor Warmoth condemned the meddling marshal and pressed Senator Joseph West to tell President Grant that "[t]his revolutionary movement will involve the destruction of the state government, unless the President takes immediate action and stops his officials." Upon hearing of the day’s events from West, Grant proclaimed that the action of the "United States marshal is of such an extraordinary character that I will have the matter investigated at


\(^{11}\)AAG Gentry to C. H. Smith, January 4, 1872, in Dept Gulf, vol. 139/DSL, RG 393, NA; William W. Belknap to William T. Sherman, January 4, 1872, and AG William D. Whipple to Emory, January 4, 1872, in AGO File 4882 of 1872 (Microcopy 666, reel 93), RG 94, NA.
once." Nevertheless, to the Warmoth faction Grant's actions seemed anything but impartial. "No thinking man can contemplate this bastard coup d'etat of the United States officials, except with indignation, mingled with painful forebodings of worse things to come," wrote an editorialist in the New Orleans Republican.  

Short of armed revolt, the most disturbing eventuality in Louisiana politics would have been the establishment of a second state government laying claim to rightful recognition over Warmoth, and George Carter set out to do just that. He called for Custom House and Democratic members of the legislature to convene as a rival legislature. Carter chose as his legislative hall the meeting room over the Gem Saloon on Royal Street, just off Canal. The Gem was known as one of "the oldest drinking Saloons in New Orleans," boasting "excellent liquor, and cozy places for confidential chat, dominoes, and chess." Carter quickly realized that he did not have a quorum and sent out some of his sergeants-at-arms to escort to the Gem any legislators they could find. A few days later some of Carter's men shot and killed Representative Walter Wheyland of Sabine Parish for refusing to accompany them to the Gem.  

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It appeared that a riot as bad as the one of July 30, 1866, might break out at any moment. Federal marshals, Metropolitan policemen, and black militiamen patrolled the streets, and many civilians probably were armed as they walked downtown. At the request of Longstreet and Warmoth, Emory stationed troops at the State House, which rumor had pegged as the target of an attack by Conservatives. Soldiers also guarded the Custom House.

On the afternoon of January 5 two demonstrations took place which might have ignited riots in the city. First a large crowd, estimated by Emory at about 2,000 persons, assembled near the State House, but no shots were fired by either side, and after a while the crowd dispersed. In the meantime, on Royal Street a large detachment of Metropolitan policemen accompanied by other Warmoth supporters demonstrated in front of the Gem Saloon, "causing the greatest excitement" among the legislators inside. This incident, too, ended without violence, but Emory severely criticized Warmoth for letting his policemen participate in a demonstration which might have turned the city into a battleground.  

Later that afternoon Emory ordered the troops stationed near the Mechanic's Institute to move to billets on Magazine Street, near his headquarters. The movement of the soldiers away from his capitol disturbed Warmoth, who thought that the general had sent the troops back to Jackson Barracks. The governor, anxious about his own safety and that of his administration, wanted a round-the-clock guard at the State House, but Emory reassured him, saying that the soldiers were close

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14 New Orleans Daily Picayune, January 6, 1872; James Longstreet to Emory, January 5, 1872, in House Misc. Docs., 42 Cong., 2 Sess., No. 211, p. 80; Testimony of Emory before a congressional committee, ibid., p. 61; Emory to Warmoth, January 5, 1872, ibid., p. 86.
enough to reach the scene quickly if violence occurred. Nevertheless, as a precaution Emory ordered Colonel Smith in Baton Rouge to bring three more companies to New Orleans, leaving only one company at regimental headquarters.\textsuperscript{15}

At the end of their harrowing day, Emory and Warmoth separately addressed messages to officials in Washington. Emory told Adjutant General Townsend that "[n]othing but the free display of the U.S. forces at hand and the acquiescence which each of the contending factions and citizens generally yield to the U.S. authorities has prevented a serious fight here today." Emory warned that the political confrontation was not finished. He concluded that "a very bloody riot" might occur, and "[i]t might be well to send me another Regiment at once though I do not demand it as necessary to preserve the peace." In Warmoth's opinion "[d]anger of a riot and tumult [was] imminent." He asked Grant to order Emory to work closely with state officials "in preserving the peace, and protecting the government from attack and overthrow." Secretary of War Belknap read Warmoth's plea and forwarded it to the President, who was in Philadelphia. Belknap added a personal postscript to the message, saying that it was "best to let General Emory act in accordance with his own judgment."\textsuperscript{16}

\textsuperscript{15}Warmoth to Emory, January 5, 1872 (two communications), in SW, Annual Report, 1872-1873, in House Exec. Docs., 42 Cong., 3 Sess., No. 1, p. 97. Emory to Warmoth, January 5, 1872, in Dept Gulf, vol. 114/DSL; Emory to C. H. Smith, January 5, 1872, in Dept Gulf, vol. 139/DSL, RG 393, NA. Smith's troops arrived in New Orleans on January 7, but the colonel remained in Baton Rouge.

Meanwhile, the leaders of both Louisiana factions sought Emory's support. Warmoth wanted soldiers to escort his sergeants-at-arms while they sought out and arrested members of the Carter legislature. Carter wanted Emory to place a cordon of Federal troops around the Gem Saloon to protect the meeting hall and its occupants. But the general refused to provide a military escort for Warmoth's deputies, telling the governor not to let his officers initiate any violent acts, lest the whole situation "get beyond our joint efforts to control." And he denied Carter's request for Army protection, adding that in his opinion as an Army officer "any interference [by] the military with legislative bodies or . . . [their] members [was] not a part of the duties devolving upon United States troops." 17

The next day, January 7, passed without incident until after nightfall, when several anti-Warmoth men raided the state armory near Jackson Square and made off with five dozen muskets. Emory informed Townsend of the incident, commenting that "things look very threatening. I have brought additional troops into the city [Smith's Baton Rouge companies, which had arrived earlier in the day] and collected around me my most efficient officers." 18

Nonetheless, some of the New Orleans newspapers interpreted Emory's failure to move against the Carter legislature as an indication of his

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17 Emory to Warmoth, January 6, 1872, in Dept Gulf, vol. 114/DSL, RG 393, NA. George W. Carter to Emory, January 6, 1872, in House Misc. Docs., 42 Cong., 2 Sess., No. 211, p. 76; Emory to Warmoth, January 6, 1872, ibid., p. 88, Emory to Carter, January 6, 1872 (two communications), ibid., pp. 86-87.

18 Emory to Townsend, January 8, 1872, in House Exec. Docs., 42 Cong., 2 Sess., No. 209, p. 3; Lonn, Reconstruction in Louisiana, 122.
support for the Custom House-Conservative coalition. In large measure this was wishful thinking on their part because they were so entirely opposed to Warmoth that they wanted him out of office at almost any cost.  

In fact, Emory had made every reasonable effort to remain impartial in the crisis, displaying his troops to overawe both sides. Moreover, he supplemented these displays with public announcements of his orders to the troops to keep the citizenry aware of the troop movements within the city. For all practical purposes, New Orleans was under martial law, although Emory had not officially declared it. Rather than take sides in the dispute, the general desperately wanted the civilians to reach a satisfactory agreement among themselves. But the opposing forces were so evenly matched that he believed they could not settle the matter on their own and that eventually the Army, acting on orders from Washington, would have to force them to accept a compromise. Neither Washington nor the Military Division of the South had given Emory much guidance or assistance. The division commander, General Henry Halleck, had been ill and unable to devote his attention to the Louisiana problems. When he died on January 9, Major General Alfred Terry assumed command. Emory then told Warmoth that he was going to ask Terry for additional troops.

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19 See the perceptive comment by Taylor, Louisiana Reconstructed, 222. See also New Orleans Times, January 6, 1872, and New Orleans Bee, January 6 and 7, 1872.


21 Emory to Warmoth, January 9, 1872, in House Misc. Docs., 42 Cong., 2 Sess., No. 211, p. 89; Townsend to Emory, January 8, 1872, in House Exec. Docs., 42 Cong., 2 Sess., No. 209, p. 4; Emory to AGO, January 9, 1872, ibid., p. 3; Townsend to Emory, January 8, 1872, in Dept Gulf, vol. 149/DSL, RG 393, NA; AAG Robert N. Scott to Emory,
Both sides wanted the Army or the President to declare martial law, but only if the declaration resulted in the military suppression of their rivals. Carter claimed that the absent senators (on board the Wilderness by his arrangement with Packard) feared for their lives and would return only if the Army proclaimed martial law. Black legislator J. Henri Burch and several other state representatives appealed to Grant to oust Warmoth and institute martial law until the "Carter legislature" assumed its full powers. James Casey, Grant's brother-in-law, wanted an end to Warmoth's "usurpation," and Mayor Benjamin Flanders, who had switched his allegiance to the Custom House Ring, called for martial law as "the only solution of the difficulty."  

However, Emory preferred not to declare martial law just yet, believing that such action would be interpreted as "in the interest of the Governor's faction of the Legislature." Furthermore, the general had been approached by a special group of fifty-one New Orleans bankers and businessmen which had sent envoys to both political factions, pleading with them to end the crisis without martial law. Until these citizens had time to negotiate with the politicians, the Army planned to remain neutral. In the meantime, Emory wanted the adjutant general to consider ordering more troops to Louisiana.

January 9, 1872, ibid.; Emory to Warmoth, January 9, 1872, in Dept Gulf, vol. 114/DSL, RG 393, NA.

22J. Henri Burch and others to Grant, January 9, 1872, in House Exec. Docs., 42 Cong., 2 Sess., No. 268, pp. 54-55. Carter to Grant, January 9, 1872, in Letters Recd by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 6), RG 60, NA. James Casey to Grant, January 9, 1872, ibid.; Benjamin F. Flanders to Grant, January 9, 1872, ibid.

23Emory to Townsend, January 9, 1872 (four communications), in House Exec. Docs., 42 Cong., 2 Sess., No. 209, pp. 4-5.
An editorial in the Daily Picayune on January 10 opposed martial law, calling it "the substitution [of] mere physical force for law. . . .

The mechanism of military routine is in government a Frankenstein's monster, human in form, but soulless. . . . The condition of a State or city must be altogether desperate when it seeks safety behind a file of soldiers." Despite this plea, Collector Casey and Mayor Flanders reiterated their calls for military supervision, and Casey specifically requested that Emory order troops to guard the Gem Saloon and "clear the approaches to the Hall." 24

The reason for Casey's request was soon apparent, for Warmoth decided to break up the bogus legislature at the Gem and arrest Carter and some of his henchmen for the murder of Representative Wheyland, who had been shot by Carter's sergeants-at-arms for refusing to attend a meeting on January 9. Getting wind of Warmoth's design, Carter informed Emory that his followers would resist any attacks. A short time later two companies of Metropolitan policemen "armed with Winchester rifles" marched to Royal Street. Carter sent a note to Emory, complaining that the police were blocking the normal entry and exit from the Gem. Warmoth then asked Emory to send troops to Canal Street "to assist me in suppressing any riotous demonstrations that may be made," meaning, naturally, any armed resistance by the Carter forces. Before Emory could act, the police moved in, but they met no resistance: most of the legislators had abandoned their meeting place. The police immediately

24New Orleans Daily Picayune, January 10, 1872; Casey to Grant, January 10, 1872, in Letters Rec'd by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 6), RG 60, NA; Flanders to U.S. Attorney General George H. Williams, January 10, 1872, in House Exec. Docs., 42 Cong., 2 Sess., No. 268, p. 60.
instituted a city-wide manhunt for Carter. Later in the day Carter notified Emory that he might turn himself in to the Army, but would not allow Warmoth's "thugs" and "cut-throats" to arrest him. Carter also asked Emory to help him regain possession of the Gem Saloon, but the general "positively refused."  

The martial activities of Warmoth's police spurred Emory to ask General Terry for reinforcements, specifically for two companies of cavalry. The additional troops were needed, said Emory, because a "great riot [was] threatened." Terry replied that no cavalry was available, but that two companies of infantry in Mobile could march to New Orleans if the Louisiana commander wanted them.  

The next day (January 11), a confident Governor Warmoth prematurely decided that "the danger of riot or tumult [had] about passed." He informed Emory that "by to-morrow at 12 o'clock you can safely withdraw your troops to the barracks." Thus assured, Emory canceled his request to Terry for the cavalry, ordered some of the troops to Jackson Barracks, and placed his hopes in the businessmen's "Committee of Fifty-one" to arbitrate the matters still unsettled between the political rivals.  

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25 New Orleans Daily Picayune, January 11, 1872; New Orleans Bee, January 11, 1872; Carter to Emory, January 10, 1872 (two communications), and undated, 1872, in House Misc. Docs., 42 Cong., 2 Sess., No. 211, pp. 74-75; Warmoth to Emory, January 10, 1872, in SW, Annual Report, 1872-1873, p. 98; Emory to Townsend, January 10, 1872, in House Exec. Docs., 42 Cong., 2 Sess., No. 209, p. 6. Carter was later arrested, but was released for lack of evidence.  

26 Emory to Alfred H. Terry, January 10, 1872, in Dept Gulf, vol. 139/DSL; Terry to Emory, January 10, 1872, in Dept Gulf, vol. 149/DSL, RG 393, NA.  

27 Warmoth to Emory, January 11, 1872, in House Misc. Docs., 42 Cong., 2 Sess., No. 211, pp. 71-72; Testimony of Emory before a
However, the businessmen failed in their effort. They told Emory that they had been unable "to make any compromise between the two factions..." and recommended that the general declare martial law. Despite their recommendation, Emory believed that the danger of riot was not imminent and returned all the troops to Jackson Barracks.  

In Washington, Grant sifted through the reports of the Louisiana situation and issued an unusually strong statement. The President informed Mayor Flanders that "[m]artial law will not be proclaimed in New Orleans, under existing circumstances, and no assistance will be given by Federal authorities to persons or parties unlawfully resisting the constitutional authorities of the State." Grant's statement did not reduce the pressure against Warmoth as might have been expected. The Custom House bosses realized that it was difficult, if not impossible, for the President to give them overt assistance. But they thought that if he did not order Emory to give full military support to Warmoth, they might force the governor from office by threats, intimidation, or legal trickery. Throughout the crisis, Grant never gave his outright support to either faction.

Early on the morning of January 13 Warmoth learned that an armed mob intended to attack the Mechanic's Institute, and he called on Emory to order troops back into the city to prevent the overthrow of his

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29Grant to Flanders, January 12, 1872, in Warmoth, Politics and Reconstruction, 138.
government. "[T]hreats are made," the governor wailed, "that not a stone of the State capitol shall be left upon another after they are through with their work." Emory immediately ordered Colonel Alfred Sully at Jackson Barracks to put his "troops under arms and move towards this city, with your Gatling guns of the largest size." Simultaneously, the general dispatched one of his aides, Captain William W. Sanders, to find the assembling mob and "to notify the ring leaders ... that if any violence is used, it will be my duty to disperse them with grapeshot."\(^\text{30}\)

While the troops were on their way to the city, a large crowd of about 2,000 persons approached Emory's headquarters. Some leaders of the crowd came forward, demanding that the Army not interfere in civil affairs unless absolutely necessary. Emory assured them that the Army would not act hastily, but that he could not condone violence by either side.\(^\text{31}\)

Emory's problems multiplied. At least two large crowds of New Orleanians were in the streets, and a confrontation between members of the two factions appeared likely. The "Committee of Fifty-one," which at one time had seemed on the verge of negotiating a settlement between the political rivals, had broken up in despair. Now it was learned that the Carter legislature planned to resume separate meetings. Emory decided to ask again for cavalry. This time he addressed his request to General Townsend:

\(^{30}\)AAG Gentry to Alfred Sully, January 13, 1872, in Dept Gulf, vol. 114/DSL, RG 393, NA; Warmoth to Emory, January 13, 1872, in House Misc. Docs., 42 Cong., 2 Sess., No. 211, p. 72; Emory to Warmoth, January 13, 1872, ibid., p. 90.

\(^{31}\)New Orleans Daily Picayune, January 14, 1872.
The hostility here is not against the United States, but against the State government, which is odious beyond expression, and I fear justly so, and to suppress a riot it is only necessary to make a show of United States forces, however small, which cannot be done by the use of infantry with that facility necessary to stay an impending riot.\textsuperscript{32}

Emory basically had described the formula to use when a riot threatened: call out the troops, move them into public view, and remind the newspapers and civic leaders that the Army was determined to enforce the peace. But Emory was finding it difficult to work with Warmoth and his administration. In most of his official correspondence and public statements, Emory tried to maintain a facade of objectivity, no matter what his personal opinions, but in this note to Townsend it was obvious what Emory thought about the governor of Louisiana.

By 11:00 a.m. the troops had taken up positions near the State House and remained there for several hours. Carter assembled a mob of several thousand men (some observers estimated it to be as many as six thousand), but they did not attack the legislative hall as Warmoth had predicted; Emory's troops blocked their way. Later the troops returned to their barracks, and another day in the crisis had passed.\textsuperscript{33}

On the morning of January 14 Emory, tiring of the continuous pressure upon him and his soldiers, informed Warmoth, Carter, and Adjutant General Townsend that he would not send troops into the city again without direct orders from Washington. Up until that time, the presence of Emory's troops at the State House had prevented a collision

\textsuperscript{32}Emory to Townsend, January 13, 1872, in \textit{House Exec. Docs.}, 42 Cong., 2 Sess., No. 209, pp. 9-10.

of the armed forces representing the rival politicians. Apparently,
Emory had changed his attitude about military intercession after reading
a newspaper story in which U.S. Attorney General George H. Williams
reportedly declared that troops should not be used unless martial law
was proclaimed. Undoubtedly, Emory was leery about continuously placing
his soldiers in positions where they might be badly mauled if a riot did
occur.\(^\text{34}\)

Emory had made a bad error in notifying Carter and Warmoth of his
decision. Carter immediately had handbills printed and distributed
informing the populace of the general's decision to withhold the troops,
and sure now of a free hand, he planned another attempt to capture the
capitol. Warmoth, on the other hand, dispatched a frantic letter to
Grant, describing Carter's preparations to overthrow the government and
concluded that the city was "in imminent danger of [a] riot . . . that
may possibly be as fatal to New Orleans as was the late disaster in
Chicago [i.e., the great Chicago fire of 1871]. The simple presence of
troops will prevent domestic violence." Warmoth also informed Emory of
Carter's plan and asked the general to provide military protection for
his government.\(^\text{35}\)

Emory promptly advised Carter that distribution of the handbills
was, in the general's opinion, designed to inflame the populace.

\(^{34}\)Emory to Warmoth, January 14, 1872, in House Misc. Docs., 42
Cong., 2 Sess., No. 211, p. 91; Emory to Carter, January 14, 1872,
ibid., p. 92; Emory to Townsend, January 14, 1872, in House Exec. Docs.,
42 Cong., 2 Sess., No. 209, p. 10; Emory to Townsend, January 14, 1872,
ibid., p. 11.

\(^{35}\)Warmoth to Grant, January 14, 1872, in House Exec. Docs., 42
Cong., 2 Sess., No. 268, p. 76; Warmoth to Emory, January 14, 1872, SW,
Therefore, despite what he had written earlier, he was sending troops into the city to prevent a riot, even though he had not received instructions from Washington. But the general was careful to remain neutral. Army protection for the Warmoth legislature, he said, was not to be interpreted as official recognition by the national government. Carter, foiled once again, called off his plans.  

That evening Warmoth warned Emory that Carter might yet rally his mob and attack the legislature. Accordingly, Emory told Mayor Flanders that troops would remain downtown to preserve the peace, but would aid neither faction. However, later that night Emory apparently had second thoughts about the attorney general's ideas on martial law. Emory wired Townsend pleading for help. "I respectfully request to be instructed under this new phase of affairs how to act in the matter. I shall have the troops in readiness and bring them to a point where they can act on any telegram you may send me."  

Townsend's reply arrived at the telegraph office on Camp Street at 10:00 a.m. on January 15. Townsend told Emory that the "Attorney General has given no opinion whatever." The adjutant general concluded with a sentence typical of instructions from higher headquarters to Southern commanders: "Exercise your own discretion as to the course to be pursued, but do not bring the United States troops to the city without orders from here." Townsend's instructions reinforced Emory's

36 Lonn, Reconstruction in Louisiana, 128; Emory to Carter, January 14, 1872, in House Misc. Docs., 42 Cong., 2 Sess., No. 211, p. 92; Emory to Warmoth, January 14, ibid., p. 90.  

notion about keeping his troops out of dangerous situations, but Emory's
earlier decisions to intercede had kept the two factions from coming to
blows over the control of the state government. Nevertheless, Emory
informed Warmoth "that under instructions just received I cannot bring
the U.S. troops into this city without orders from higher authority." 38

Emory had been consistently badgered by both sides, and the lack of
precise instructions from his superiors might ruin the Republican
government in Louisiana. Letting out all his fears and frustrations,
Emory sent off a long telegram to Townsend. "The excitement in this
city is hourly increasing," Emory wrote. The Federal government needed
to make some show of support for Warmoth or else opposition forces were
going to topple the young carpetbagger's administration. "If the troops
are withdrawn, [as, in effect, Townsend had just decided, Emory pre-
dicted that] an armed force of from four to eight thousand men with
artillery, is ready to march against the capitol of the State, take
possession, . . . and overthrow the governor. . . ." Emory concluded it
was "essential that I be more positively instructed, with authority to
show my instructions." 39

Unmoved by Emory's emotion-charged telegram, Townsend calmly wired
that there was no change in the instructions given earlier: the troops
were to stay out of the city unless sent there "by orders from
Washington." The ultimate decision to save Warmoth rested, as it always
had, with President Grant. When the New Orleans Bee learned about the

38 Townsend to Emory, January 15, 1872 (emphasis added), in House Exec. Docs., 42 Cong., 2 Sess., No. 209, p. 13; Emory to Warmoth, January 15, 1872, in Dept Gulf, vol. 114/DSL, RG 393, NA.

The Federal Government Abandons Warmoth." 40

Despite the Bee's report, Warmoth tirelessly continued to plead his case to Washington, but received little encouragement from the national administration. At one point, the governor asked for personal command of all U.S. troops in New Orleans. Another time he petitioned Emory to cooperate with the state police and militia, but criticized the general's reluctance to provide aid to the beleaguered government. Attorney General Williams told Warmoth that the President was "unwilling to interfere in State matters with the military power of the Government, except in a clear case of legal right and overruling necessity."

(Warmoth must have felt insulted by this remark; after all, he was the legal governor of the state.) President Grant tried to maintain an outwardly objective face toward the Louisiana muddle, but he supported his brother-in-law, James Casey, and favored Warmoth's eventual removal, so long as that step would not threaten to end Republican control of Louisiana. 41

In self-defense, Warmoth instructed his legislators to repeal certain state laws pertaining to the governor's control over elections, voter registration, and the police—laws which particularly had irritated the Democrats. The repeals mollified the Conservatives to some

40 Townsend to Emory, January 15, 1872, Dept Gulf, vol. 149/DSL, RG 393, NA; New Orleans Bee, January 16, 1872.

41 Warmoth to Joseph R. West, January 15, 1872, in House Misc. Docs., 42 Cong., 2 Sess., No. 211, p. 314; Warmoth, P. B. S. Pinchback, and O. H. Brewster to Grant, January 15, 1872, in House Exec. Docs., 42 Cong., 2 Sess., No. 209, p. 14; George H. Williams to Warmoth, January 15, 1872, ibid., pp. 15-16; Grant to William W. Belknap, January 15, 1872, ibid., p. 15. The jist of these messages was reported to the public by the New Orleans Bee, January 17, 1872.
extent, momentarily taking off some of the pressure for the governor's removal. However, Warmoth cannily let the bills repose unsigned on his desk. He thereby reaped the political benefits of their passage without signing them into law.42

Warmoth's shell game with the laws worked temporarily, for on January 16 Emory informed Townsend that he saw "nothing in the situation to require the aid or intervention of United States troops." Warmoth had convened the legislature, and several of the Custom House representatives and senators had attended the sessions.43

The situation remained quiet and calm for the next three days, but there was a noticeable increase in tension on Saturday, January 20. On that day the state senate finally met with a quorum present, and in an important test vote the members of the upper chamber confirmed the nomination of Warmoth's lieutenant governor, P. B. S. Pinchback. Carter had not expected Warmoth to have enough votes to confirm Pinchback, and the governor's victory on this issue frustrated Carter's hopes to control either house of the legislature, at least for the time being. In desperation, Carter issued a call for his followers to assemble on Monday, January 22, at 10:00 a.m. and to endeavor to carry the State House by force of arms.44

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43Emory to Townsend, January 16, 1872, in House Exec. Docs., 42 Cong., 2 Sess., No. 209, p. 16; Emory to Townsend, January 16, 1872, ibid., p. 15.

44Emory to AGO, January 17, 19, and 20 (two communications), ibid., pp. 16-17; New Orleans Daily Picayune, January 21, 1872.
Emory, learning from informants that nine hundred well-armed men would answer Carter's call on Monday and that two artillery pieces might be brought out of hiding for the occasion, informed Townsend of the seriousness of this new situation. Townsend thereupon ordered Emory to place a guard around the U.S. mint and to put all his troops on alert.45

On Monday morning the city girded for open warfare, and the Army prepared to prevent it. Downtown store owners and French Quarter shopkeepers kept their businesses closed. Dozens of men began gathering near their assembly point, the statue of Henry Clay on Canal Street. Warmoth ordered his men to form a cordon around the Mechanic's Institute; seven hundred policemen and militiamen stood ready to defend the state government. Learning that more men were arriving at the Clay Statue, Emory at 10:00 a.m. ordered Colonel Sully to bring all the companies and two Gatling guns from Jackson Barracks to Jackson Square. Next, Emory handed two identical despatches to a waiting aide, telling him to deliver one to Warmoth and the other to Carter. The messages informed them that President Grant had directed Emory "to suppress a conflict of armed bodies of men should such occur, and to guard public property from pillage and destruction."46

45Emory to Townsend, January 21, 1872, in House Exec. Docs., 42 Cong., 2 Sess., No. 209, p. 18; Townsend to Emory, January 21, 1872, in Dept Gulf, vol. 149/DSL, RG 393, NA.

46Emory to Sully, January 22, 1872, in Dept Gulf, vol. 114/DSL, and Sully to AAG Gentry, January 22, 1872, in Dept Gulf, vol. 149/DSL, RG 393, NA; Townsend to Emory, January 22, 1872, in House Exec. Docs., 42 Cong., 2 Sess., No. 209, p. 19; Emory to Townsend, January 22, ibid. It is interesting to note the manner in which Grant phrased his instructions in the January 22 message sent through Townsend: "to suppress a conflict . . . should such occur. . . ." Emory interpreted the orders in such a way that he sent the troops before a fight developed.
At 11:15 a.m., holding Emory's despatch in his hand, Carter addressed the crowd of several hundred persons gathered around the Clay statue. He told the throng that Emory's troops were coming into the city to prevent the overthrow of the Warmoth regime. Therefore, Carter said that he would not attack the State House. Several men in the crowd remonstrated. Lead and they would follow, they shouted. But Carter was adamant and told everyone to disperse. At this time a lone mounted Army officer rode toward the assemblage, trying to ascertain the mood of the crowd. The arrival of the officer convinced the doubters that Carter's appraisal of the situation was accurate, and the gathering began to break up.

In a short time the troops marched through the downtown streets, and by 12:30 p.m. most of the shops and stores had opened for business. The populace gradually returned to their routine pursuits. The immediate crisis had ended. 47

Emory had successfully averted a great catastrophe. The factional strife in the state legislature was the worst threat to the peace and stability of Louisiana since the tragic riot of July 1866 when Phil Sheridan commanded the department. From his Chicago headquarters, General Sheridan wrote approvingly to Emory offering his "congratulations on getting through with the New Orleans ... troubles so well." 48


48Emory to Townsend, January 23, 1872, in Dept Gulf, vol. 139/DSL, RG 393, NA; Emory to AGO, January 24 and 25, 1872, ibid.; Philip H. Sheridan to Emory, January 25, 1872, in William H. Emory Papers (The Beinecke Rare Book and Manuscript Library, Yale University, New Haven, Conn.).
On January 31 Emory testified in New Orleans before a special congressional committee that had been sent to investigate the recent unusual events in Louisiana. Emory remarked that he "knew . . . the presence of the United States troops would be sufficient [to prevent an insurrection]"—a confident comment, doubtless intended for the leaders and members of the political factions who had nearly plunged the state into civil disorder. But when the crisis had been at its height, Emory had had no assurances that his six hundred troops could forestall bloodshed in the streets. Each day difficult and unfamiliar problems had plagued the general, who had commanded the department for only a month at the time the crisis began. A remarkable combination of luck and cool-headedness on Emory's part had resolved the crisis peacefully.49

The struggle over the control of the legislature permanently soured the relationship between Emory and Warmoth. In his official departmental report some months later, Emory blamed the governor for precipitating the crisis. In a letter to Adjutant General Townsend, Emory frankly gave his opinion of Warmoth and the others involved in the state's political struggle.

On the one side was the Governor and his party, men of unparralled [sic] audacity and venality, and on the other the custom House Clique with the right on their side, but in the minority, without a leader having any knowledge of affairs and so blinded by passion and revenge, as to be willing at any moment to sink Genl Grant and his administration, to gain an insignificant point in Louisiana[.] Behind both factions, stood the great democratic party of Louisiana, comprising all the wealth and intelligence of the State and most of the white muscle, urging both parties in turn to acts of violence &

49Testimony of Emory before a congressional committee, in House Misc. Docs., 42 Cong., 2 Sess., No. 211, p. 64.
folly and aiding them by turns with money to compass their ends.  

But the state had to have a government. During the crisis General William T. Sherman wrote Louisiana State University President David F. Boyd, doubting if either faction was "the one really sought for by the best people, . . . [and] unhappily we must recognize some one State Govt. . . . " Sherman, who sided with the Custom House-Conservative coalition, had assumed that Emory was not going to allow Warmoth to disperse the Carter legislature and that perhaps after a proper interval, Grant might recognize the anti-Warmoth faction. However, Emory did not post troops to guard the Gem Saloon, and Warmoth's police occupied the building and wrecked Carter's plan to preside over the legislature.

The disappointed editor of the New Orleans Bee commented that "Warmoth's strength at Washington was evidently underrated by Carter and his followers." On the contrary, Carter and Packard overestimated their own ability to carry off the legislative chicanery that they had planned so carefully. Emory's prudent use of troops and Warmoth's tenacity nullified the Packard-Carter scheme to gain control of the house, and therefore the governor was saved, temporarily, from impeachment. By not assisting the Packard-Carter forces and by not

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50 Emory's Departmental Report, October 4, 1872, in SW, Annual Report, 1872-1873, p. 94; Emory to Townsend, January 29, 1872 (capitalization in the original), Emory Papers.

51 William T. Sherman to David F. Boyd, January 6, 1872, William T. Sherman Letters/David F. Boyd Family Papers (Louisiana State University Department of Archives and Manuscripts, Louisiana State University, Baton Rouge).

52 New Orleans Bee, January 23, 1872.
leaving the governor unprotected, Emory foiled the Custom House Ring's attempt to dethrone Warmoth.

Warmoth might have prevented the confrontation by meekly resigning in early January, but it was not in his nature to give up easily, and he never once indicated that he considered this course. Instead, he used all of his authority as the elected chief magistrate to keep himself in power. Unlike Carter and the Custom House Ring, Warmoth held a distinct advantage—he did not have to mount an armed attack to take office. Ultimately this was the decisive factor in the entire affair. Packard and Carter never overcame Warmoth's claim to legitimacy.

The war of the factions did not end in January 1872. Rather than capitulate, the Custom House Ring redoubled its efforts to unhorse Warmoth by the time of the next election, if not before.
THE LONG ORDEAL:
ARMY GENERALS AND RECONSTRUCTION IN LOUISIANA, 1862-1877
VOLUME II

A Dissertation

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CHAPTER XI

INTERVENTION IN "A CIVIL CONTEST"

In February 1872 Governor Warmoth was beginning the final year of his term. The Democrats organized public protests against Warmoth's blemished authority, criticizing him for failing to sign into law several bills designed to decrease his powers. General Emory noticed that a residual feeling of discomfort and tension remained among the populace after the showdown over control of the legislature, which had been resolved in Warmoth's favor the previous month.¹ For their part, Republican party leaders alleged that the Democrats had committed several acts of violence against Negroes in the hinterland parishes of Grant and Rapides, prompting Emory to send Lieutenant William M. Bandy to investigate the charges. Hearing of these allegations, General Longstreet, Warmoth's militia commander, urged Emory to establish an Army post in central Louisiana to protect the Republicans there.²

Bandy's report must have substantiated some of the Republican claims, for on March 30 Emory ordered a detachment of one officer and twenty enlisted men to Colfax in Grant Parish to safeguard the civil rights of citizens under the so-called Enforcement Acts. In 1870 and


²Emory to James Longstreet, March 15, 1872, in Dept Gulf, vol. 114/DSL, RG 393, NA; AAAG W. T. Gentry to Lt. W. M. Bandy, March 19, 1872, ibid.
1871 Congress passed three acts directed particularly, but not exclusively, at organizations such as the Ku Klux Klan which conspired to prevent black and white Republicans from voting, serving on juries, and holding office. Persons convicted of these crimes in Federal courts were subject to both fines and prison sentences. Furthermore, the Enforcement Acts forbade state officials to inhibit any persons exercising their political and civil rights under the Fourteenth and Fifteenth Amendments to the Constitution. Moreover, Federal judges and the President were authorized to order the Army to help U.S. marshals arrest violators of the acts and to protect persons whose rights had been threatened or abused. In emergencies, the President could suspend habeas corpus and order the Army and the Navy to govern selected areas by martial law until proper civil officials were capable of resuming control. (Grant declared such an emergency in several South Carolina counties in 1871.) The detachment Emory sent to Colfax remained in the town about two weeks, investigating the Republican's complaints, and returned to its garrison at Baton Rouge in April.  

In May Emory made an inspection tour of the Florida forts on the periphery of his department. The trip was perfunctory and could have

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been handled by a member of his staff. Although it might not have been intended as such, this little Florida sojourn allowed the general to take a two-week vacation from the pressures of his New Orleans headquarters before the fall political campaign began.4

By May 1872 there were five political factions in Louisiana, and several meetings already had been held to consider nominations for governor and delegates to the national party conventions. The Custom House Ring, led by Marshal Stephen Packard, Collector James Casey, and Senator William Pitt Kellogg, remained staunchly loyal to Grant and contained Republicans who were, of course, diametrically opposed to Governor Warmoth. The governor assembled a variety of Republicans who supported him and, for one reason or another, opposed Grant. Following the lead of dozens of prominent Republicans in other states, they called themselves "liberals." In May Warmoth led a Louisiana delegation to a national convention at Cincinnati, where eccentric newspaper editor and activist gadfly Horace Greeley was nominated for president on the Liberal Republican ticket.

Lieutenant Governor P. B. S. Pinchback organized a third Republican faction in Louisiana, comprised mostly of blacks. As an ultimate goal, Pinchback hoped to heal the divisions in his party, but his immediate goals were to secure more state offices for Negroes and, not surprisingly, an important position for himself.

A fourth group, the Reform faction, was a small collection of wealthy whites, mostly former Whigs, who were dissatisfied with both Grant and the Custom House Ring. The Reformers wanted a more honest and

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4Emory to AGO, May 16, 1872, in Dept Gulf, vol. 139/DSL, RG 393, NA.
efficient Louisiana government, but they soon realized that they were not strong enough to bring about such a drastic change by themselves.

The divisions in the Republican party naturally nurtured Democratic hopes of winning control of the state government for the first time since the Civil War. They planned to field a complete slate of candidates and counted on the support of many former Confederates. But political necessities being what they were, each faction began seeking an alliance with one or more of the other groups to ensure victory in November.5

In late May the Pinchback Republicans held a convention in New Orleans and surprisingly endorsed the Warmoth administration for another term. An amendment to the state constitution legally allowed Warmoth to run for a second term, but he was firmly committed to the Liberals and declined the nomination. Nevertheless, Pinchback still vowed to unite the state's Republicans and bring Warmoth back into the fold. Therefore, Pinchback scheduled another meeting for his followers in June to coincide with the Custom House convention.6

In early June the Democrats and Reformers held separate convocations in the Crescent City. For governor, the Democrats picked John McEnery, a rabid anti-Republican conservative from Ouachita Parish whose hatred for Henry Clay Warmoth was well known. True to their plan, the Democrats selected a full roster of candidates for the other state


6Taylor, Louisiana Reconstructed, 231.
offices. The Reform party likewise chose its own candidates, but made overtures to the Democrats about a possible merger of their two slates into one. At first the Conservatives refused to cooperate, but after some negotiations, they accepted two Reformers on their ticket and absorbed the smaller splinter group.  

On June 19 the Custom House faction opened its convention in Baton Rouge, and in a nearby hall Pinchback reassembled his supporters. The lieutenant governor lobbied at the other meeting for party unity, advocating an important office for Warmoth, but the Ring bosses rejected these proposals. The delegates selected Senator Kellogg and Caesar C. Antoine, a black leader from Caddo Parish, for governor and lieutenant governor, respectively. Naturally disappointed that his ideas for unification had been quashed, Pinchback nevertheless forlornly held onto his hopes for some sort of combined Republican ticket.

Throughout these political developments, Emory and his soldiers waited patiently, watching the maneuvers, speeches, and meetings of the different groups. Before the Liberals met in August, Warmoth requested that Grant send additional troops to Louisiana to guard the polls during the election. However, the President was reluctant to order any more soldiers to a Southern state until some crisis arose. Consequently, no troops were sent.

7 Ibid., 232; Lonn, Reconstruction in Louisiana, 152-54.
On August 5 the Louisiana Liberals convened their state convention in New Orleans. Some delegates talked about nominating Warmoth, but the governor shrewdly figured that the best chance of defeating the Custom House gang lay in choosing a candidate who was acceptable to some of the other factions. Persuaded by his reasoning, the delegates nominated former Confederate Colonel David B. Penn for governor. The Liberals selected other candidates, including Warmoth's close friend George A. Sheridan as the nominee for U.S. congressman-at-large and Warmoth himself for U.S. senator. In an unusual twist, Penn's nomination presaged a direct alliance with Warmoth's bitter enemies of long-standing, the Conservative Democrats.  

In fact, the national Democratic party blazed the pathway to such an alliance when it nominated Horace Greeley for president in July. It remained for Liberal Republicans and Democrats in the North and South to bury old and bloody political hatchets and fuse their state tickets in order to defeat Grantism.

In Louisiana, the movement toward this political wedding of necessity was aided by the Liberals' choice of D. B. Penn for governor. Unexpectedly, Penn gained in popularity throughout the state; and the Louisiana Democrats, who expected that the Liberals would have to beg subserviently for alliance, realized that concessions on their own part were in order. Accordingly, the two groups arranged for the "fusion" of their slates. Warmoth wisely advised that Penn head the ticket, but a few Liberals and many Democrats favored McEnery, who thus retained his

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nomination for governor; Penn became the Fusionist's choice for lieutenant governor. Several other Liberals found places on the combined ticket, including George Sheridan for congressman-at-large.\footnote{Taylor, Louisiana Reconstructed, 235-36; Lonn, Reconstruction in Louisiana, 161-62.}

The Liberal–Democratic–Reform fusion made it natural for the Pinchback and Custom House Republicans to unite. Several of Warmoth's old allies, including James Longstreet, abandoned the governor's unholy alliance with the Democrats and scurried across town to the Kellogg camp, where preparations were already underway to merge the Pinchback–Custom House tickets. Kellogg and Antoine remained the party's nominees for governor and lieutenant governor, but Pinchback secured the slots of secretary of state and superintendent of education for two of his men, and the nomination of congressman-at-large for himself.\footnote{Taylor, Louisiana Reconstructed, 235; Lonn, Reconstruction in Louisiana, 163-64.}

Thus, in August when General Emory returned from another inspection trip to Florida, he found the political battlelines drawn between two coalitions. On one side, Kellogg led the Custom House Ring, Pinchback's Republicans, plus Longstreet and a few disaffected Warmothites. On the other side, the Democrats, the Reformers, and Warmoth's Liberal Republicans supported McEnery. After considering the political situation in Louisiana and the rest of his department, Emory decided that consultation with his superiors was in order and requested permission to go to Washington. The War Department granted his request, and he spent most of the month of September in the East.\footnote{Lt. Charles King to John W. Forney, August 6, 1872, in Dept Gulf, vol. 139/DSL; AAAG Gentry to Emory, September 3, 1872, \textit{ibid.}; AG Thomas
Meanwhile, during September and October, the Louisiana registrar's office opened the registration books to prospective voters. Hundreds of Democrats, heretofore unregistered, came forward to sign the rolls. The large number of men registering to vote was an encouraging sign to the editor of the Alexandria Louisiana Democrat, who wrote that Conservatives hoped this election would be different from those in the past when "they were perfectly certain that the Radical managers would cheat them out of the fruit of their labors."  

Despite whatever tricks the Republicans had up their sleeves, the Democrats knew that the Army's role in the fall election was still important. The department commander no longer appointed the registrars or sent officers to supervise registration. The governor had assumed these responsibilities. The Army was not supposed to interfere in the free, open, and honest democratic political process. However, the campaigns and elections of the 1870s were no more free, open, and honest than those of the 1860s had been, and Louisiana politicians of all factions were quite aware of this. Under the Enforcement Acts, the Army could be just as influential as it had been in the 1860s. The Democrats harbored justifiable fears that the Custom House Ring might purposely involve the Army in the election to aid the Republican party.

In fact, soon after returning from his conferences in Washington, Emory began a concerted program designed to put an Army unit in every important Louisiana town by election day on November 4.

Scott to Emory, August 31, 1872, in Dept Gulf, vol. 149/DSL; Capt. W. W. Sanders to Gentry, September 23, 1872, ibid.; all in RG 393, NA.

General William T. Sherman's adjutant, Colonel William D. Whipple, authorized Emory to use his soldiers to protect the rights of voters under the Enforcement Acts. Believing that this program operated in his favor, Kellogg advised Emory that troops were needed in Shreveport, Alexandria, and Opelousas.  

But the general first ordered troops to Monroe. On October 19, Company I of the 16th Infantry, Captain William H. Bartholomew commanding, arrived in Monroe from Jackson, Mississippi. The Ouachita Telegraph complimented Bartholomew on the good discipline of his men, but denounced the use of soldiers in an election "to rescue the Radical ticket" from defeat. "This is a civil contest, and any attempt to make the military an auxiliary to the success of either side is as degrading to the soldier as it will be subversive of liberty," the Telegraph's editorialist concluded. He hoped that the soldiers' "sense of duty" prevented them from interfering in the election.  

During the remainder of October, Emory sent detachments to eleven other Louisiana towns which normally did not have garrisons. Captain Charles B. Hall took Company B of the 19th Infantry from Baton Rouge and established a temporary post at Alexandria. Emory also ordered Hall to send squads to Colfax and Cheneyville if he believed that his entire company was not needed to protect the polls in

15 Col. William D. Whipple to Emory, October 23, 1872, in Dept Gulf, vol. 149/DSL; [Whipple received his authority to give these orders from the Secretary of War]; NAG Gentry to CO, Baton Rouge, October 23, 1872, in Dept Gulf, vol. 114/DSL; Kellogg to Emory, September 15, 1872, in Dept Gulf, Letters Recd; all in RG 393, NA.

16 Capt. W. H. Bartholomew to AG, Dept Gulf, October 19, 1872, in Dept Gulf, vol. 149/DSL, RG 393, NA; Monroe Ouachita Telegraph, October 26, 1872.
Alexandria. Emory dispatched two companies to Opelousas, one from Baton Rouge and the other from Jackson Barracks. Presumably, Opelousas got such a strong garrison because of the violence that had occurred there in the past. The commander at Opelousas then detailed a squad to oversee the election in nearby St. Martinsville, and Emory sent a squad from Jackson Barracks to the town of Point-a-la-Hache in Plaquemines Parish for the same purpose.17

Emory also ordered troops to towns in north Louisiana, blanketing that section of the state more thoroughly than at any time since 1865. Captain Arthur W. Allyn and Company B, 16th Infantry, set up a post at Shreveport. A strong detachment of one officer and twenty enlisted men was sent to Harrisonburg in Catahoula Parish. Emory stationed other squads at Winnsboro in Franklin Parish, Vienna in Jackson Parish, and Homer in Claiborne Parish.18

Emory's main concern was to keep the peace in New Orleans. He ordered Colonel Smith in Baton Rouge to bring two companies under his personal command to the Crescent City. Emory made Smith acting commander of all troops in the New Orleans area because Colonel Alfred Sully was out of the state on leave. On October 29 two companies of the

17 Emory to CO, Baton Rouge, October 24, 1872, in Dept Gulf, vol. 139/DSL; AAAG Gentry to CO, Opelousas, October 24, 1872, ibid.; Gentry to CO, Alexandria, October 24, 1872, in Dept Gulf, vol. 114/DSL; Gentry to CO, Jackson Barracks, October 24, 1872, ibid.; Gentry to Col. Smith, October 30, 1872, ibid.; all in RG 393, NA. Alexandria Louisiana Democrat, October 30, 1872.

18 Gentry to CO, Shreveport, October 24, 1872, in Dept Gulf, vol. 114/DSL; Gentry to CO, Baton Rouge, October 25, 1872, in Dept Gulf, vol. 139/DSL; Gentry to Capt. Bartholomew, October 28, 1872, ibid.; Gentry to CO, Monroe, October 31, 1872, ibid.; Bartholomew to AG, Dept Gulf, November 1, 1872, in Dept Gulf, vol. 149/DSL; Capt. A. W. Allyn to Gentry, November 2, 1872, ibid.; all in RG 393, NA.
3rd Artillery arrived in New Orleans from Fort Barrancas in Pensacola, bringing the city's garrison to a strength of seven companies totaling 317 men present for duty.  

According to most contemporary accounts, and by Louisiana standards, the 1872 campaign was surprisingly calm. Some Democrats believed that they had a legitimate chance to win the election. But not content to rely solely on legitimate methods, they also resorted to using physical and economic threats against black voters. A favorite tactic employed by the Conservatives was threatening to fire blacks from their jobs if they voted for the Republican ticket. However, the Democrats perpetrated few incidents of outright violence against Republicans of either color, perhaps because of the wide distribution of Army troops across Louisiana.

Although it was relatively peaceful, contemporary observers and historians agree that the election of 1872 was one of the most fraudulent in Louisiana history. Both sides freely stuffed ballot boxes and used such time honored ploys as relocating polling places or shortening the hours that the polls were open. Several parishes eventually

19Emory to Townsend, October 13, 1872, in Dept Gulf, vol. 114/DSL; Gentry to Col. Smith, October 29, 1872, ibid.; Smith to Gentry, October 26, 1872, in Dept Gulf, vol. 149/DSL; Lt. J. B. Burbank to Gentry, October 28, 1872, ibid.; SO No. 164, October 28, 1872, in Dept Gulf, filed with Letters Recd; all in RG 393, NA. Post Returns, Jackson Barracks, October 1872, in Records of the AGO (Microcopy M-617, reel 524), RG 94, NA.


21Taylor, Louisiana Reconstructed, 239-41.
submitted two sets of voting returns, or the contending parties objected to the returns from various precincts.

On election day, November 4, Emory informed Washington that the "day passed quietly in the [Crescent] City. No trouble [was] reported from the interior." On November 5 Emory began ordering some of the scattered detachments back to their regular duty stations. However, having second thoughts, he rescinded the orders, deciding instead to leave the detachments in place until local officials completed counting the votes. Exceptions to this holding action were the two artillery companies from Florida. With the election over and everything apparently quiet in New Orleans, Emory ordered the artillerymen to return to Fort Barrancas. 22

While the state's citizens waited expectantly for the announcement of the election results, the Fusionists and Democrats began clamoring that soldiers in the interior parishes had interfered in the election. William Hunter, a supporter of the Fusion ticket in Concordia Parish, told Governor Warmoth that "many of our most quiet colored friends felt so hurt at such a wanton display of Military Despotism they quietly preferred staying Home and this is Doubtless one Great cause of our short vote." The Ouachita Telegraph editorialist critically described the Army's effect in his parish:

> The whites were considerably intimidated by the presence of United States troops, and were prevented from using the

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22 Emory to Townsend, November 4, 1872, in Dept Gulf, vol. 139/DSL, RG 393, NA; Gentry to Lt. G. B. Pickett (Homer), November 5, 1872, ibid.; Gentry to Capt. A. W. Allyn (Shreveport), November 5, 1872, ibid.; AAAG W. W. Sanders to Lt. Oliver Witmore (St. Martinsville), November 6, 1872, ibid.; Gentry to Capt. W. H. Bartholomew (Monroe), November 8, 1872, ibid.; Gentry to CO, Jackson Barracks, November 8, 1872, ibid.; New Orleans Daily Picayune, November 5, 1872.
ordinary means usually resorted to in order to solicit votes. There was no actual participation in the election by the soldiers, but their presence here unquestionably kept many from the polls, and those who did attend, from using energetic means to carry the Fusion ticket. It was the moral power produced by the simple presence of the soldiers, and the fact that the colored voters were informed it was their duty to vote the Radical ticket, that prevented a free choice among the negroes.

Despite these protestations, both sides eventually conceded Ouachita Parish to the Republicans.\(^{23}\)

While the Democrats complained about military interference during the election, the Republicans asked for additional Army supervision and protection after the balloting. General James Longstreet called for military officers to help election supervisors count the ballots in New Orleans. Republicans in the town of Covington requested that the Army guard the ballot boxes and election supervisors there. Emory did send one officer and ten soldiers to Covington, but he left the election officials in New Orleans to their own devices.\(^ {24}\)

Moreover, within a few days Emory saw no need to leave the detachments scattered at their temporary posts across the state. Therefore, most of the units which had been given special election duty had returned to their regular garrisons by the end of November.

Meanwhile another political crisis had developed.\(^{25}\)

\(^{23}\)William Hunter to Henry Clay Warmoth, November 9, 1872 (capitalization in the original), in Warmoth Papers, Southern Historical Collection. Monroe Ouachita Telegraph, November 9, 1872.

\(^{24}\)New Orleans Daily Picayune, November 11, 1872; Gentry to CO, Jackson Barracks, November 9, 1872, in Dept Gulf, vol. 139/DSL, RG 393, NA.

\(^{25}\)See, for example, Major Samuel A. Wainwright to Gentry, November 11, 1872, in Dept Gulf, vol. 149/DSL; Gentry to Capt. J. H. Bradford, November 12, 1872, in Dept Gulf, vol. 139/DSL; Gentry to Lt. Oliver Witmore, November 12, 1872, ibid.; Gentry to Capt. A. W.
The crisis centered around the state agency known as the Returning Board, which was responsible for deciding if voting returns were legal or fraudulent. At Warmoth's insistence, the legislature had passed a law establishing the Returning Board in 1870, and by controlling this board the governor virtually had the power to declare who was elected. State law fixed the Returning Board's membership, including the governor, lieutenant governor, secretary of state, and two state senators. State senators John Lynch and T. C. Anderson occupied chairs on the board and so did Warmoth's recently-appointed secretary of state, Francis J. Herron. As a Custom House Republican, Lynch was predisposed to disagree with Warmoth about the validity of the voting returns. Accordingly, the Returning Board split into two parts, with Warmoth presiding over one and Lynch the other. Each appointed different men to fill the vacancies on his board and procured different judges to swear in the new panel members. The situation would have tested the political skill of a Machiavelli. Both tried to obtain the parish returns and have their board declare the winners of the election, including the prize plum, the governorship. Of course, Warmoth favored McEnery, Lynch supported Kellogg, and each board was expected to declare a sufficient number of Fusionists or Republicans elected to give its man control of the legislature.

Allyn, November 14, 1872, ibid.; Gentry to Bartholomew, November 16 and 22, 1872, ibid.; Gentry to CO, Covington, November 26, 1872, in Dept Gulf, vol. 114/DSL; all above in RG 393, NA.


27Due to a complicated technicality, both Warmoth and Lynch recognized each other as members of the other's board. The best account of the incredibly tangled web is Taylor, Louisiana Reconstructed, 241-44. See also Binning, "Henry Clay Warmoth," 323-34; Highsmith, "Louisiana
General Emory realized that either side might use violence to uphold the findings of its returning board, and he ordered the troops at Jackson Barracks to be prepared to move into New Orleans "at a moment's notice." Marshal Stephen Packard asked Emory's assistance in obtaining the complete election returns for Lynch's board. Showing his continuing personal dislike for Warmoth, Emory advised Adjutant General Townsend that the governor had "displaced the legally constituted Board for Election returns and replaced them by his partisans." The general requested authority to procure the returns for Lynch. However, after a conference with President Grant, General Sherman ordered Emory not to interfere, "except in case of riot," thus temporarily preventing him from acting on behalf of Lynch and Kellogg. 28

On November 20, using provisions of a recently passed state law, Warmoth dissolved both boards and appointed a new panel, chaired by Gabriel DeFeriet, a Fusionist. Lynch naturally refused to recognize Warmoth's authority to dissolve his board, confidently expecting Packard and Emory to obtain the elusive returns. 29

Meanwhile, William Kellogg was apprehensive about Grant's attitude toward the Louisiana imbroglio. He wrote to Republican leader William E. Chandler, begging him to learn "the real feeling of the Administration towards us, and towards our complications. . . ."

During Reconstruction," 271-73; Lonn, Reconstruction in Louisiana, 181-87; New Orleans Republican, November 14, 1872.

28 Gentry to CO, Jackson Barracks, November 13 and 14, 1872, in Dept Gulf, vol. 139/DSL; Emory to ACO, November 15, 1872 (capitalization in the original), ibid.; Sherman to Emory, November 16, 1872, in Dept Gulf, vol. 149/DSL; all above in RG 393, NA.

29 Lonn, Reconstruction in Louisiana, 188-89; Taylor, Louisiana Reconstructed, 243-44.
Would the Army support his claim to the governorship, if the Federal court and the U.S. marshal requested such support? He continued:

I know that we labor under the embarrassments growing out of the use of U.S. troops, perhaps improperly, heretofore, and the destiny of the party as well as the well-being of the community may depend upon the action of the military department of the Government.

In a strangely revealing passage, Kellogg added:

God knows I never have desired this office of Governor; I do not want it now. If I consulted my own feelings simply I would abandon this whole thing. . . . The whole thing is distasteful to me and if I can put the responsibility upon the Federal government you may be sure I shall do it. . . .

Kellogg did not reveal these self-doubts in his official correspondence. On the contrary, he assumed that he was the governor-elect and called upon the Federal government to take his side. He warned U.S. Attorney General George H. Williams that the Fusionists were planning to eject Louisiana's supreme court justices from their seats. Furthermore, Kellogg claimed that the Warmoth-Democratic alliance was threatening "to destroy the Republican party in the State . . . and to inaugurate a condition of things that will jeopardize the peace of the community. . . ."

Anticipating trouble, Emory decided on November 27 to bring in reinforcements. He ordered two companies of the 1st Artillery at Fort Barrancas to board a steamer bound for Louisiana. The general also sought information about two companies of the 7th Cavalry which

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30 Kellogg to William E. Chandler, November 23, 1872 (emphasis in the original), in Letters Recd by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 6), RG 60, NA.

31 Kellogg to George H. Williams, November 27, 1872, in House Exec. Docs., 42 Cong., 3 Sess., No. 91, p. 7.
General Irvin McDowell, the new commander of the Military Division of the South, had recently ordered to the Department of the Gulf.32

While Emory strengthened his garrison, Collector James Casey had been working behind the scenes to bring about Kellogg's election. Casey went to the nation's capital and personally explained the political situation in Louisiana to President Grant. Soon thereafter the Washington authorities acted to support the candidate of the Custom House Ring.33

Attorney General Williams directed Marshal Packard "to enforce the decrees and mandates of the United States courts, no matter by whom resisted," adding that "General Emory will furnish you with all necessary troops for that purpose." Adjutant General Townsend sent these same orders to Emory and added that the orders came from the President. In acknowledging Townsend's telegram, Emory said that "[n]o requisition has yet been made but the troops are in hand and ready to act promptly." All that remained was for a cooperative Federal judge to issue a ruling favorable to Kellogg's candidacy.34

In the meantime, on December 4 the two returning boards met separately and announced their findings. Warmoth's board, chaired by

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32Major J. M. Brannon (Fort Barrancas) to AAG/Dept Gulf, November 27, 1872, in Dept Gulf, vol. 149/DSL; Emory to AAG J. H. Taylor (MilDivSouth), December 3, 1872, in Dept Gulf, vol. 139/DSL; both in RG 393, NA. The two companies of the 7th Cavalry eventually arrived in late December, and one was stationed at New Orleans and the other at Oxford, Mississippi.

33Taylor, Louisiana Reconstructed, 244.

34Williams to Packard, December 3, 1872, in House Exec. Docs., 42 Cong., 3 Sess., No. 91, p. 13. Townsend to Emory, December 3, 1872, in Dept Gulf, vol. 149/DSL; Emory to Townsend, December 3, 1872, in Dept Gulf, vol. 139/DSL; both in RG 393, NA.
DeFeriet, named McEnery Louisiana's next governor and confirmed that a majority of Fusionists had been elected to the legislature. DeFeriet awarded the state's electoral votes to Greeley. The fact that Lynch's board had never been given access to the returns did not prevent him from proclaiming that Grant deserved the state's electoral votes. But Lynch temporarily refrained from declaring that Kellogg had been elected. 35

On December 5 the Custom House bosses persuaded Federal Circuit Judge Edward H. Durell to declare that Warmoth's returning board had violated a court order restraining either board from announcing the election results. Durell authorized Marshal Packard to occupy the State House and prevent any "unlawful assemblage" there. In other words, Federal authorities could stop the Fusionist legislature from meeting. Basing their actions on Durell's decree, the Custom House Republicans now prepared to capitalize on the orders issued two days before by Attorney General Williams and Adjutant General Townsend. 36

At 2:00 a.m. on December 6 Packard executed Durell's mandate. Loosely interpreting the judge's order, Packard asked for and received troops from Emory under the Enforcement Acts. Companies F and L of the 1st Artillery commanded by Captain Richard H. Jackson went with Packard and some of his deputies to occupy the capitol. Emory also ordered four companies of the 19th Infantry to come into the city from Jackson Barracks, quartering them near department headquarters on Magazine Street. Reinforcements were therefore close by in case Warmoth's forces

35 Taylor, Louisiana Reconstructed, 244.

36 Ibid., 244-45; Lonn, Reconstruction in Louisiana, 194.
resisted Packard's occupation of the Mechanic's Institute. The next morning the New Orleans Times lambasted Judge Durell for using "flimsy and audacious pretences" to bring the Army into the dispute.37

Once the Army had acted on behalf of the Republicans, Warmoth's days as governor were numbered. His opponents quickly took steps to remove him from office.

On December 9 Lynch's returning board declared that Kellogg had been elected governor. According to Lynch's count, Republicans heavily dominated the next legislature: 77 Republicans to 32 Fusionists in the house; 28 Republicans to 8 Fusionists in the senate. These results did not satisfy the Fusionists, who later established yet another returning board—the fourth empaneled during the crisis.

The Fusionist board upheld the election of 66 legislators approved by the Lynch board, but counted in many other candidates not acknowledged by Lynch. Consequently, in several cases two men claimed to have been elected to the same seat in the legislature; and during the next few months two legislatures existed, one composed predominantly of Republicans and the other comprised of men loyal to McEnery. From time to time, men who had been endorsed by both returning boards attended sessions of each legislature.38


38 Lonn, Reconstruction in Louisiana, 200-205; Taylor, Louisiana Reconstructed, 246.
On December 9 the Kellogg legislature assembled and elected Charles W. Lowell speaker of the house. He promptly entertained a motion to impeach Governor Warmoth, which just as promptly passed the house by a vote of 57 to 6, suspending Warmoth from office until the senate could hold a trial and reach a verdict. Until then, Lieutenant Governor Pinchback was to be acting governor of Louisiana.  

Pinchback notified Grant of Warmoth's impeachment and requested the "protection of the United States government" for the new administration. Following Pinchback's suggestion, the legislature passed a resolution calling on the President to order Federal troops to defend the state government from domestic violence, though the acting governor admitted that New Orleans was calm and quiet.  

Warmoth never acknowledged Pinchback's authority. He told Grant that Pinchback, aided by some U.S. soldiers, had broken into the executive offices and usurped the governorship. During the next two months each man claimed to be governor of the state. Nevertheless, Warmoth no doubt realized that he was effectively out of office; his term expired in January 1873, and though the Republicans made a pretense of holding a trial in the senate, no verdict was ever reached.  

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40P. B. S. Pinchback to Grant, December 9, 1872, in House Exec. Docs., 40 Cong., 3 Sess., No. 91, p. 16; Resolution of the Louisiana Legislature, December 9, 1872, ibid. Pinchback and his legislature wanted the President to officially recognize Pinchback's legal succession to the governorship. Emory's troops continued to occupy the State House, thus effectively discouraging the Fusionists from attacking the capitol as George Carter had threatened to do in January.  

41Warmoth to Grant, December 11, 1872, in House Exec. Docs., 42
On December 10 McEnery and Warmoth called a mass meeting at the New Orleans City Hall. Hundreds of persons gathered and listened to speeches by the Fusionist leaders, who castigated Grant, the Army, and the Republicans in equal measure. Because troops still occupied the Mechanic's Institute, the Fusionists chose City Hall for their meeting.

After the Fusionists met, Pinchback reiterated his request for the assistance of Federal troops, saying that their "moral effect would be great," especially if Pinchback himself was allowed to direct their maneuvers. Collector James Casey, who had returned to New Orleans after his meeting in Washington with the President, agreed with Pinchback's request; he declared that "all difficulty will be dissipated, [and] the [Republican] party saved" if Grant placed the troops at the acting governor's disposal. Attorney General Williams replied to the Louisiana leaders on Grant's behalf: "Whenever it becomes necessary in the judgment of the President, the State will be protected from domestic violence."

During early December both sides in the Louisiana dispute continued to press Grant with their demands. Pinchback argued that because Warmoth denied the fact that he had been impeached, the carpetbagger's followers might resort to violence to keep him in office. Putting aside the ludicrous request for the acting governor's personal command of U.S. Cong., 3 Sess., No. 91, p. 18; Lonn, Reconstruction in Louisiana, 224-25.


43 Pinchback to Williams, December 11, 1872, in House Exec. Docs., 42 Cong., 3 Sess., No. 91, pp. 18-19; Casey to Grant, December 11, 1872, ibid., p. 19; Williams to Pinchback, December 11, 1872, in Senate Reports, 42 Cong., 3 Sess., No. 457, p. 843.
troops, Pinchback and Casey demanded outright Federal "recognition" of theirs as the "legal State government." In their opinion, the best form of recognition would be an announcement by Grant saying that the Army would defend Pinchback and his legislature if they were attacked. McEnery, on the other hand, still claimed that he was governor-elect, but he did not apply for presidential recognition. Instead, he asked Grant "to suspend recognition of either of the dual governments now in operation here until there can be laid before you all facts . . . touching the legitimacy of either government."\(^{44}\) However logical McEnery's appeal seemed to him, it had no chance of success, as Louisianians soon learned.

On December 12 Attorney General Williams informed Pinchback that President Grant had officially recognized him "as the lawful executive of Louisiana, and that body assembled at Mechanic's Institute [as] the lawful legislature of the state. . . ." Williams added that the Army had been ordered to give Pinchback and his government full protection "from disorder and violence."\(^{45}\) The Attorney General also informed McEnery of Grant's decision. Using blunt language, Williams told McEnery that Grant's resolve would "not be changed, and the sooner it [was] acquiesced in the sooner good order and peace will be restored."\(^{46}\)
For General Emory, Grant's recognition of Pinchback had come none too soon. In Emory's opinion, a riot had been averted by having troops escort Packard's deputies to the State House on December 6. But helping the marshal occupy the capitol had only slightly improved a "deplorable" situation. The loyalty of the city's population was divided between two governors and two legislatures, and, until Grant's decision, the courts had failed to decide uniformly in favor of one government or the other. Making the situation more tense, Pinchback had reappointed James Longstreet to his job of state militia commander, replacing Hugh Campbell, Warmoth's appointee, who reluctantly resigned.47

Longstreet's appointment tested Emory's support of the Pinchback regime. George G. Waggaman, one of Campbell's officers, refused to surrender the state arsenal on Carondolet Street to Pinchback's militia, and Emory feared that the two groups would fight over the building. Pinchback called on Emory to expel Waggaman and his men. The general responded by asking Pinchback not to take any "aggressive steps" against the arsenal until the national authorities had been told about the confrontation. Emory fired off a telegram to Adjutant General Townsend, informing him that the "parties are face to face with arms in their hands. I beg an immediate answer."48

On December 14 Townsend replied succinctly: "You may use all necessary force to preserve the peace, and will recognize the authority of Governor Pinchback." Bolstered by these orders, Emory sent

47 Emory to AOG, December 11 and 12, 1872, in Dept Gulf, vol. 114/DSS, RG 393, NA.

48 Emory to Pinchback, December 14, 1872, ibid.; Emory to AOG, December 13, 1872, in House Exec. Docs., 42 Cong., 3 Sess., No. 91, p. 25.
Colonel Charles Smith and Captain Charles King to the arsenal. The officers relayed Townsend's orders to Waggaman, who immediately turned over the arsenal to the Army. Within a short time, Colonel Smith allowed Pinchback's militia to occupy the building, and Emory's latest crisis had ended without bloodshed.  

However, all the signs pointed to future upheaval. Barring some unforeseen cataclysm, Pinchback would serve out the two months remaining of Warmoth's term. But McEnery claimed the title of governor-elect, despite the fact that Grant had unequivocally recognized Pinchback and obviously intended Kellogg to be Louisiana's next governor.

White resentment against the Custom House and the Army was smoldering and was well expressed in a long Picayune editorial in mid-December:  

If the small force here under his command [about 700 troops] was all that prevented the overthrow of the Pinchback assumption, Gen. Emory should know that men enough could soon be got in the city, from a population of 200,000 to make very short work of it, even if it numbered 10,000. He should be aware the people perfectly understand the power he represents, and that . . . [in the event of insurrection, an] . . . overwhelming force . . . could soon be concentrated here by the Government at Washington. He is singularly ignorant of public opinion if he supposes there is now or has been any intention to resist the military authority of the United States. . . . [Such] resistance would be folly.

49Townsend to Emory, December 14, 1872, in House Exec. Docs., 42 Cong., 3 Sess., No. 91, p. 25; Emory to Townsend, December 14, 1872, ibid., p. 26; New Orleans Daily Picayune (afternoon edition), December 14, 1872; Lonn, Reconstruction in Louisiana, 213; Taylor, Louisiana Reconstructed, 249.

50New Orleans Daily Picayune, December 14, 1872.
On Christmas Day, 1872, Company L, 7th Cavalry, reinforced the New Orleans garrison. Emory and his soldiers were preparing to guard against the "folly" of resistance to Kellogg's inauguration on January 13, 1873.

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51 Emory to AAG, MilDivSouth, December 25, 1872, in Dept Gulf, vol. 114/DSL, RG 393, NA.
CHAPTER XII
"THE FLASHING OF BAYONETS IN OUR STREETS"

In January 1873 John McEnery and William Pitt Kellogg both prepared to take the oath as governor of Louisiana. President Grant already had indicated his support of Kellogg, but McEnery was determined to hold his own bogus inauguration, hoping that it might later enable him to assume the governorship. Moreover, dozens of Fusionist candidates claimed election to seats in the legislature, but Kellogg never intended to admit them to the State House. Consequently, McEnery and the Democrats planned to organize a shadow government.

General Emory felt trapped between the two contending political forces. He believed that McEnery's claim to office was invalid. Although President Grant and the Army high command had ordered him to sustain the administration of Acting Governor P. B. S. Pinchback, Emory doubted his own authority to transfer this support to Kellogg.¹

The Democratic and Republican legislatures scheduled their opening ceremonies on January 6, one week before the dual inaugurations of McEnery and Kellogg on January 13. Under these circumstances, Emory feared that the simplest barroom brawl or street fight could incite open warfare in New Orleans.²

¹William H. Emory to P. B. S. Pinchback, January 3, 1873, in Dept Gulf, vol. 114/DSL, RG 393, NA.
²Emory to AAG, MilDivSouth, January 1 and 2, 1873, ibid; Emory to AAG, MilDivSouth, January 3, 1873, in Dept Gulf, vol. 139/DSL, RG 393, NA.
Grant and General William T. Sherman understood the gravity of the Louisiana situation. In an effort to strengthen Emory's hand, Sherman ordered Emory "to use your troops to preserve peace, should a contingency arise which in your judgement calls for it." Emory released this statement to the New Orleans newspapers, hoping that it might convince McEnery to cancel his inauguration, but the latter was unmoved by the general's orders.  

McEnery's intractability pointed to the possibility of a confrontation between Democrats and Republicans, and therefore on January 4 Emory decided to show that the Army intended to preserve the peace. Initially, he ordered the garrison at Baton Rouge to prepare for duty in New Orleans if necessary. Next he placed the troops in the Crescent City on full alert. Following the pattern he had adopted the previous year, Emory informed the newspapers of his orders, and they dutifully reported these military preparations.  

Meanwhile, Grant, Sherman, and Attorney General Williams made two important decisions concerning the Kellogg-McEnery rivalry. First, the Washington authorities ordered Emory not to interfere with the meeting of McEnery's legislature, so long as it did not obstruct or disrupt "the administration of the recognized government of the state." Furthermore, Emory was instructed not to prevent McEnery's inauguration. Grant and

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3Sherman's orders, sent by AAG William D. Whipple to Emory, January 4, 1873, in House Exec. Docs., 42 Cong., 3 Sess., No. 91, p. 31; New Orleans Republican, January 7, 1873.

4AAG W. T. Gentry to CO, Baton Rouge, January 4, 1873, in Dept Gulf, vol. 139/DSL; Emory to AGO, January 5, 1873, ibid; Gentry to CO, New Orleans, January 5, 1873, in Dept Gulf, vol. 114/DSL; all in RG 393, NA. New Orleans Republican, January 5, 1873; New Orleans Times, January 5, 1873.
his advisors did not want to spark a riot between the Army and McEnery's defenders. Perhaps once McEnery was inaugurated, he would realize his own ineffectiveness and "resign" gracefully, and his government would collapse of its own dead weight.  

On January 6, the day picked for the opening of the legislatures, businesses closed and crowds gathered in downtown New Orleans. A carnival atmosphere prevailed despite the military preparations openly displayed in the city. The Metropolitan Police, commanded by Algernon S. Badger, assembled near the arsenal on Carondolet Street. Each policeman was well armed, and four brass cannon, hitched to horse teams, were parked in the street. Emory had mustered a force of nine companies. Six companies of the 19th Infantry (A, C, D, E, H, and I) were quartered in the Magazine Street Barracks, near departmental headquarters. Company L, 7th Cavalry, dismounted and picketed their horses in Tivoli Circle. Companies F and L, 1st Artillery, had been stationed in the city for several days without their cannon, but they did have two Gatling guns. The whole force totaled 438 men, which was only about fifty men less than the entire 19th Regiment at that time.

Across town, more than four thousand persons had gathered to watch the arrival of the Democratic legislators and perhaps catch a glimpse of McEnery himself. Knots of armed lookouts posted themselves around the

5William T. Sherman to Emory, January 5, 1873, in House Exec. Docs., 42 Cong., 3 Sess., No. 91, p. 32; George H. Williams to Stephen B. Packard, January 4, 1873, ibid., p. 31; Emory to Sherman, January 5, 1873, in Dept Gulf, vol. 139/DSL, RG 393, NA.

Odd Fellows Hall, the designated meeting site of the shadow government. Both legislatures met in their respective halls with much fanfare and speech-making. McEnery's legislature did not have a quorum and adjourned. At the state capitol, more than two thousand Kellogg supporters applauded the opening of the de jure legislature, which had a quorum, but transacted no important business. Much to Emory's relief, the afternoon passed with the air of a holiday; no violence occurred, and the troops were not sent to either legislature. Emory believed that the massive display of military force had prevented a riot.  

Within a week's time, however, Emory faced a similar peace-keeping test during the dual inaugurations. He specifically asked Sherman if Kellogg should be automatically recognized upon his inauguration simply because Pinchback had been recognized previously. Apparently, Sherman did not send a reply to Emory's question, and the Louisiana commander logically assumed that he should recognize Kellogg until receiving orders to the contrary. However, Emory concluded that "the situation is becoming more complicated, and in my opinion, the use of troops simply to keep the peace cannot lead to a satisfactory or permanent solution of the difficulties here."  

January 13 dawned a "fair and lovely" day in New Orleans, and the political factions prepared themselves for the spectacle of two
inaugurations. Apparently believing that the previous week's show of force was warning enough, Emory posted only one company of soldiers at the State House and did not bring in the Jackson Barracks garrison as he had the week before. McEnery and Kellogg were inaugurated separately at the seats of their respective governments amid loud ovations, but without violence. Observers speculated on the possibility that rowdies might disrupt one or both of the ceremonies. The New Orleans Republican concluded that the presence of Federal troops near the Mechanic's Institute prevented the assembled Democratic clubs and riff-raff from attempting to topple the Republican government. 9

Following the inaugurations, Emory was careful not to antagonize McEnery's "government." The New Orleans Republican advised the general not to send even one soldier to Odd Fellows Hall, or else the McEnery faction would cry "suppression." Emory had no intention of providing the Democrats with a cause for complaint against the Army. In fact, the city was calm enough by January 25 that Emory ordered the two artillery companies to return to their garrison at Fort Barrancas in Florida. 10

After the unusual events of recent weeks, President Grant took it upon himself to issue a special executive message on the Louisiana situation. The President summarized the conflict between the contending factions and remarked that he was "anxious to avoid any appearance of


10New Orleans Republican, January 25, 1873; SO No. 14, January 25, 1873, in Dept Gulf, 1873, RG 393, NA; New Orleans Times, January 28, 1873.
undue interference in State affairs. . . ." Grant acknowledged that the Army had been employed in the emergency, and he concluded that unless Congress offered a better solution, the administration would continue to recognize Kellogg's "de facto government" which thus far had been "upheld by the courts of the State."

A week after Grant's message to Congress, there was a clash between the political factions in Louisiana. On February 27, acting in his capacity as "governor," John McEnery appointed a former Confederate officer, Fred N. Ogden, as brigadier general and commander of the Louisiana "militia." Ogden let it be known that he planned to take over all of the stations of the Metropolitan Police, which Kellogg recently had integrated into the official state militia, commanded by James Longstreet.

Inevitably, rumors of Ogden's intentions circulated throughout New Orleans. On March 5 General Sherman ordered Emory "to prevent any violent interference with the State government of Louisiana." Emory moved three companies of troops from the Magazine Street barracks to the Custom House, but he made no effort to protect the police stations. At dusk on that day, members of Ogden's Democratic militia brandished their weapons as they walked through the streets of New Orleans and assembled at designated locations in the city. At about 9:30 p.m. Ogden's pickets cordoned off a portion of the French Quarter, and several "militiamen"

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further armed themselves by breaking into firearms and hardware stores. With five hundred men following him, Ogden led an attack against the Jackson Square police station.  

While the Conservatives fired their guns at the station house, Republican reinforcements marched to the rescue, and Kellogg requested the Army's help in putting down the disorder. Algernon Badger, former police chief and newly designated commander of the Metropolitan Brigade of former policemen, brought three militia companies (about 180 men) and an artillery piece to the scene of the skirmish. The sounds of fighting drifted over Jackson Square, and the boom of the Metropolitan's cannon added to the din. Meanwhile, Emory ordered the entire Jackson Barracks garrison into the city and directed Colonel Charles Smith to send a squad to guard the U.S. mint. Kellogg received a note that troops were on their way to stop the fighting. Emory also telegraphed General Sherman and informed him of the situation.  

About an hour after the fighting began, the first Army troops arrived near the besieged police station. An officer on Emory's staff, Captain Charles King, detached himself from the column and made his way cautiously to Ogden; at the same time Colonel Smith sought out "general" George Waggaman of the Democratic forces. The Army officers brought orders from Emory telling the Democrats to abandon their attack on the

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13Sherman to Emory, March 5, 1873, in AGO File 4882-1872 (Microcopy M-666, reel 93), RG 94, NA; New Orleans Times, March 6, 1873; Lonn, Reconstruction in Louisiana, 228.

14New Orleans Times, March 6, 1873.

15Gentry to CO, Jackson Barracks, March 5, 1873, in Dept Gulf, vol. 114/DSL; Gentry to Charles Smith, March 5, 1873, ibid.; Emory to Kellogg, March 5, 1873, ibid.; Emory to Sherman, March 5, 1873, in Dept Gulf, vol. 139/DSL; all in RG 393, NA.
police station and disperse. Faced with the possibility of clashing with the 19th Infantry, Ogden and Waggaman promptly complied with Emory's orders; and within an hour the streets of the Quarter were quiet and empty, disturbed only by the sounds of an occasional squad of infantrymen on patrol. But the contest was not finished.  

At 2:30 a.m. on the morning of March 6 Badger led eighty Metropolitans, armed with Winchester rifles, across the Mississippi River to Jefferson City to recapture the Seventh Precinct police station, which had been occupied earlier in the evening by McEnery's militia. After a brief exchange of shots, Badger and his men rushed the station, capturing it and taking seven prisoners. Seizure of the Seventh Precinct station effectively ended Ogden's attempt to supplant the Metropolitans with his own Democratic militia.  

Knowing that he had Emory's support and with the Metropolitan Brigade controlling the city's streets, Governor Kellogg decided to act against the Democratic legislature. He ordered Longstreet and Badger to occupy Odd Fellows Hall and disperse the opposition legislators. However, Kellogg made his decision without notifying Emory.  

About noon on March 7 a force of 125 Metropolitans surrounded Odd Fellows Hall. Several Democratic legislators scampered out the rear door before the circle was closed. Led once again by Badger, the militia occupied the building without a fight. Badger arrested a few Conservatives, but they were not charged with any crimes and were later

16 New Orleans Times, March 6, 1873; New Orleans Republican, March 6, 1873.
17 New Orleans Times, March 6, 1873.
released. The Metropolitans had disrupted McEnery's legislature, but their action did not force it out of existence.

Kellogg decided to strike a final blow against the McEnery forces, ordering another detachment of Metropolitans to capture a building on Magazine Street used by the Democrats as a "police headquarters." Inside the building, twenty of McEnery's "policemen" offered no resistance to the Metropolitans, who dispersed their opponents and left a squad on guard.18

In a note to Emory, McEnery protested Kellogg's actions against his legislature and "police headquarters." The general replied that the Metropolitans had acted without his knowledge and that their orders had come from Kellogg, who was recognized as the legal governor of the state. Furthermore, Emory warned McEnery that he would "use the whole force of the United States . . . to prevent . . . [any] violent interference" with the Kellogg government. McEnery's claims to the governorship had received a temporary setback.19

The outcome of the recent altercations pleased Kellogg and made him feel more secure in office. He was gratified that Emory had promptly sent troops to the French Quarter and congratulated the general on his readiness "to meet any emergency."20 Despite Kellogg's vote of confidence, Emory had to reassure his superiors in Washington that the


19 New Orleans Times, March 7, 1873; Lonn, Louisiana Reconstructed, 228-29.

20 Kellogg to Emory, March 14, 1873, in Dept Gulf, Letters Recd, RG 393, NA.
Army had not participated in the occupation of Odd Fellows Hall. New Orleans was quiet again, and the troops which had been on duty in the French Quarter and at the City Hall and Customs House were withdrawn to their quarters on Magazine Street. 21

The frequent shifting of troops from point to point during recent months caused Emory and Colonel Smith to reconsider the disposition of forces in Louisiana. In fact, Smith had suggested in early February that the headquarters of his regiment should be relocated to Jackson Barracks. Smith reasoned that because of the increased need for the Army's intervention in political affairs in New Orleans, the majority of the 19th Infantry ought to be stationed at Jackson Barracks or in New Orleans itself, instead of continuing the arrangement devised by General Sherman in 1871, which had placed most of the regiment in Baton Rouge. On March 21 Emory reestablished the regiment's headquarters at Jackson Barracks and assigned companies B, F, G, and I to reinforce the four companies already on duty there, doubling the size of the garrison. However, Emory had to relinquish control of Company L, 7th Cavalry, which was reassigned to the Department of Dakota under General Sheridan. 22

While Emory shifted his troops to the southern part of the state, travellers and newspapers transmitted ominous reports about the chaotic

21 Emory to Sherman, March 6, 1873, in New York Times, March 7, 1873; Emory to Whipple, March 7, 1873, in Dept Gulf, vol. 114/DSL, RG 393, NA.

22 Col. C. H. Smith to Emory, February 3, 1873, in Dept Gulf, Letters Recd; SO No. 45, March 21, 1873, in Dept Gulf, SO; Emory to Philip H. Sheridan, April 2, 1873, in Dept Gulf, vol. 139/DSL; all in RG 393, NA.
situation in Grant Parish in central Louisiana. Following his inauguration, Kellogg had ousted two Fusionists who claimed to have been elected parish judge and sheriff and replaced them with two Republicans. Once in office, the Republicans formed a local black militia unit and ordered it to patrol the streets of Colfax, the parish seat. The militiamen dug earthworks in the courthouse yard and extended their patrols to include the main roads in the parish. Several altercations occurred between blacks and whites, and the militia pickets allowed only selected persons to enter Colfax. Finally, the local whites were so irritated, outraged, and insulted by the behavior of the Republican sheriff, judge, and militia that they planned to attack the courthouse and regain control of the parish.  

Meanwhile, the reports from Colfax had disturbed Kellogg to such an extent that on April 10 he considered sending General Longstreet to investigate the situation. The governor invited Emory to order one of his staff officers to accompany Longstreet, but Emory declined the invitation, apparently believing that the situation was not serious enough to warrant sending an official observer.

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23 New Orleans Times, April 2 and 7, 1873; New Orleans Republican, April 8-12, 1873; Alexandria Louisiana Democrat, April 9, 1873; New Orleans Daily Picayune, April 7 and 8, 1873.

24 Lonn, Reconstruction in Louisiana, 240-44; Gonzales, "Kellogg," 419; Taylor, Louisiana Reconstructed, 268-69. Governor Warmoth created Grant Parish by taking land from neighboring parishes, and he named the parish seat "Colfax" for the President's vice president, Schuyler Colfax.

25 New Orleans Daily Picayune, April 11, 1873; New Orleans Times, April 10 and 12, 1873; Emory to Kellogg, April 10, 1873, enclosed with Lt. E. M. Hayes to Emory, April 10, 1873, in Dept Gulf, Letters Recd, RG 393, NA.
On Easter Sunday, April 13, the Fusionist sheriff, Christopher C. Nash, and several hundred men attacked the Colfax courthouse. The fighting lasted for several hours, but Nash and his followers were unable to dislodge the blacks from the building. Consequently, the attackers set fire to the courthouse and shot several of the defenders as they tried to escape. Thirty-seven blacks were taken prisoner, and that night most of them were killed without the formality of a trial. A few militiamen survived and subsequently described the events to the state and Federal authorities. One white Democrat was killed in the fighting and eight or nine others were wounded, one of whom later died. It was impossible to determine the number of Negro casualties, but probably more than one hundred were killed and many others were wounded. Daniel Shaw, Kellogg’s sheriff, was killed in the battle.26

The New Orleans Republican described the Colfax riot as a "massacre," but the state’s Democratic press praised the decisive action of Nash and his cohorts. The Democratic sheets claimed that the blacks started the fight by firing on Nash's followers, forcing the whites to defend themselves. The Democrats, some of whom were Confederate veterans, then proceeded to finish what the Republicans had started and did not rest until the offending blacks had been killed or driven out of Colfax. Reflecting the emotion and excitement of many Conservatives, the New Orleans Times printed details of the battle under the headline "War at Last!!"27


27New Orleans Republican, April 16, 1873; Shreveport Times, April 16 and 19, 1873; Alexandria Rapides Gazette, April 26, 1873;
Emory and Kellogg were stunned by the dimensions of the Colfax riot, and both men were determined to have order restored in Grant Parish. Kellogg told Emory that the parish was "in a State of insurrection" and wanted Federal troops sent there immediately. Emory agreed with the governor's conclusion and ordered Company K, 19th Infantry, from Baton Rouge to Colfax "to preserve the peace." However, all of the steamship captains at Baton Rouge refused to allow the Army to use their vessels, claiming that it would ruin their business relations with white citizens. Irritated at their recalcitrance, Emory ordered two infantry companies at Jackson Barracks to make the trip up river as soon as a boat could be chartered in New Orleans.  

Kellogg, realizing that it would take several days for the Army to reach Colfax, feared that if his authority was not reestablished quickly, the whole of northern Louisiana might rise in a rebellion patterned after the Colfax riot. Therefore, he ordered some units of the Metropolitan Brigade to Colfax. Furthermore, he begged Emory to send Army detachments to Caddo, Ouachita, Richland, and Jackson Parishes. Marshal Packard supported the governor's request, adding that Lincoln Parish also needed military supervision.  

\begin{itemize}
  \item \textit{Alexandria Louisiana Democrat}, April 16, 1873; \textit{New Orleans Daily Picayune}, April 18, 1873; \textit{New Orleans Times}, April 16, 1873.
  \item Kellogg to Emory, April 15, 1873, in Dept Gulf, Letters Recd; Gentry to CO, Baton Rouge, April 15, 1873, in Dept Gulf, vol. 139/DSL; Emory to AAG, MilDivSouth, April 17, 1873, \textit{ibid.}; Gentry to CO, Jackson Barracks, April 17 and 18, 1873, in Dept Gulf, vol. 114/DSL; all above in RG 393, NA. William E. Highsmith, "Louisiana During Reconstruction" (unpublished Ph.D. dissertation, Louisiana State University, 1953), 287.
  \item Kellogg to Emory, April 18, 1873, in Dept Gulf, Letters Recd; Packard to Emory, April 18, 1873, \textit{ibid.}; both in RG 393, NA. Monroe Ouachita Telegraph, April 26, 1873.
\end{itemize}
ordering Captain Clayton Hale to take a company of the 16th Infantry from Jackson, Mississippi, to Monroe, but temporarily withheld action on the other requests. Actually, Emory was very concerned about the situation in Colfax, and he wanted approval from his superiors before sending troops to all of the northern parishes.  

Before a reply came from Louisville or Washington, Emory located a steamer captain in New Orleans who agreed to take some troops to Colfax. Companies C and D, 19th Infantry—97 officers and men comprising one-fourth of the Jackson Barracks garrison—embarked on April 19. Captain Jacob H. Smith commanded the detachment. He was ordered to learn all that he could about the riot and to "give all the aid within . . . [his] power to bury the dead and take care of the wounded." Emory wanted Smith's complete report on the condition of Colfax and the surrounding countryside as soon as possible.

The troops arrived at Colfax at 6:00 p.m. on the evening of April 21, eight days after the riot ended. Captain Smith and his men inspected the area and spoke with a U.S. deputy marshal who had located a shallow grave in which sixty-nine blacks were buried. After a few days the soldiers, who had bivouaced near Colfax, moved to the vicinity of Pineville, where they established a temporary garrison in the old buildings formerly used by the Louisiana State University.

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30Emory to AAG, MilDivSouth, April 18, 1873, in Dept Gulf, vol. 139/DSL; Emory to Col. William D. Whipple, April 18, 1873, ibid.; SO No. 61, April 18, 1873, in Dept Gulf, SO; all in RG 393, NA.

31Post Returns, Jackson Barracks, April 1873, in Records of the AGO (Microcopy M-617, reel 524), RG 94, NA; Gentry to J. H. Smith, April 19, 1873, in Dept Gulf, vol. 114/DSL, RG 393, NA.

32Shreveport Times, April 25, 1873; New Orleans Daily Picayune, April 25, 1873; Alexandria Louisiana Democrat, May 14, 1873; Taylor,
Emory concluded that the "Colfax massacre would probably never have occurred if United States troops had been in the neighborhood, and they were not in that vicinity . . . [because of] . . . the unexpected recall of the Cavalry in this Department to the frontier where sudden emergencies required their presence." Emory was correct in his supposition that if troops had been near Alexandria or Colfax the battle might not have occurred. However, according to General Sherman's reorganization of the troops in Louisiana in 1871, there were no soldiers assigned to posts north of Baton Rouge, and it was unlikely that Emory would have sent any without extraordinary justification. In fact, Emory had the opportunity to send troops to central Louisiana after he received reports of violence there in early April. Instead, he refused even to order a staff officer to accompany General Longstreet to Grant Parish before the battle took place. Therefore, Emory's excuse about the cavalry being ordered out of the state can only be seen as a weak attempt at self-protection.

It was evident that Emory did not fully comprehend the threat posed by that white resistance to Republican rule. Colfax was a Democratic warning shot across the bows of Kellogg's ship of state. The New Orleans Times boasted that "[s]uch conflicts may be prevented by the Federal soldiery, but not by the Metropolitan brigade or any State

Louisiana Reconstructed, 270. SO No. 66, April 29, 1873, in Dept Gulf, SO; Kellogg to Lt. Thomas M. Wenie, May 12, 1873, in Dept Gulf, Letters Recd, both in RG 393, NA.

33Emory's Departmental Report, September 25, 1873, in Records of the AGO, Annual Reports (Microcopy 5-666, reel 138), RG 94, NA.
militia that can be raised."\textsuperscript{34} It was impossible for the Army to protect every Republican officeholder or every black voter. After the Colfax battle, the Democrats used violence against Republicans whenever and wherever possible, avoiding contact with U.S. soldiers and disdaining the power of Kellogg's militia.\textsuperscript{35} The Democrats could jeopardize the existence of civil order throughout Louisiana and throw the state into chaos unless Emory was reinforced and allowed to use his troops to guard Kellogg's parish officials. If Democrats were allowed to terrorize the hinterland parishes, New Orleans and the state government itself were vulnerable.

But Emory was not alone in failing to recognize the full importance of the Colfax riot. The authorities in Washington had no intention of allowing the Democrats to overthrow the Republicans, but they had no clear idea of how to counteract the violence of the McEnery forces, nor could they decide how the Army should aid Kellogg. Grant wanted the Army to differentiate between "local disturbances" and "direct violent attacks on the central organization of the state government. . . ." Assistant Secretary of War George M. Robeson concluded that "[i]f the State government needs and desires the aid of United States troops to maintain the public peace or prevent rebellion, the Legislature, or the Governor, if it be not in session, should apply to the President directly . . . for such aid" rather than simply issuing requests to Emory. In fact, Emory already had reminded Kellogg of this legal

\textsuperscript{34}New Orleans Times, April 16, 1873.

\textsuperscript{35}Taylor, Louisiana Reconstructed, 271-72.
procedure. Accordingly, Kellogg asked Grant to send troops to Shreveport, a center of Conservative strength in Caddo Parish.\footnote{Acting SW George M. Robeson to Sherman, April 19, 1873, in New Orleans Republican, April 20, 1873; Emory to Kellogg, April 19, 1873, in Dept Gulf, vol. 114/DSL, RG 393, NA; Kellogg to Ulysses S. Grant, April 25, 1873, in AGO File 4882-1872 (Microcopy M-666, reel 93), RG 94, NA.}

Replying for Grant, Secretary Robeson contradicted his earlier statement, informing Kellogg that Emory could move the troops in his department anywhere he wanted and that the governor should apply to Emory for military support. Therefore, Kellogg and Marshal Packard again petitioned Emory for troops. The general reluctantly ordered Captain William J. Lyster to take Companies G and I, 19th Infantry, to Shreveport and preserve the "peace and order of the community." Emory warned Lyster to "refrain from entanglements in the [local] political discussions" and, when time permitted, to contact department headquarters before furnishing troops as a posse for the U.S. marshal.\footnote{Robeson to Kellogg, May 5, 1873, in Dept Gulf, Letters Recd; Packard to Emory, May 1, 1873, ibid.; Kellogg to Emory, May 13, ibid.; Emory to AG, MilDivSouth, May 12, 1873, in Dept Gulf, vol. 139/DSL; AG E. R. Platt to Capt. W. J. Lyster, May 13, 1873, in Dept Gulf, vol. 114/DSL; all in RG 393, NA. Shreveport Times, May 17 and 19, 1873.}

Cautious as Emory was about providing troops to assist U.S. marshals, Emory was not reluctant to send troops into New Orleans when violence threatened. He learned that a potentially violent mob of McEnery's supporters was parading in the streets. Responding to Emory's orders, four companies promptly marched into New Orleans. When the Democrats heard that the soldiers were on their way, the "pillage and disorder" ceased and the mob dispersed.\footnote{Kellogg to Emory, May 6, 1873, in Dept Gulf, Letters Recd; AG Platt to Col. C. H. Smith, May 6, 1873, in Dept Gulf, vol. 114/DSL;
Meanwhile, a more serious crisis was developing in St. Martin Parish. Former Confederate Colonel Alcibiades DeBlanc had been encouraging local Democrats to refuse to pay their state taxes. Moreover, he had organized a local militia outfit which had been intimidating Republicans and preventing them from exercising the duties of their elected offices. On May 4 Kellogg dispatched Algernon Badger and 125 state militiamen to St. Martinville to seat the Republicans and collect the taxes. After they arrived near the town, Badger's men exchanged gunshots with DeBlanc's forces, and reports of the fighting were exaggerated by the Democratic press. Assuming that the tardy taxpayers might have violated some Federal laws, Marshal Packard asked Emory for a company of U.S. soldiers to assist him in making arrests in the rebellious parish. At first Emory was unwilling to send in his troops without permission from higher authority, but on second thought he ordered Colonel Charles Smith and Company H, 19th Infantry, to St. Martinville.\(^{39}\)

After traveling by rail to Brashear City, the troops were delayed there by uncooperative steamboat captains who refused to take them on to "the seat of war." Packard offered to loan the Army some horses so that the infantrymen could ride to St. Martinville, but Emory declined to

\(^{39}\)Emory to AAG Taylor, MilDivSouth, May 6, 1873, in Dept Gulf, vol. 139/DSL; Packard to Emory, May 6, 1873, in Dept Gulf, Letters Recd; AG Platt to Col. C. H. Smith, May 6, 1873, in Dept Gulf, vol. 114/DSL; all in RG 393, NA. Post Returns, Jackson Barracks, May 1873, Records of the AGO (Microcopy M-617, reel 524), RG 94, NA. New Orleans Republican, May 7, 1873; New Iberia Louisiana Sugar Bowl, May 8, 1873; New Orleans Times, May 5 and 6, 1873.
offer. Meanwhile, Smith and his men were stranded for a few days in Brashear. 40

Evidently the violence in St. Martin and the complaints of Republicans from several parts of the state finally convinced Emory that the whole Louisiana situation was more dangerous than he had realized before. He wrote a grim description of circumstances to General Sherman:

> In my judgement a Regiment or half regiment of Infantry, and if possible a squadron of Cavalry, in addition to the present force is necessary to keep the peace in this city and state, and prevent actual violence . . . which is threatened in nearly every Parish of the state.41

To guard against another violent demonstration in New Orleans, Emory strengthened the Crescent City's garrison. On May 8 two more infantry companies moved into the city, and Emory ordered two additional artillery companies from Fort Barrancas to his Louisiana headquarters. Finally, he warned General McDowell at Louisville that a "general insurrection" was possible in Louisiana unless more troops were ordered to the Department of the Gulf. McDowell replied that he had no extra cavalry available but that he would send additional infantry if Emory's need for it became evident. 42 Emory wanted reinforcements from McDowell, but already the troop movements in and around Louisiana presaged a major military campaign.

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40 Emory to AAG Taylor, May 7, 1873, in Dept Gulf, vol. 139/DSL; AG Platt to Packard, May 8, 1873, in Dept Gulf, vol. 114/DSL, both in RG 393, NA. New Iberia Louisiana Sugar Bowl, May 8, 1873; New Orleans Republican, May 8, 1873; New Orleans Times, May 8, 1873.

41 Emory to Sherman, May 8, 1873 (capitalization in the original), in Dept Gulf, vol. 139/DSL, RG 393, NA.

42 Emory to AG Taylor, May 8, 1873, ibid. Post Returns, Jackson Barracks, May 1873, Records of the AGO (Microcopy M-617, reel 524); McDowell to Emory, May 9, 1873, in AGO File 4882-1872 (Microcopy M-666, reel 93); both in RG 94, NA.
Lack of transportation still delayed Smith’s lone company at Brashear, and Emory feared that it might be too weak to protect itself in the event of an attack. Therefore, he ordered three other companies to join Smith and advised him to march overland to St. Martinville after the reinforcements arrived. Emory correctly believed that the Democrats would not attack a contingent of four companies.  

Finally, on May 10 Colonel Smith hired a steamer to transport his soldiers up Bayou Teche, but they arrived too late to participate in the fighting, which actually had involved only occasional skirmishing. Learning that the troops were approaching, the white "militia" dispersed; and Badger and his Metropolitans arrested the feisty DeBlanc, who later boasted that if the Federals had not arrived, the Metropolitans "would have been driven from the parish of St. Martin."  

U.S. Marshal T. W. DeKlyne took custody of DeBlanc and eight of his lieutenants and returned with them to New Orleans. When DeBlanc stepped off of the steamboat at the New Orleans riverfront, a sympathetic crowd, led by John McEnery, accorded him "a hero’s welcome."  

Despite the fact that the Army had been used on several occasions to suppress Louisiana Democrats, the Rayville Richland Beacon reported

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43 Emory to Col. C. H. Smith, May 9, 1873 (two communications), in Dept Gulf, vol. 139/DSL, RG 393, NA; Emory to AAG Taylor, May 9, 1873, ibid.; Post Returns, Jackson Barracks, May 1873, Records of the AGO (Microcopy M-617, reel 524), RG 94, NA; New Orleans Times, May 10, 1873.  

44 Emory to AAG, MilDivSouth, May 10, 1873, in Dept Gulf, vol. 139/DSL, RG 393, NA; Alcibiades DeBlanc to John McEnery, May 14, 1873, in Lafayette Advertiser, May 24, 1873; New Iberia Louisiana Sugar Bowl, May 15, 1873.  

that DeBlanc's arrest had not shaken "the firm resolve of the people to resist the Kellogg usurpation." Moreover, the Beacon denied that the McEnery government was moribund. In fact, the Beacon boldly issued a warning to Emory and Kellogg: "Only those of our citizens around whom the Federal bayonets are stacked can be subjugated . . . , and it is to be hoped that before the military have succeeded in capturing the entire State, the tide may yet be turned and our people restored to liberty."  

The restoration of order in St. Martin pleased Kellogg, but he had little time to feel satisfied. Soon violence threatened to erupt in other parts of Louisiana, especially in the northern parishes. The governor admitted to President Grant that domestic violence existed in "several parishes of this state which the State authorities are unable to suppress. . . ." Federal troops were needed to protect Republican officeholders, he insisted. State Auditor Charles Clinton expressed the feelings of many Republicans when he exclaimed that it was "impossible to collect taxes or for any officer of the State to perform his duties." Two Republicans at Minden in Webster Parish begged Kellogg to obtain U.S. troops to unseat McEnery officials who had usurped some local offices. Dutifully, Kellogg asked Emory to send some soldiers to Minden, and the general replied that they would be sent as soon as the U.S. marshal requested them through proper channels. Packard soon applied for military aid, and apparently Kellogg's officials were reinstated by the military.

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46 Rayville Richland Beacon, May 17, 1873.

47 Kellogg to Grant, May 13, 1873, in Letters Recd by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 6), RG 60, NARA; R. B. Taylor to Kellogg, May 13, 1873, ibid.; T. E. Heath to Kellogg, May ?, 1873, ibid.; Packard to U.S. Attorney General George Williams, May 31,
Kellogg also complained that Democrats had threatened or intimidated several state judges and that squads of soldiers might be needed to guard courtrooms across the state. Officials were particularly having a difficult time in Grant Parish. J. Ernest Breda, district attorney for the Ninth Judicial District, reported that local citizens had resisted the Republican sheriff when he tried to serve arrest warrants. Breda informed U.S. District Attorney John R. Beckwith that it was "useless for the State Court in this Dist. to attempt anything towards . . . [those accused of participating in the Colfax riot,] for it would only lead to trouble & bloodshed." Moreover, Breda believed that the rioters would never be brought to trial "in Grant [Parish] without the military" guarding the courthouse. Breda based his conclusion on the fact that seventy-five armed men had ridden into Colfax and "openly & violently threatened to break up the court if any thing was done against" the accused rioters. Furthermore, unknown assailants had fired on a parish judge near his home. These acts occurred while "U.S. troops were at Pineville 30 miles from Colfax, & with the greatest facility could have been on hand. . . ." 48

Angered by the Army's inactivity and Kellogg's refusal to send a strong militia detachment, Breda left Colfax and returned to his office at Natchitoches. Obviously disappointed by the Army's inadequate

1873, ibid.; Charles Clinton to Kellogg, May 16, 1873, ibid. (reel 1). Kellogg to Emory, May 22, 1873, in Dept Gulf, Letters Recd; Emory to Kellogg, May 22, 1873, in Dept Gulf, vol. 114/DSL, both in RG 393, NA.

48 Kellogg to Williams, May 20, 1873, in Letters Recd by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 6), RG 60, NA. J. Ernest Breda to J. R. Beckwith, August 11, 1873, in J. Ernest Breda Letters, Tulane Archives, Howard-Tilton Memorial Library, Tulane University; Breda to Williams, August 11, 1873, ibid.
protection, Breda asked Attorney General Williams "what is to be done by those who have only a Kellogg Commission for authority & no U.S. troops to protect them[?]" Breda asked Marshal Packard to station "men among us who will not remain idle in Pineville or elsewhere, when Danger of murder & bloodshed is threatening in all directions but there." Breda concluded that "[n]o courts can be held in Colfax without military aid." 49

Breda's complaints highlighted the quandary facing many Republicans in Louisiana and elsewhere in the South during the Reconstruction period: just how effective was their government without the direct aid of the Army? Breda's examples effectively demonstrated that when local whites wanted to intimidate Republicans or violate their rights, they would do so with impunity even with soldiers located only a few miles away.

Responding to the advice of Attorney General Williams and other advisors, on May 22 President Grant felt constrained to issue an executive proclamation regarding Louisiana's troubled condition. Grant commanded the "turbulent and disorderly persons" who were challenging Kellogg's government "to disperse and return peaceably to their respective abodes within twenty days from this date. . . ." Although this was hardly a drastic ultimatum, the President warned the "disorderly persons" that Kellogg had properly applied for the Army's support under Article IV, section 4 of the Constitution; and that in the event of further disorders and violence, the military would intervene. 50

49Breda to Williams, August 11, 1873, ibid.; Breda to Packard, August 11, 1873, ibid.

50Grant's Presidential Proclamation, May 22, 1873, in Richardson,
A few days later Emory reported that Grant's proclamation had produced the desired "tranquilizing effect" on New Orleans, and that he was probably going to return the troops to Jackson Barracks soon. However, he did not "think it advisable to move . . . [the] companies" located in Shreveport, Alexandria, St. Martinville, or Monroe. Those soldiers were "having an excellent effect in giving peace and a feeling of security in the neighborhoods where [they were] stationed, . . . [and] they should remain where they are until the disturbances in this state have entirely disappeared." However, Emory advised the Military Division of the South that because of the prediction of a bad yellow fever season, he planned to move his department's headquarters and several companies of troops out of Louisiana sometime in July to a more healthy location in Mississippi. 51

On July 2 Emory began shifting the troops out of Louisiana, moving some that he had earlier recommended be left in place. Emory ordered Captain Hale at Monroe to return to Jackson, Mississippi, because of the "unhealthy character" of the summer season. However, Emory reminded Hale that he might have to reoccupy Monroe in the event of trouble there. On July 5 Emory ordered Companies A and L of the 1st Artillery back to their regular duty station at Fort Barrancas. On that same day the headquarters of the Department of the Gulf and Companies B, F, and H, 19th Infantry prepared to leave Jackson Barracks. Their destination was the town of Mississippi City, located on the Gulf coast near Biloxi.

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51Emory to AAG, MilDivSouth, June 9 and 12, 1873, in Dept Gulf, vol. 114/DSL, RG 393, NA.
Emory directed the Jackson Barracks commander to leave six enlisted men as watchmen while the regimental forces were gone for the summer.

This corporal's guard was ordered not to make any improvements or repairs on the barracks buildings during the summer without orders from headquarters because a slaughterhouse had recently been built near the post and "when the wind is from the east, the stench from their establishments is overpowering." Perhaps the Jackson Barracks garrison would be relocated when they returned from Mississippi in the fall. On July 10 Emory and his troops left by train for the "summer encampment."

Emory apparently anticipated that his withdrawal of some of his forces from Louisiana would be thought reckless. He defended his action to General McDowell, writing that the "chief agitators" who had inspired most of the "political disturbances in both city and state" had also left Louisiana. Emory anticipated "no disturbances whatever either in city or country until along in the fall as the time approaches for the meeting of Congress, when . . . [agitators may try] to influence the action of that body." Meanwhile, he left the following troops in Louisiana: one company in New Orleans, one company at St. Martinville, two companies at Alexandria, two companies at Shreveport, and one company at Baton Rouge. Emory planned to visit his family in New York during the summer, but he promised to "return at a moments warning" if any trouble developed in the department.

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52 SO No. 109, July 5, 1873, Dept Gulf, SO; AAG Platt to CO, Monroe, July 2, 1873, in Dept Gulf, vol. 114/DSL; Platt to CO, Jackson Barracks, July 5, 1873, ibid.; Emory to W. T. Sherman, July 7, 1873, ibid.; all in RG 393, NA.

53 Post Returns, Jackson Barracks, July 1873, in Records of the AGO (Microcopy M-617, reel 524), RG 94, NA; Emory to AAG, MilDivSouth, July 11, 1873, in Dept Gulf, vol. 114/DSL, RG 393, NA.
Finishing the disposition of his forces before he went on leave, on July 24 Emory relocated the departmental headquarters staff, aides, and clerks to the town of Holly Springs in northern Mississippi, near the Tennessee border. The Jackson Barracks garrison remained in Mississippi City on the coast. (Emory gave no explanation of this change in his headquarters location, but of course as commander of the department he was free to locate it anywhere he thought best.) On August 11 Emory left Mississippi to visit his family in New York.  

While in the North, Emory consulted with his superiors in Washington. The New York Herald reported that Emory recommended to the War Department that most of the troops in Louisiana be "removed to the more congenial fields of the [Western] border where they can attend to the red devils who . . . are uneasy along the [frontier] line . . . ." The Herald concluded that Americans (and particularly Southerners) were tired of being "blinded by the flashing of bayonets in our streets, startled by the rumble of Gatlin [sic] guns, and the trump, tramp, of the regulars." The editor of the Lafayette Advertiser printed the Herald's editorial with a note of approval.

On returning from his leave on September 7 Emory learned that 1873's yellow fever season was worse than usual. Eventually the number of deaths due to the disease exceeded the total reported in the epidemic of 1870. Consequently, Emory believed that his idea of a "summer encampment" on the healthier ground in Mississippi had saved the lives of some of his soldiers. However, once back in the Gulf Department,

54Emory to AAG, MilDivSouth, July 22 and August 11, 1873, in Dept Gulf, vol. 114/DSL, RG 393, NA.

55Lafayette Advertiser, September 13, 1873.
Emory had to put aside thoughts of the danger of disease and concentrate on the use of his troops.  

During September Marshal Packard made two requests for military aid. His deputies needed the Army's assistance (actually, its protection) while arresting men accused of Federal crimes. Acting in response to one of Packard's requests, Emory ordered Lieutenant Thomas B. Robinson to take a detachment of twenty men from Baton Rouge to Harrisonburg in Catahoula Parish. On September 21 Company B, 16th Infantry, Captain Arthur W. Allyn commanding, was sent to the town of Delta, Louisiana, near Vicksburg, Mississippi. Allyn assisted a deputy U.S. marshal until October 3, but Robinson's detachment remained in Harrisonburg for several months.

In October Packard again requested the Army's help. Two deputy marshals, T. W. DeKlyne and J. B. Stockton, had been assigned to the Colfax riot case, and they had drawn up a list of several men who allegedly had participated in the fight. Packard wanted a military posse to accompany DeKlyne and Stockton into Grant Parish. Previously, Emory had been reluctant to send soldiers into Grant Parish, apparently fearing that if violence occurred they might be caught between the fires of local Democrats and the Federal marshals. Nevertheless, Emory

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56Emory to AAG, MilDivSouth, September 7, 1873, in Dept Gulf, vol. 114/DSL, RG 393, NA. New Orleans Republican, December 1, 1872; Shreveport Times, September 1-November 1, 1873. Taylor, Louisiana Reconstructed, 433.

57Emory to Packard, September 11, 1873, in Dept Gulf, vol. 114/DSL; AAG Platt to CO, Baton Rouge, September 12, 1873, ibid.; Emory to Lt. Gov. C. C. Antoine, September 20, 1873, in Dept Gulf, vol. 139/DSL; Platt to CO, Jackson, Miss., September 20, 1873, ibid.; Platt to CO, Delta, October 3, 1873, in Dept Gulf, vol. 140/DSL; Dept Gulf "Journal of Events," pp. 23-24; all in RG 393, NA.
acceded to Packard's request, ordering Company C, 19th Infantry, to Colfax. Six of the accused men surrendered peaceably to the marshals and their military escorts. The six men, along with three others, later stood trial in New Orleans. 58

Unlike Marshal Packard, General McDowell in Louisville seldom made specific requests for Emory's troops. But after some political difficulties took place in Corinth, Mississippi, McDowell asked Emory to station some of his men from Mississippi City in the northern part of the state. However, Emory reminded McDowell that these soldiers were actually part of the New Orleans garrison, and at any moment they might be needed in the Crescent City. Therefore, Emory recommended that McDowell use troops from elsewhere in the division, and eventually some from Alabama were transferred into Mississippi. 59

Emory made this unusual recommendation because he knew that the troops under his command, particularly the 19th Infantry, had been "actively used during the year," and he indicated that perhaps it was time for McDowell to consider exchanging the regiments in the Department of the Gulf with those stationed elsewhere. "The duty which the Army is called upon to perform in this Department is of such a character and so

58 Emory to AGO, September 17, 1873, in Dept Gulf, vol. 114/DSL, RG 393, NA. Shreveport Times, November 2, 1873. In February 1874 nine men were brought to trial on murder charges stemming from the Colfax riot. One was acquitted, and after a mistrial, the others stood trial again in May 1874. Four more were then acquitted and four convicted of conspiracy against a peaceful assemblage. Their lawyers appealed the case to the Federal Circuit Court of Appeals and then later to the U.S. Supreme Court, which, in 1876, nullified the convictions. See the explanations in Taylor, Louisiana Reconstructed, 272-73, and John Hope Franklin, Reconstruction after the Civil War (Chicago, 1961), 206-208.

59 Emory to AAG, MilDivSouth, October 1, 1873, in Dept Gulf, vol. 114/DSL, RG 393, NA.
closely interwoven with political matters that it has been not only a very delicate one but embarrassing to those charged with its execution," wrote Emory with some disgust. He continued: "Without any power to correct abuses or originate measures . . . [the Army has been] called upon to sustain the law and keep the peace, against machinations skillfully devised by adroit men to perpetuate fraud and foment violence." Furthermore, Emory implied that service against the Plains Indians was better and more honorable than trying to prevent "conflicts between armed bodies of men, both claiming to be acting by authority of the Executive of Louisiana. . . ." McDowell agreed to consider Emory's suggestion about transferring some of his troops.60

Emory did not know how soon McDowell might act on his request, but until then he made several decisions concerning the disposition of troops in Louisiana. First of all, on October 29 Emory decided to return to New Orleans, and his headquarters staff followed him a few days later. On November 18 the troops at Mississippi City boarded a train and six hours later arrived in New Orleans and prepared to resume their places at Jackson Barracks. One hundred and twenty recruits arrived in New Orleans for duty in the Department of the Gulf. Emory kept some of the recruits at Jackson Barracks and distributed the rest among the posts at St. Martinville, Baton Rouge, Colfax, and Shreveport. The arrival of these recruits brought the total number of troops in Louisiana to 643 serving in ten companies.61

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60 Emory's Departmental Report, September 25, 1873, in Records of the AGO, Annual Reports (Microcopy M-666, reel 138), RG 94, NA.

61 AAG Sanders to Emory, October 26, 1873, in Dept Gulf, vol. 140/DSL; Emory to AGO, October 29, 1873, in Dept Gulf, vol. 114/DSL; AAG Platt to CO, Mississippi City, November 5, 1873, [ibid.]; Platt to CO,
In another decision regarding troop assignments, Emory ordered the closing of the post at Alexandria and moved Company C, 19th Infantry, to Colfax. Company D, which had also been at Alexandria, was ordered to return to Baton Rouge. Judging from some of the reports from Grant Parish, Emory might have been better advised to station both companies at Colfax. The Rapides Gazette described "a perfect reign of terror" in Grant Parish, where self-appointed white militiamen patrolled the roads. Despite the reassignment of the troops to Colfax, local Democrats apparently entertained no thoughts of reducing their anti-Republican activities. In a letter filled with tortured spelling, J. M. McKinney, a local Democratic leader, informed his brother that it was "very common to here [sic] of a negro being shot or found hanging here[.]" McKinney indicated that the Democrats were thinking of "taking the law in ower [our] own hands . . . and the sooner the better." McKinney's feelings apparently typified those of many white Conservatives in Louisiana. 62

With the support of men like McKinney, "Governor" McEnery was preparing to make another attempt at achieving recognition for his government. The Democrats planned to hold a legislative session on January 5, 1874, and McEnery wanted to know if Emory would prevent the meeting or aid the Metropolitans if they acted to disperse the

Jackson Barracks, December 18, 1873, ibid.; Monthly Return, Dept Gulf, October 1873; all in RG 393, NA. Post Returns, Jackson Barracks, November 1873, in Records of the AGO (Microcopy M-617, reel 524), RG 94, NA.

Democrats? McEnery stressed that he and his followers wanted no conflict with Federal authorities.

Emory replied that the Army would not interfere with the Democratic legislature, so long as its meeting was peaceful. However, Emory reminded McEnery that Kellogg was the recognized governor of Louisiana; and in the event of any violence, U.S. forces would support Kellogg. Keeping Emory's warning in mind, McEnery completed his plans for the meeting on January 5.

Emory realized that 1874 would be another potentially dangerous year. General McDowell also anticipated trouble. He told a committee of Congress that "Louisiana is in a very disturbed condition. It was so last year and is so still, and I fear it is likely to remain so for some time to come. . . ."64

63McEnery to Emory, December 25, 1873, in AGO File 4882-1872 (Microcopy M-666, reel 93), RG 94, NA; Emory to McEnery, December 26, 1873, in Dept Gulf, vol. 114/DSL, RG 393, NA.

64Testimony of General Irvin McDowell before a congressional committee, concerning the reduction of the military establishment, January 24, 1874, in House Report, 43 Cong., 1 Sess., No. 384, p. 257.
CHAPTER XIII
"THE DAY OF DELIVERANCE IS DRAWING NIGH"

In January 1874 General Emory confronted a familiar and dangerous problem: the rival Republican and Democratic legislatures were slated to convene on January 5. Emory had to decide whether to station troops in New Orleans for the occasion as he had done the previous year. However, the turn of political events saved Emory from having to make the thankless decision.

By January 5 the Democratic legislature no longer presented a challenge to the official state legislature. Emory probably learned from his sources in the city that some of the Democrats had dropped their claims to house or senate seats, and that others, recognized as officially elected by the Republican Returning Board, would be allowed to take their seats if they came to the State House. Consequently, McEnery's Fusionist-Democratic alliance was unable to muster a quorum in either house of their shadow government. Emory apparently decided that he did not need to order a show of military might such as the one which had overawed the two political factions in January 1873.

On January 5 the two legislatures met as scheduled. The Republicans and a few maverick Democrats assembled at the capitol, and a quorum was present in each house. In contrast, the McEnery Democrats gathered in their leader's private offices at No. 35 Corondelet Street, but they lacked a quorum in both houses. In fact, several of the men
who crowded into McEnery's offices were simply some of the "governor's" supporters who had attached themselves to his "legislature." Trying to put a brave front on the meeting, the New Orleans Times regarded the lack of a quorum as "immaterial" and concluded that the McEnery camp was fulfilling its "chief object," offering "a continued resistance to the existing state government."^1

But McEnery knew that the meeting had been a failure. Consequently, the Democrats and Fusionists who had been officially elected went to the State House and took their seats the next day. On January 9 the McEnery caucus passed a resolution excusing the remaining "legislators" from "the seat of government . . . until such time as the Legislature shall not be prevented by Federal authority from proceeding with its legitimate business." Thereupon the McEnery legislature adjourned, losing any claims it had to legitimacy.2

Outside of New Orleans, Louisiana was unusually calm, but Emory feared that any reduction in the number of troops in the state might encourage acts of violence by the Democrats. Emory advised General McDowell in Louisville that "no post [in Louisiana] . . . can be weakened or broken up without injury to the order and good government of the vicinity [in which the troops are located]." In essence, Emory was expressing concern over Kellogg's capability to govern areas of the

^1 New Orleans Times, January 1-6, 1874; New Orleans Daily Picayune, January 1-6, 1874. There were no orders for troop movements in the Dept Gulf records or in the "remarks" section on the Post Returns for Jackson Barracks.

^2 New Orleans Times, January 7 and 10, 1874.
state that were not within easy reach of either the Army or the Metropolitans. 3

McDowell agreed with Emory's judgment, but as commander of a military division comprising several states, McDowell was subject to a variety of political pressures and at times had to overrule the opinions of his department commanders.

A case in point was McDowell's belief that an Army detachment was needed at Corinth, Mississippi, in Emory's department. Local Republicans wanted some soldiers stationed at Corinth to overawe the Democrats in the area, but Emory did not want to detach troops from Louisiana or to weaken the garrison at Jackson, Mississippi. Eventually, however, Emory sent Company I, 16th Infantry, from Jackson Barracks (near New Orleans) to Corinth. Knowing that it was important to keep the Jackson Barracks contingent strong, Emory ordered Company G, 19th Infantry, to leave its post near Shreveport and join the capital's garrison. 4

Reshuffling these troops appeared to have no ill effects on north Louisiana, and, with only one exception, there were no outbreaks of violence in the state during the early months of 1874. Emory's concern about weakening the Army's posts seemed unjustified. When a series of fights occurred between blacks and whites in Terrebonne Parish in

3William H. Emory to AAG, MilDivSouth, January 2, 1874, in Dept Gulf, vol. 115/DSL, RG 393, NA. See also Joe Gray Taylor, "New Orleans and Reconstruction," Louisiana History, 9X (Summer, 1968), 204.

4AAG E. R. Platt to CO, Company I, 16th Infantry, January 14, 1874, in Dept Gulf, vol. 115/DSL; Platt to CO, Greenwood, January 14, 1874, in Dept Gulf, vol. 140/DSL; RG 393, NA. Once the area around Corinth had been pacified, Company I was ordered to Little Rock, Arkansas, due to the likelihood of trouble there. As a result, Emory lost one company of troops from the total Louisiana garrison.
January, Emory considered sending Federal troops to the scene, but
U.S. Marshal T. W. DeKlyne, assisted by Governor Kellogg's Metropolitans,
quieted the disturbance easily.  

Subsequently, in contrast to his earlier misgivings about altering
troop dispositions, Emory decided to close the post at Shreveport and
contemplated abandoning the post at Harrisonburg in Catahoula Parish.
Company I, 19th Infantry, left Greenwood (near Shreveport) and joined
the garrison at Baton Rouge Barracks. However, Marshal DeKlyne
requested that the detachment of eleven soldiers remain in Harrisonburg
until the U.S. attorney arranged for the trial of "certain armed
parties" who had been arrested earlier. Emory acceded to the marshal's
request.  

Although Louisiana was unusually peaceful, Emory had to contend
with an outbreak of violence between Republican factions in Arkansas,
the third state in his department. For the most part, there had been
little violence associated with Reconstruction in Arkansas, and there­
fore garrisoning the state had not been a demanding task. However, in
the 1872 state election two Republicans, Joseph Brooks and Elisha
Baxter, both claimed to have been elected governor. Baxter and some of
his supporters had occupied the Arkansas capitol in Little Rock and
appeared to have established claim to the executive office, but in April

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\textsuperscript{5}New Orleans Times, January 14-16, and 20, 1874; Emory to
Charles D. Leverich, January 14, 1874, in Dept Gulf, vol. 140/DSL; RG 393, NA.
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\textsuperscript{6}AAG Platt to CO, Greenwood, March 16, 1874, in Dept Gulf, vol.
115/DSL; Platt to T. W. DeKlyne, March 30, 1874, ibid.; Platt to CO,
Greenwood, March 19, 1874, in Dept Gulf, vol. 140/DSL; Platt to CO,
Baton Rouge, March 17, 1874, ibid.; RG 393, NA.
1874 fighting broke out between the militias of the two governors, initiating the so-called "Brooks-Baxter War."\(^7\)

On April 15 Brooks, aided by some of his militiamen, ousted Baxter from the capitol. If past experience in Louisiana was any guide, it appeared logical that the Army would intervene, prevent a battle between the factions, and either reinstate Baxter or keep the peace until the authorities in Washington decided whom to recognize. However, President Grant was reluctant to choose sides immediately between the two contestants. He directed Secretary of War Belknap to order the commanding officer at Little Rock, Captain Thomas Rose, "to take no part in the political controversy . . . unless it should be necessary to prevent bloodshed or collision of armed bodies." Meanwhile, the President would watch hew the Arkansas situation developed before issuing any specific orders. Apparently, no one (the President, Secretary of War, Adjutant General Townsend, or General McDowell) ordered Emory to go to Little Rock.\(^8\)

Nor did Emory decide to go to Arkansas on his own initiative. Instead, he ordered Captain Rose "to observe the strictest neutrality in regard to the question of the State Government," and sent Lieutenant Colonel William H. Lewis of the 19th Infantry to Little Rock, with orders to investigate the situation and "assume temporary command" if he believed it was necessary to replace Rose. (But when the colonel


\(^8\)[Grant's personal secretary] Orville Babcock to W. W. Belknap, April 16, 1874, in Grant Papers (Manuscript Division, Library of Congress).
arrived he did not wish to become involved and left Rose in charge.) Emory did not send any reinforcements to Little Rock because Rose considered his force "sufficient to keep the peace." 9

During the next few days, however, Rose found out that his two infantry companies were not adequate to prevent civil disorder. Initially, Rose moved his troops from their barracks to important locations in Little Rock. Later he learned that Brooks' men had been reading all incoming and outgoing telegrams. Consequently, President Grant ordered Rose to "see that all official dispatches of the government . . . [were] transmitted without molestation . . . ." Rose sent a squad of soldiers to occupy the telegraph office. However, despite all that Rose had done to forestall violence, on April 21 a brief fight occurred between supporters of Brooks and those of Baxter. 10

The longer the crisis lasted the more complicated it became, especially to Emory, because Rose neglected to send reports of his activities to New Orleans. Emory obtained his information second hand from Adjutant General Townsend or from the New Orleans newspapers. On April 22 a company of the 16th Infantry arrived in Little Rock from Humbolt, Tennessee. These reinforcements had been sent by General McDowell, but General Emory also offered to send additional troops to Rose. Despite the arrival of the reinforcements and the

9Emory to AAG, MilDivSouth, April 16, 1874, in Dept Gulf, vol. 115/DSL; Emory to AGO, April 16, 1874, in Dept Gulf, vol. 140/DSL; RG 393, NA.

10Little Rock Arkansas Gazette, April 17, 18, 21, 1874; Grant to Capt. Thomas Rose, April 18, 1874, ibid., April 24, 1874.
promise of others, Rose was unable to prevent additional clashes between the rival Arkansas militias on April 30 and May 7.\footnote{Emory to AGO, April 20 and 22, 1874, in Dept Gulf, vol. 140/DSL, RG 393, NA; New Orleans Daily Picayune, April 19, 23, 30, 1874; Singletary, Negro Militia, 54-64.}

On May 11 Captain Rose disregarded the normal chain of command, bypassed Emory's headquarters, and directly telegraphed the War Department, asking for reinforcements. Upon reading Rose's request, General William T. Sherman scribbled a note on the flap of the captain's telegram:

\begin{quote}
I have seen no orders of any kind relieving him [Rose] from the supervision of his Department Commander and until he recognizes him I have not one word to say, Except [sic] that in my judgment it is time for General Emory to go in person to Little Rock and exercise command in his own Department, or be relieved.\footnote{Sherman's comment written on Thomas Rose to AG E. D. Townsend, May 11, 1874, quoted in James E. Sefton, The United States Army and Reconstruction, 1865-1877 (Baton Rouge, 1967), 238.}
\end{quote}

Emory probably never learned of Sherman's critical comment on his leadership, the first official indication that his military superiors were not satisfied with his conduct.

On May 15 President Grant resolved the Arkansas dispute, recognizing Baxter's claim to the governorship and demanding that armed supporters of both men disperse. Within a few days the rival militias disbanded, and Baxter reoccupied the State House.\footnote{Singletary, Negro Militia, 64-65; Sefton, Army and Reconstruction, 237-38.}

What had kept Emory in New Orleans during the height of the Brooks-Baxter controversy? First of all, the rivalry between the Republican claimants in Arkansas had been going on since 1872 and...
previously had involved little more than verbal jousting. The outbreak of hostilities had surprised everyone except Brooks and his associates, who had planned the coup. Apparently, Emory hoped that, if left alone, the Republican politicians would resolve the conflict themselves, but Brooks and Baxter did not reach an accommodation. Furthermore, except for General Sherman's derogatory comment, it appeared that no one in the War Department ever suggested that Emory should go to Arkansas if he was not faced with some overriding crisis in Louisiana.

But during April heavy rains caused some of the worst flooding in Louisiana history, and the state's rivers and bayous were overflowing. The high water obstructed travel by road or railroad from New Orleans to Little Rock. Therefore, it was a four-day trip by steamboat to the Arkansas capital. Emory remained in New Orleans, making plans with civilian officials to distribute food and other supplies to persons dislocated by the floods. Nevertheless, Emory failed to explain fully these circumstances which he evidently considered were important enough to hold him in New Orleans.

Moreover, Rose did not help the situation by communicating infrequently with Emory, who, as the crisis wore on, seemed satisfied to let Rose fend for himself. Fortunately, the President stepped in and resolved the matter, saving Rose from an embarrassing and dangerous situation. Had Grant not acted, and judging from Sherman's displeasure, Emory might have been relieved of his command. Meanwhile, Louisiana

14 New Orleans Times, April-May, 1874. Platt to CO, Jackson Barracks, April 21, 1874, in Dept Gulf, vol. 115/DSL, RG 393, NA; Emory to AGO, April 28, 1874, ibid.; New Orleans Daily Picayune, May 2, 1874.
Democrats began to organize forces which were definitely Emory's responsibility.

On April 27, 1874, several prominent St. Landry Parish Democrats met in Opelousas and formed Louisiana's first White League, an organization designed to intimidate Negroes and Republicans and pledged to use force if necessary to remove Radical officials. Emboldened by the fact that only a few of the Colfax rioters had been arrested and prosecuted, Conservative leaders throughout Louisiana believed that the concerted use of violence against Republican parish officeholders would cripple Kellogg's state government. During 1874 Democrats in the neighboring state of Mississippi were successfully carrying out just such a campaign, and the example was not lost on McEnery's supporters. A newly founded Conservative newspaper, the Alexandria Caucasian, trumpeted a warning to Republicans: "we [the Democrats], having grown weary of the tame submission to this most desolating war of the negro [sic] upon us, propose to take a bold stand to assert the dignity of our manhood, to say in tones of thunder . . . STOP! THIS FAR SHALT THOU GO, AND NO FURTHER!"15

This warning went unheeded by Emory, who, since his arrival in Louisiana, had often heard such Democratic remonstrances. In fact, the initial stirrings of the White League failed even to disturb Emory's plans to transfer most of the troops in Louisiana to the healthy

encampments in Mississippi during the upcoming yellow fever season, just as he had the year before. 16

While Emory concerned himself with these routine matters, Conservative leaders became more outspoken. On June 9, upon returning from a trip to Washington, D.C., John McEnery gave an impassioned speech to a crowd of about 700 persons in New Orleans, encouraging them to establish "an organization so strong that their votes will have to be counted, their candidates elected and seated . . . . You must fight for the white people now; the civilization of a thousand years is not to be swept away." McEnery concluded cryptically: "Gentlemen, I come back to you from Washington, not as a conqueror. I have brought you back nothing but hopes. You have 1874 to conquer in; in 1876 you are bound to succeed, for the Democrats will then hold the Federal government." 17

After McEnery stepped aside, E. John Ellis, a staunch Democrat and one of the local White League organizers, addressed the throng.

"Louisiana has suffered for all the Union, but in that suffering she has conquered. When the day of liberty comes, there will then be no blue coats to interfere with us." 18

Ellis' prediction appeared to come true almost immediately. In early June the War Department reassigned the 19th Infantry to the Indian frontier in Kansas. These orders removed from Emory's command a regiment that had more than four years of Reconstruction experience in

16 Emory to AAG, MilDivSouth, May 23, 1874, in Dept Gulf, vol. 115/DSL, RG 393, NA. The news of Emory's plan to remove the troops, which soon became public, might have unintentionally encouraged the growth of the White League.

17 New Orleans Daily Picayune, June 10, 1874.

18 Ibid.
Louisiana and Arkansas and whose officers were familiar with state politics and problems. On June 9, the same day that McEnery and Ellis were inspiring the Canal Street crowd with their oratory, Emory's adjutant ordered Colonel Charles H. Smith to prepare his regiment for the move to Fort Leavenworth.\textsuperscript{19}

News of the 19th Regiment's impending departure no doubt delighted the Democratic party's leaders, who had been busy recruiting White League forces throughout Louisiana. During May, June, and July independent White League companies were organized in at least eighteen parishes in Louisiana, including Orleans, Caddo, Rapides, Grant, Red River, Natchitoches, and Terrebonne, all of which had been locations of anti-Republican violence of one kind or another in past months. The New Orleans \textit{Picayune} explained that whites felt "threatened with a race conflict in this state. . . . Hence the organization of the White League leaders communicated with one another, they lacked a unified "high command" or state headquarters.\textsuperscript{20}

Despite the ominous activities of the White League, General Emory initially planned to close down most of the posts where units of the 19th Infantry had been stationed because their replacements, the men of the 3rd Infantry from Indian Territory and Kansas, were not scheduled to arrive in the Department of the Gulf until the fall. The posts at St. Martinville and Harrisonburg were closed, but Emory decided to station small garrisons at Baton Rouge and at Colfax, where he feared a

\textsuperscript{19}AAAG W. W. Sanders to Col. C. H. Smith, June 9, 1874, in Dept Gulf, vol. 115/DSL, RG 393, NA.

"war of races" might erupt again in Grant Parish. Therefore, the general reduced the garrison at Jackson, Mississippi, to only a caretaker squad and sent Company B, 16th Infantry, to Colfax and Company H of the same regiment to Baton Rouge. A small detachment (only nineteen men) was stationed at Jackson Barracks outside New Orleans. Emory concluded that there was little chance "of the possible renewal of political disturbances here [in New Orleans]...." 21

On June 18 and 19, all but one company (Company C) of the 19th Regiment boarded steamers transporting them from the bayou country to the Great Plains. Company C left Colfax on June 30. In an editorial, the New Orleans Times wished the 19th luck in their new assignment and proclaimed that there was supposedly a feeling of "universal regret at ... the departure of the gallant Nineteenth...." Notwithstanding "the gentlemanly and courteous manner of the officers and the uniform excellent behavior of the men" the Times recalled that "their blue clothes were perpetual reminders of their being the soldiers of a victorious army." Apparently, the principal regret expressed by the Times was the fact that the 19th was leaving simply "to make way for others...." 22

McEnery and the Democrats must have observed these military maneuvers with hopeful interest. The New Orleans Republican and the

21AAAG Sanders to CO, St. Martinville, June 9, 1874, in Dept Gulf, vol. 140/DSL; Sanders to CO, Jackson, Mississippi, June 9 and 12, 1874, ibid.; Emory to AAG, MilDivSouth, June 4 and 9, 1874, ibid.; Emory to AAG, MilDivSouth, June 25, 1874, in Dept Gulf, vol. 115/DSL; all in RG 393, NA.

22Emory to AAG, MilDivSouth, June 18, 1874, in Dept Gulf, vol. 140/DSL; Dept Gulf, Journal of Events, p. 28; both in RG 393, NA. New Orleans Times, June 14, 1874.
Times provided them with reliable reports. Particularly gratifying to them was the report in the Republican that "[s]even companies of the Third Infantry, which will relieve the Nineteenth, will encamp at Holly Springs, Mississippi, for the summer." The account was true—very few troops would be left in Louisiana during the summer.  

Following the departure of the 19th Regiment, the White League increased its activities. The New Orleans White League completed its organization during June, and the Picayune openly advocated military training and drills for a white militia brigade. "If we are refused the privilege of arming and mustering in the cause of our beloved State," the Picayune remarked, "it will be the best possible evidence that we ought to arm and muster some other way at the earliest possible moment." Accordingly, the New Orleans White League held public drills during the summer, but usually without weapons.  

Although the White League was becoming more active in New Orleans, Emory had no intention of preventing their drills and meetings, nor apparently did he believe that the League presented a threat to the peace of the state. Emory seemed to have no fears about the League's purposes, and he prepared to put his summer encampment policy into effect.  

On June 22 Emory and a few of his staff officers arrived at Holly Springs, Mississippi. While awaiting the arrival of the 3rd Infantry from Kansas, the general decided to leave the garrisons at Baton Rouge  

23 New Orleans Republican, June 17, 1874; New Orleans Times, June 18, 1874.  

24 Taylor, Louisiana Reconstructed, 283-84; Lonn, Reconstruction in Louisiana, 259; New Orleans Daily Picayune, June 21, 1874.
and Colfax for the summer. Including the detachment of nineteen men at Jackson Barracks, there were 130 officers and soldiers in Louisiana. General Sherman ordered Emory to hold the 3rd Regiment in Mississippi for several weeks, which coincided with Emory's summer encampment plan. This would allow the soldiers to acclimate themselves to the heat of the South and let the worst of the fever season pass.  

The threat of fever did not deter the White Leagues from mounting campaigns of intimidation against Republicans in several parishes. In late June and early July the Natchitoches League opened the campaign, threatening bodily injury to four members of the Natchitoches Parish police jury. Heeding the warning, the four men hastily resigned, and two state tax collectors packed up and left town along with them.  

In the following weeks, White Leagues in other parishes applied similar techniques against both Republican officeholders and Negroes, forcing out many officials and scaring blacks into a subservient role. The Opelousas Courier expressed the opinion, widely held by Conservatives, that the "object of the White League is to put the control of the state government into the hands of the white people of the state." For example, four prominent Republicans in Iberia Parish, fearing for their lives after being threatened by White Leaguers, escaped to the safe haven of New Orleans. Alcibiades DeBlanc and his White League company,  

25Post Returns, Jackson Barracks, June 1874, in Records of the AGO (Microcopy M-617, reel 524), RG 94, NA; Post Returns, Baton Rouge, June 1874, ibid. (reel 86). AAG Platt to Emory, June 22, 1874, in Dept Gulf, vol. 140/DSL; CO No. 18, June 22, 1874, in Dept Gulf, CO; Emory to ANC, MilDivSouth, June 27, 1874, in Dept Gulf, vol. 115/DSL; all in RG 393, NA.  

acting with impunity since the removal in June of the Army garrison from St. Martinville, forced several Republicans to leave St. Martin Parish. White Leagues intimidated and threatened the lives of Republicans in other parishes, including Bossier, Avoyelles, and Caddo. Armed riders disrupted a Republican meeting at Homer in Claiborne Parish, and other Leaguers threatened to kill Allen Green, an important Republican leader in Lincoln Parish. Many white Republicans moved to New Orleans, and a few left the state. The newspapers reported that several blacks had been lynched in the Red River parishes. 27

In most parishes the Conservative newspapers brazenly publicized their aims and objectives. In Shreveport, the Times supported the White League, promising a war "to the death upon carpetbaggers and scalawags. . . ." In Natchitoches the People's Vindicator printed an editorial proclaiming that "the hour is not far distant when actions without warrant of law in our State, even if they are backed by Federal bayonets, will meet with prompt and undying [sic] resistance." While the Democrats in DeSoto Parish prepared for the fall election campaign, a correspondent for the Picayune noticed that "a sentiment"—the desire for victory?—was "deeper, stronger and more determined than has been apparent for many years past on like occasions." The reporter concluded that there was "always a turning point in every tide—have we reached it now?" In other places, such as Coushatta in Red River Parish, the Conservatives held mass meetings and political candidates delivered

fiery speeches. All of this activity demonstrated that outside of New Orleans and the garrison towns of Baton Rouge and Colfax, Governor Kellogg's power was steadily eroding, and by the end of the summer the Republicans had no authority at all in some parishes. 28

Cognizant that Kellogg's government was losing power almost daily, the New Orleans Republican pleaded for calm and order and issued a warning to the White Leagues: 29

We recommend to all parties in Louisiana prudence and peace. We do not desire to see the tents of the Federal army pitched in our villages and their field pieces turned upon the public squares. . . . But we warn violent and intolerant men of all parties, our own included, . . . that if organized bodies of armed men shall confront each other . . . the armed occupation of the State will be a very probably consequence. Let all unite their counsels to avoid it.

However, the New Orleans Picayune did not agree with the Republican's words of caution. Instead, the Picayune mentioned an altercation which had taken place in Kentucky and applied its "lessons" to Louisiana: 30

Apparently our neighbors of Kentucky do not hold the average United States soldier in the breathless veneration he has excited here. When the Government troops went down to meddle in . . . Lancaster . . . the other evening, they were fired into with a promptness and cordiality quite instructive. . . . The most abject spectacle we can imagine is that of a regiment of able-bodied human beings crouching and whimpering before the effigy of the United States Army.

28 Shreveport Times, July 9 and August 14, 1874; Natchitoches People's Vindicator, July 4, 1874. The observations about DeSoto Parish are in New Orleans Daily Picayune, July 7, 1874. See also Taylor's comments about Kellogg's failing powers in Louisiana Reconstructed, 286.

29 New Orleans Republican, August 2, 1874.

30 New Orleans Daily Picayune, August 27, 1874.
Under these disconcerting circumstances, Republican leaders realized that only the Army was capable of restoring order, but the detachment of nineteen men at Jackson Barracks was an ineffective force, and the commanders at Baton Rouge and Colfax would not act without orders from department headquarters. Complicating matters further, General Emory had gone North (as he had the previous summer) to consult with his superiors in Washington and visit his family in New York. He did not intend to return until the fever season had ended.  

In Emory's absence, the senior officer at Holly Springs was Colonel DeLancey Floyd-Jones, commander of the 3rd Infantry which had recently arrived in Mississippi. A native of New York, Floyd-Jones was a West Point graduate (class of 1846) and a veteran of both the Mexican and Civil Wars. But he had no experience in dealing with Reconstruction, and he must have been horrified at the complexities of Southern politics.

In an effort to acquaint himself with the populace around Holly Springs, Floyd-Jones invited the residents of the area to the Army camp to listen to the regiment's "magnificent brass band." If the 3rd Regiment's band lived up to its reputation, the New Orleans Times knew of no reason why it would not replace "the splendid band of the 19th Infantry" which had marched "at the head of the splendid body guard of [Rex], his Majesty the King of Carnival" in the Mardi Gras parades.

31 Plutt to Emory, July 10, 1874, in Dept Gulf, vol. 140/DSL, RG 393, NA.

However, as the *Times* observed, New Orleans residents would have to wait to hear the band because Colonel Floyd-Jones was "acclimating the men" of his regiment at Holly Springs, "where they will in all probability remain for the next three months, when they will be assigned to the posts vacated by the Nineteenth Infantry." Therefore, until the 3rd Regiment finished its "acclimation," it was unavailable for duty in Louisiana.  

This arrangement was not helping the Republicans, and Kellogg and Packard both believed that several Louisiana parishes needed immediate military protection. They formally requested that more troops be sent to the state. Adjutant General E. R. Platt forwarded the Republican requests for troops to Emory and informed the Republican leaders "that troops can be sent as [you have] requested . . . only by the orders of the President of the United States." Platt referred the Republican's pleas "to the higher authorities."  

Without the Army's support, Kellogg's government was precipitously close to collapse. In several parishes the Democrats had taken control of local offices. By the end of August, about 14,000 men, many of them former Confederates, had been recruited into the various White League companies in Louisiana. White League leader John Ellis informed his brother that the Democrats would be "in control of the Gov't within six months. N[ew] O[rleons] is full of Carpetbaggers from the Country and . . . Kellogg & Packard [are] . . . alarmed. . . ." Ellis claimed to

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33 *New Orleans Times*, July 12 and 14, 1874.

34 Platt to Packard, July 31, 1874, in Dept Gulf, vol. 115/DSL; Platt to Kellogg, July 31, 1874, *ibid*.; Platt to Emory, July 30, 1874, in Dept Gulf, vol. 140/DSL; Platt to Kellogg, August 4, 1874, *ibid*.; all in RG 393, NA.
have reliable information that "5000 armed & equipped men from the
Country [were ready to fight] at one weeks notice." Ellis concluded
that "the days of that accursed [Republican] party in Louisiana are
numbered. . . ." 35

Confirming Ellis' opinion, White Leaguers broke into the offices of
Morgan City's Republican newspaper, the Attakapas Register, damaged the
press, and destroyed printing supplies. Elsewhere, unidentified night
riders patrolled the main roads in DeSoto Parish and reportedly killed
three Negroes during the month of August. A harassed Republican in
DeSoto begged the editor of the New Orleans Republican to "try every
means to get United States troops here, for we can't do without them." 36

In St. Martin Parish 500 armed and mounted White Leaguers forced
the resignation of all Republican officeholders. The New York Times
reported that the officials "resigned under protest," but they were out
of office, which was all that mattered to the Democrats. The officials
implied Governor Kellogg to restore them to their positions, and
advised using the Metropolitans to counteract the White League. The
governor vetoed the idea, apparently believing that such an action would
ignite civil conflict. 37 By now, Kellogg was desperate enough to make
his case directly to the authorities in Washington.

35Lonn, Reconstruction in Louisiana, 257-58. E. John Ellis to
Tom Ellis, August 3, 1874 (capitalization in the original), in E. John
Ellis Papers (Department of Archives and Manuscripts, Louisiana State
University Library, Baton Rouge).

36New Orleans Republican, August 14 and 20, September 2, 1874.

37New York Times, August 18, 1874; New Orleans Times, August 25 and
29, 1874; Lestage, "The White League," 670; Taylor, Louisiana
Reconstructed, 285.
Having received no help from Captain Platt in Holly Springs, Kellogg petitioned U.S. Attorney General George Williams and President Grant for Federal aid. Kellogg reminded Attorney General Williams that Louisiana was "the only Southern State that is practically without the presence of U.S. troops." The governor claimed that his administration had "enforced and executed the laws and maintained order in this City and in all but the remote border Parishes of the State," but that now it was necessary for the stability of his government to have the 3rd Infantry occupy the various posts in Louisiana vacated by the 19th Infantry. 38

Kellogg began his letter to Grant by saying "I regret to trouble you again about our affairs . . .," and he went on to describe some of the White League activities in Louisiana. Moreover, the governor believed that the violence would increase as the November election neared. Kellogg "respectfully and earnestly" asked the President to order the 3rd Infantry into Louisiana's vacant posts and suggested other locations where their presence "would have a most salutary effect and would prevent much bloodshed. . . ." Military force was needed to end "the outrages and violence now prevailing" across the state. Kellogg assured Grant that "the heated term here has apparently passed and the state is healthier than it has been for many years." In other words, there had been no yellow fever epidemic in 1874, and the fresh troops of the 3rd Infantry were not in danger of infection if they moved into the Bayou State. Finally, Kellogg told the President that if the troops came into Louisiana now, they would assure a "quiet and fair election"

38Kellogg to George Williams, August 26, 1874, in Letters Recd by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 2), RG 60, NA.
and might prevent "a formal call" for them at a later time. Despite Kellogg's logic and the desperate tone of his letter, his argument failed to convince the President to act at that time. Subsequently, after the White League's murderous acts in Red River Parish, the President changed his mind.39

One of the strongest White League units was in Red River Parish, near Shreveport. The Conservatives opposed the parish's Republican bosses, the brothers Marshall and Homer Twitchell, two Vermont carpet-baggers who controlled local offices in the town of Coushatta, the parish seat. Following the familiar example of their colleagues in other parishes, the Red River White League threatened, shot, wounded, and killed several Republicans. On August 28 a thousand armed White Leaguers assembled in Coushatta and arrested Homer Twitchell and several other prominent Republicans, including U.S. Marshal Henry A. Scott. On August 29 Homer Twitchell and five other officials agreed to resign from office. The next day, after releasing Scott, a few League members escorted the Republicans out of the Parish, supposedly taking them to Shreveport for their own safety. About forty or fifty miles outside of Coushatta a group of armed riders stopped the travellers. Immediately gunshots rang out and within a few moments all of the defenseless Republican officials had been killed. The "Coushatta Massacre" rocked the foundations of Republicanism in Louisiana. The killings conclusively proved the power of the White Leagues and demonstrated its intentions. 40

39 Kellogg to Grant, August 19, 1874, ibid.

40 Lestage, "The White League," 661-82; Shreveport Times, August 30,
Following the Coushatta murders, both Marshal Packard and Governor Kellogg begged Attorney General Williams to convince President Grant that the Army was needed in Louisiana. Kellogg told Williams that only the arrival of the 3rd Infantry would calm the unrest in the state. Supporting the requests by Kellogg and Packard, Louisiana's Attorney General, A. P. Field, concluded that "[u]nless protected by Military force every white republican in Louisiana will be either murdered or driven from the state before November."\(^{41}\)

The Conservative press exulted in their victory. The rabid Shreveport Times explained that the "white people of this State have been driven to desperation" to throw off the "damnable bondage" of the Radical Republicans, a few of whom had received "justice" near Coushatta. "The eagles have struck down their foe and swept away," concluded the frenzied Times editorialist. "Now let the buzzards of Radicalism squat upon the carcasses and scream. . . ."\(^{42}\)

The New Orleans Bulletin joined the Conservative chorus, warning that Louisianians would refuse to be humiliated by persons who happened to wear a "Federal uniform." In the future "[i]f the soldiers choose to get mixed up in broils with which they have no concern, they must expect

\(^{41}\) Packard to Williams, August 30, 1874, Senate Exec. Docs., 43 Cong., 2 Sess., No. 13, p. 10; Kellogg to Williams, August 30, 1874, ibid., p. 11; A. P. Field to Williams, September 1, 1874, in Letters Recd by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 2), RG 60, NA.

\(^{42}\) Shreveport Times, September 3, 1874.
to come out with punched heads and torn uniforms. The time has passed when a blue coat stuck up on a pole can make us bow in abject submission. . . ."43

Another newspaper supporting the White League, the Rayville Richland Beacon, had previously proclaimed that the "day of deliverance is drawing nigh, when Louisiana will be freed from the manacles of military despots, and her people allowed to enjoy liberty and the pursuit of happiness."44 If the President or the Army did not act soon, the White Leagues were ready to strike the deciding blow against the Republicans: the removal of Governor Kellogg himself.

43 New Orleans Bulletin, August 28, 1874.

44 Rayville Richland Beacon, February 1, 1873.
On September 5, 1874, in Washington, D.C., a messenger handed General Emory a letter from General of the Army William T. Sherman. Emory scanned the brief note: "Matters of importance in your Department demands [sic] your presence at your Headquarters and I regret the necessity which compels me to ask you to proceed thither at once [,] stopping in Louisville to confer with Genl. McDowell. . . ." Sherman gave no details about the "matters of importance," but Emory could imagine that the Democrats and Republicans were at each others' throats again.

Emory immediately packed his trunks and took the next train to Louisville, where he met with McDowell on September 8. His superior ordered Emory to distribute the 3rd Infantry among several towns in Louisiana, apparently in the hope that the reappearance of the troops would neutralize the White League's activities in the state. Following the conference with McDowell, Emory proceeded to Holly Springs, Mississippi. Neither Sherman nor McDowell ordered him to go to Louisiana, although Governor Kellogg and his Custom House Republicans were facing their gravest crisis.  

1William T. Sherman to William H. Emory, September 5, 1874, in William H. Emory Papers (Bieenecke Rare Book and Manuscript Library, Yale University); Irvin McDowell to Sherman, September 8, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 169), RG 94, NA.
After the successful purge of the Red River Republicans at Coushatta, the leaders of the White Leagues knew that they were capable of overthrowing Kellogg's government. Sensing that the moment of victory was at hand, they intensified the recruiting and training of their forces and purchased rifles and ammunition outside Louisiana. In early September these purchases began to arrive. A climactic confrontation between Louisiana's political rivals was at hand.  

Prompted by the Coushatta massacre and other "recent atrocities in the South," on September 2 President Grant had ordered Secretary of War William W. Belknap to have "troops available in cases of emergency." But the President failed to give the War Secretary any specific instructions regarding the dispatch of reinforcements to Louisiana, one of the states Grant condemned for showing "a disregard for the law . . . that ought not to be tolerated in any civilized government."

On September 3 Attorney General Williams sent a circular to all U.S. marshals and attorneys in the South ordering them to "detect, expose, arrest, and punish the perpetrators" of the recent violent acts in the Southern states. Williams indicated that Federal troops would give the marshals and attorneys "all needful aid" in making these investigations and arrests, but, like the President, the Attorney General failed to supply any details about the promised military aid.

Several Louisiana newspapers printed Grant's letter to Belknap and Williams' circular to his subordinates. The Conservative press chose to

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interpret the absence of any specific military orders as a sign that the national administration was not going to support Kellogg. Jubilantly, the New Orleans Bulletin announced that "No Troops [would be sent] for Moral Effect." The Shreveport Times mistakenly reported that the 3rd Infantry had not been ordered to Louisiana, but that if it was, the day had passed when Louisianians could be intimidated "by the phantom of the Federal army in the person of a regiment or so of soldiers." The Times warned that Kellogg's "infamous government cannot longer misgovern here, and in the next sixty days Louisiana must be a free State or a military camp."\(^3\)

On September 5 Grant finally publicized the orders sending the 3rd Infantry to Louisiana. The troops were to establish or reinforce posts at New Orleans, Baton Rouge, Shreveport, Alexandria, Monroe, Harrisonburg, and St. Martinville. Apparently the Kellogg government had been saved—or so it seemed. The New Orleans Republican claimed that, in addition to the 3rd Infantry, the 9th Cavalry (a black regiment) had ordered "to the Red River country" where it "will do good service," although no official orders had stated that the buffalo soldiers were returning to Louisiana.\(^4\)

\(^3\)New Orleans Daily Picayune, September 4, 1874; Shreveport Times (emphasis in the original), September 4 and 5, 1874; New Orleans Bulletin, September 3, 1874; New Orleans Times, September 4, 1874.

\(^4\)SW, Annual Report, 1874-1875 (House Exec. Docs., 43 Cong., 2 Sess., No. 1), p. 51. Shreveport Times, September 6, 1874; New York Times, September 4 and 6, 1874; Donaldsonville Chief, September 5, 1874; New Orleans Republican, September 5, 1874. The Republican concluded that relocating the troops to the state was "more disgraceful to Louisiana than were secession and the . . . rebellion."
The Shreveport Times, undoubtedly speaking for most white Louisianians, reiterated that the state's citizens were not cowed by these military preparations. "Trumpets are sounding in the gloom," the Times blared, implying clearly that the trumpets were not those of the U.S. Army.5

It was the White League bugles that were blowing "assembly," as the Conservatives knew as they waited expectantly for the delivery of their weapons. Kellogg's Metropolitans made every effort to intercept the arms shipments. On September 8 the police stopped "a furniture wagon" loaded with cases containing seventy-two rifles, impounded the weapons, and arrested the driver. However, the state authorities failed to detect other arms shipments.

Soon the sight of well armed civilians became commonplace on the streets of New Orleans, and city police detained several persons and confiscated their firearms. Acting on an informant's tip, the Metropolitans boarded the steamship City of Dallas on September 11 and seized six cases of rifles. On September 12 Republican constables confiscated ten cases of Belgian rifles with bayonets from a train which had just arrived in the Crescent City from Jackson, Mississippi. The New York Times reported that almost 300 rifles had been seized by the police since the beginning of the month.6

5Shreveport Times (emphasis in the original), September 8, 1874. Similar editorials are in the Monroe Ouachita Telegraph, September 11, 1874, and Alexandria Caucasian, September 12, 1874.

Meanwhile, outside New Orleans, Republicans reported that the White League had stepped up its activities. For example, state Senator Marshall H. Twitchell, brother of one of the men slain near Coushatta, described a "reign of terror" in Red River Parish, claiming that it had turned into an armed camp of the White League. Sheriff B. F. O'Neal of Bossier Parish called conditions in his jurisdiction "horrible," saying that it was "impossible to execute a criminal proceeding against a white man. . . ." The New Orleans Republican reported that the White League in St. Martin Parish was "on a war footing" and that the Democrats were casting solid shot at a local foundry for two brass Napoleons. According to the Republican, the Conservatives had taken "possession of Northern Louisiana and [were] killing and running out all Republicans. . . ." In view of the success of these actions, the White League had reason to believe that it could overthrow Kellogg before Army troops occupied their posts throughout the state.

On September 11 General Emory finally arrived at Holly Springs, to find his staff busily preparing to transport the 3rd Infantry to Louisiana. The "troops . . . [were] ready to move," but the staff had not arranged for trains to take the soldiers to New Orleans until September 14 or 15. The staff had neither attempted to assemble a special train nor commandeered the necessary locomotive and coaches. Furthermore, the unit selected to garrison Monroe had been needlessly detained because a medical officer was unavailable to accompany it.

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Although the staff had been working for several days to effect the 3rd Regiment's change of station, there was no sense of urgency at department headquarters. McDowell had not given him a deadline for relocating the troops, and Emory saw no reason to change or improve upon the existing arrangements. However, he did order the commanding officer at Fort Barrancas in Pensacola to send two companies of artillery to Baton Rouge as soon as possible and directed the commissary officer in New Orleans to have supplies on hand for the 3rd Infantry.8

Emory's own lack of urgency can be attributed to his ignorance of the situation in Louisiana. Adjutant General Edward R. Platt of Emory's staff conferred with the general and gave him a stack of letters and telegrams pertaining to recent events in Louisiana. After reading them, Emory became aware of the full extent of the problem—he faced the possibility of an insurrection on a scale unknown since the Civil War. In one of the letters, Captain Arthur W. Allyn, commanding the company at Colfax, described in detail the Coushatta massacre and the activities of the White League in central Louisiana. Emory later said "[a]t that time the name of the White League was not familiar [to] me," and apparently Platt had to apprise him of the facts concerning the organization. Thus informed, Emory wrote Marshal Stephen Packard, telling him that he feared the Army's forces were "inadequate" to suppress the League, a comment which surely did not cheer Packard. Nevertheless, Emory ordered

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8SW, Annual Report, 1874-1875, p. 51; AAG E. R. Platt to Packard, September 10, 1874, in Dept Gulf, vol. 140/DSL, RG 393, NA; Platt to Chief Commissary of Subsistence, September 11, 1874, ibid.; Platt to CO, Fort Barrancas, September 11, 1874, ibid.; Emory to McDowell, September 11, 1874, forwarded by McDowell to William T. Sherman, September 11, 1874, in AGO File 3579-1874 (Microcopy 666, reel 169), RG 94, NA.
Platt to send instructions, in accordance with the attorney general's circular of September 3, to all detachment commanders of the 3rd Infantry reminding them to furnish assistance to U.S. marshals in Louisiana. Excluding his orders to the Barrancas garrison, the orders Emory had given since his arrival at headquarters were routine, and he had done nothing to hasten the departure of any of the units from Holly Springs.\footnote{Capt. Arthur W. Allyn to Platt, September 3, 1874, endorsed by Emory, September 12, 1874, in Senate Exec. Docs., 43 Cong., 2 Sess., No. 17, pp. 16-17; Emory's comment on the White League in New Orleans Times, January 1, 1875. Emory to Packard, September 11, 1874, in Dept Gulf, vol. 115/DSL, RG 393, NA; Platt to designated COs of St. Martinville, Baton Rouge, Jackson Barracks, Harrisonburg, Monroe, Shreveport, September 13, 1874, \textit{ibid.}}

This routine attitude changed abruptly on Sunday, September 13, when a telegram arrived from Packard. Emory was struck by the unmistakeable sense of urgency—or panic—conveyed by the message. The marshal stressed that a violent encounter between the White League and the state militia was likely to occur in New Orleans within the next few hours unless the Army intervened. The crisis had been precipitated over the arrival of a substantial arms shipment aboard the steamer \textit{Mississippi}. State authorities meant to block delivery of the rifles to the White League, which was just as determined to receive the consignment. David B. Penn, McEnery's "lieutenant governor," and "Colonel" Fred N. Ogden, McEnery's "militia commander," issued a summons for citizens to assemble at the Clay statue, at the intersection of Canal and St. Charles streets at 11:00 a.m. on Monday, September 14. Broadsides and posters announcing the assembly had been distributed throughout New Orleans. The New Orleans \textit{Bulletin} advised all
businessmen to close their stores and shops on Monday morning. Packard begged Emory to send troops to New Orleans immediately.  

The crisis generated by the arrival of the Mississippi conveniently coincided with Democratic plans. The New Orleans Times later reported that Penn had met with White League officers on Friday, September 11, and outlined a plan to overthrow the Kellogg government on Monday, September 14. Penn called for all available White League units to gather on Monday, when they would attempt to entice Longstreet's state militia into a general engagement. Once victorious, the White League would place Penn in the State House. McEnery, who was purposely out of the city to avoid being arrested if the plan failed, would then return and assume the governorship. If such a plan was prepared, Packard obviously did not know about it, or he would have told Emory about it in his telegram. Such information would have demonstrated even more need for the Army's help.

"From ordinary sources this [Packard's] telegram would not have received much attention," Emory later wrote, but Packard's desperate tone and his important position as U.S. marshal spurred Emory to action. He planned to hire a special train to take four companies of soldiers to New Orleans. He expected that the train would arrive between 11:00 a.m.

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10 Packard to Emory, September 13, 1874, in Dept Gulf, vol. 115/DSL, RG 393, NA; Taylor, Louisiana Reconstructed, 292; SW, Annual Report, 1874-1875, pp. 55-56; New Orleans Bulletin, September 13, 1874; Ella Lonn, Reconstruction in Louisiana after 1868 (Gloucester, Mass., 1967), 269.

11 New Orleans Times, September 23, 1874. Neither Taylor nor Lonn mention this meeting, but the existence of such a plan seems logical in light of the subsequent coordinated activities of the White League. Landry quotes the Times in Liberty Place, 87-88.
and noon. As if not quite convinced of the impending clash, Emory warned Packard that it was very important "the emergency should not have been overstated." Packard immediately replied that the emergency was genuine and to hurry the troops on their way.  

Convinced, Emory decided to order two additional detachments to New Orleans. The first was the company of troops on duty at Jackson, Mississippi. The second was the caretaker squad at Jackson Barracks. Emory ordered both detachments to guard the New Orleans Custom House. He also considered sending Lieutenant Colonel John R. Brooke, second in command of the 3rd Infantry and a distinguished combat officer in the Civil War, with a special detachment on an express train; but he had to discard this idea, apparently because no trains were available. Instead, he placed Brooke in command of the main force of four companies, which finally left Holly Springs at 9:00 p.m. on Sunday. Emory gave no indication that he would take command himself at New Orleans.

Emory notified McDowell of Brooke's departure and requested that the division commander send reinforcements to Louisiana from Mount Vernon Barracks, Alabama. In reply, McDowell reminded Emory of General Sherman's advice "not to call for force from without unless in case of manifest necessity." McDowell therefore withheld the Alabama

12 Emory's quotes in SW, Annual Report, 1874-1875, pp. 55-56. Emory to Packard, September 13, 1874, in Dept Gulf, vol. 115/DSL, RG 393, NA; Packard to Emory, September 13, 1874, ibid.

13 Platt to CO, Jackson Barracks, September 13, 1874, in Dept Gulf, vol. 140/DSL, RG 393, NA; Emory to CO, Jackson, Mississippi, September 13, 1874, ibid.; Platt to Packard, September 13, 1874, ibid.; Platt to Col. DeLancey Floyd-Jones, September 13, 1874, in Dept Gulf, vol. 115/DSL, RG 393, NA; Platt to John R. Brooke, September 13, 1874, ibid.
troops, but within a few hours he agreed that they were needed in New Orleans. 14

Early on the morning of September 14 dozens of groups of armed men made their way through the streets of New Orleans, moving to designated locations according to Penn's and Ogden's plans. White League officers assembled at 58 Camp Street, the headquarters of the Democratic forces. Several businessmen and shopkeepers opened their stores temporarily, but by noon all had bolted their doors. Responding to Penn's summons, more than five thousand men had gathered at the Clay statue before noon. 15

At the meeting several speakers criticized the Kellogg government and demanded the governor's "abdication." The assembled men promptly adopted a resolution to that effect, and at 1 o'clock a delegation went to the State House seeking Kellogg's resignation. Kellogg refused to meet with the "delegates." One of his aides told them that the governor declined to consider their proposal while armed mobs roamed the streets of the city. The delegates returned to the Clay statue and reported Kellogg's response, which was met by a derisive roar from the crowd. The leaders then instructed the men to return to their homes, collect their weapons, and return at 2:30 p.m. By 3 o'clock hundreds of armed men had returned to the streets; in the interim White League units had been busy building street barricades composed of street cars, boxes, mattresses, iron gates, and other handy objects. There was no longer

14Emory to AAG, MilDivSouth, September 13, 1874, in Dept Gulf, vol. 140/DSL, RG 393, NA; McDowell to Sherman, September 13, 1874, in AGO File, 3579-1874 (Microcopy M-666, reel 169), RG 94, NA.

15New Orleans Daily Picayune, September 15, 1874; Taylor, Louisiana Reconstructed, 292-93.
any pretense simply to obtain the arms aboard the steamer Mississippi; the objective now was to overthrow the Kellogg government. 16

While these preparations had been occurring, the Republicans were nervously wondering how to protect themselves. The train bearing the company of troops from Jackson arrived, and rather than asking them to go to the State House, Packard directed them to the Custom House, where Governor Kellogg had gone for self-protection. The other troop train from Holly Springs had been expected around noon, but it had been unaccountably detained. (Later it was reported that the railroad company, cooperating with the Democrats, had delayed the train en route to New Orleans.) Unable to explain the train's tardiness, Emory predicted that "conflict seems inevitable now." 17

The White League moved to its task with the confident route step of campaign veterans. Methodically they "occupied the city hall and . . . cut the wires of the fire alarm and police telegraph" just after Kellogg sent out a final desperate plea for troops "to put down the domestic violence and insurrection now prevailing." The troops in the Custom House, outnumbered and outgunned, could only stand and protect government property. 18

16 Otis A. Singletary, Negro Militia and Reconstruction (Austin, 1957), 75-77; New Orleans Daily Picayune, September 22, 1874.
17 Packard to Williams, September 14, 1874, in Senate Exec. Docs., 43 Cong., 2 Sess., No. 13, pp. 13-14. On the delay of the train, see Landry, Liberty Place, 162. Emory to AAG, MilDivSouth, September 14, 1874, in Dept Gulf, vol. 140/DSL, RG 393, NA.
Kellogg's state forces were also outnumbered. James Longstreet and Algernon S. Badger led a total of about 3,500 men, most of them Negroes, including more than 500 Metropolitans, Badger's former policemen. Supporting the militia were two small cannon and a Gatling gun. Opposing the state forces were more than 5,000 White Leaguers and associated hangers-on, commanded by Fred N. Ogden. The Leaguers were mostly from the New Orleans area, but others were from outlying parishes. 19

The rival forces clashed around 4 o'clock on the afternoon of September 14 in an encounter that became known as the "Battle of Liberty Place." The cannons and the Gatling gun manned by the state forces were ineffectively used. For a while the Metropolitans matched the White League shot for shot, but the numbers, experience, and enthusiasm of the Leaguers proved to be overpowering. Badger fell seriously wounded and his men retreated. Longstreet's militia broke ranks after exchanging volleys with the White League, leaving the streets, littered with their dead and wounded, in the hands of the Democratic forces. In less than sixty minutes the Kellogg government had fallen. Total casualties on both sides amounted to more than 100 wounded and 25 killed. The insurgents made no attempt to attack the Custom House; in fact, they scrupulously avoided coming into contact with the Army or any Federal authorities. However, the victorious Leaguers systematically plundered

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19 Taylor, Louisiana Reconstructed, 293; Singletary, Negro Militia, 78.
the state arsenals and picked up dozens of rifles discarded by the state militia.20

"Adjutant General" John Ellis of the White League posted a "General Order" of the McEnery-Penn government congratulating "the troops in the field" for their accomplishments. "Lieutenant Governor" Penn issued a call for the "militia of the State [meaning the White Leagues], to arm and assemble under their respective officers for the purpose of driving the usurpers from power." Seeking to justify the League's action to the national government, Penn wrote to President Grant to explain that "the people of this State ... [had acted] to maintain the legal authority of the persons elected by them to the government of the State against . . . usurpers. . . ." He added that Louisianians maintained "their unswerving loyalty and respect for the United States Government and its officers."21

About the time that Penn issued his proclamation, Lieutenant Colonel John R. Brooke and his four companies of the 3rd Infantry arrived in New Orleans. Some spectators cheered and applauded the troops as they marched through the city. It was impossible to determine whether the cheers came from Republicans who were glad to see the soldiers, or came from Democrats who were pleased at the soldiers'
tardiness. Brooke found a telegram containing orders from Emory awaiting him. The Secretary of War and Emory ordered Brooke "to protect at its seat the Government . . . of the State of Louisiana as repre­
sented by Governor Kellogg and protect it from being overthrown . . . by violence." Obviously, Brooke had arrived too late to obey these orders, which would have taken him into battle against the White League. 22

Additional orders from Emory soon arrived, advising Brooke to consolidate his forces with those already in the city, to retain all troops passing through the city, and to learn the intentions of the insurgent forces. Approach their leaders directly, Emory ordered Brooke, and find out if they intended to engage U.S. forces. If he concluded that a fight was probable, Brooke was to bring in the Gatling guns from Jackson Barracks, defend all Federal property, but not to fire unless fired upon. Brooke hastened to carry out these orders, hoping that the civilians were prudent enough not to challenge the U.S. Army. 23

It is unclear whether Brooke met personally with any of the Democratic leaders, but the colonel described the situation as "very critical" and estimated that the White League intended "to fight even U.S. troops if necessary to gain their ends." The colonel requested that Emory send massive reinforcements at once.

Emory relayed Brooke's ominous message to General McDowell, ending with a warning that the forces in New Orleans were "utterly inadequate


23 Platt to Brooke, September 14, 1874, in Dept Gulf, vol. 140/DSL, RG 393, NA; Emory to Brooke, September 14, 1874, ibid.
to quell a city in arms. . . ." Shocked by the news of the battle, Emory had hoped "that the display of United States forces would prove as it has heretofore sufficient to achieve a peace. . . ." But now Emory believed that it was impossible to sustain Kellogg "without a bloody conflict except by ordering a larger force than I have at my command in the City of New Orleans." Despite his use of the phrase "at my command," Emory gave no intention of assuming personal command in New Orleans. 24

In the meantime, the Conservatives acted quickly to consolidate their position. On September 15 Longstreet abandoned the State House, which was immediately occupied by the White League. By the end of the day the Conservative forces had occupied all the city's police stations and state arsenals, confiscating more than 1,600 rifles, 46,000 rounds of ammunition, and four cannon. They controlled all state facilities. Accordingly, Penn sent word to McEnery, asking him to come to New Orleans and assume the governorship. The New Orleans Bulletin proclaimed that "Kellogg's Hessians" had been routed, and the New Iberia Sugar Bowl hailed the "People's Triumph." 25

The national authorities, when they realized what had happened in New Orleans, took steps to help Kellogg, who was still besieged in the

24Emory to AAG, MilDivSouth, September 14, 1874 (two communications), ibid.

25Fred Ogden to Penn, September 15, 1874, in House Reports, 43 Cong., 2 Sess., No. 261, Pt. 2, p. 821; Penn to Ogden, September 15, 1874, ibid., p. 822; Emory to AAG, MilDivSouth, in Dept Gulf, vol. 140/DSL, RG 393, NA; testimony of Kellogg before a congressional committee, in House Reports, 43 Cong., 2 Sess., No. 100, Pt. 2, p. 199. New Iberia Sugar Bowl, September 17, 1874; New Orleans Bulletin, September 15, 1874; Shreveport Times, September 14, 1874; New Orleans Times, September 16, 1874.
Responding to the governor's official request for assistance, President Grant issued a special proclamation on September 15, ordering all "turbulent and disorderly persons [who] have combined together with force and arms to overthrow the State government of Louisiana . . . to disperse and retire peaceably to their respective abodes within five days from this date," or face the military power of the United States. General Sherman ordered McDowell to move his troops "as your judgment may dictate, so as to best sustain the proclamation."26

For some reason Emory failed to learn of Kellogg's official request for the Federal government's help. Apparently Brooke thought that Kellogg would notify the general, or he assumed that someone in Washington would relay the message back to Emory. In any case, for several hours on September 15 Emory was unaware that the Grant administration was planning to support Kellogg. (Had the general gone to New Orleans the day before, he would have avoided this needless embarrassment.)

In fact, during the early hours of September 15 Emory seemed reluctant to help Kellogg at all. Perhaps this reluctance signified his complete disgust with Reconstruction; or perhaps Emory realized that no matter how favorably he concluded the dreadful situation in Louisiana,

26 Kellogg to Grant, September 15, 1874, in William Pitt Kellogg Papers (Department of Archives and Manuscripts, Louisiana State University Library, Baton Rouge); Grant's Proclamation, September 15, 1874, in James D. Richardson, A Compilation of the messages and Papers of the Presidents, 1789-1897 (10 vols., Washington, 1896-1899), VII, 276-77. The proclamation appeared in several Louisiana newspapers. See, for example, New Orleans Times, September 16, 1874, and New Orleans Daily Picayune of the same date. Sherman's Aide-de-camp Joseph C. Audenried to McDowell, September 15, 1874, in Letters Read by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 6), RG 60, NA.
he could be held responsible for the tardy arrival of the troops to New Orleans. Indeed, at this point (the morning of September 15) he exhibited no desire to take command of the troops in New Orleans. On the contrary, he remained closeted in Holly Springs, making plans to send more troops to Louisiana and preparing for the arrival of reinforcements from outside his department, all of which could have been handled capably by one of his subordinates.

Now that Kellogg had been turned out of office, Emory suspected that the War Secretary's orders of the previous day ("to protect [the Kellogg government] at its seat") were invalid. Consequently, Emory asked McDowell and Adjutant General Townsend if the Army should "aid in suppressing [the] insurrection or in keeping Governor Kellogg in his seat. ...[?]" Emory emphasized that he had heard "no call on the President for troops by the Governor." 27

At this point Brooke informed Emory that Kellogg had petitioned for troop support, but Emory reminded the colonel that such a request was not "an application for troops within the meaning of the Constitution"—in other words Kellogg had to make his request directly to the President before it was valid. Technically, Emory was correct, but this was hardly a time to be technical. With obvious reluctance the general relayed Kellogg's request to McDowell. 28

Emory then issued an inexplicable order. He reversed his orders of the previous day, telling Brooke not to detain all troops passing

27Emory to AGO, September 15, 1874, in Dept Gulf, vol. 140/DSL, RG 393, NA; Emory to AAG, MilDivSouth, September 15, 1874, ibid.

28Emory to Brooke, September 15, 1874, ibid.; Emory to AAG, MilDivSouth, September 15, 1874, ibid.
through New Orleans, but to allow them to continue on to other posts as outlined in the plan devised by McDowell before the "Battle of Liberty Place." Under pressure from the events of what one historian has called "possibly the largest military insurrection that has ever occurred against the government of a state of the United States," Emory seemed to have temporarily lost his equilibrium.29

General McDowell and General Townsend were determined to end this insurrection, and finally, on the afternoon of September 15, they ordered Emory to take charge of the troops in New Orleans. Furthermore, Townsend ordered Emory to "use all the means at your command to give protection [to Kellogg] until you receive final instructions." Responding to these orders, Emory reminded Townsend that the state forces had been "utterly routed" and that the "insurgents" held the "state Capitol and state arsenal and all of the city except public buildings occupied by United States force[s]." Emory doubted his "ability to put the thing down," especially if the White League planned "to resist United States force," and concluded that "[i]f they do resist, my force is so dispro-portionate that the fight must go against us." He ended with a forlorn promise to "do the best we can."30

Until Emory arrived, the responsibility for preventing open warfare in Louisiana rested with Colonel Brooke. For the third time in two days the colonel received an order from Emory reversing a previous order:

29Emory to Brooke, September 15, 1874, ibid.; Joe Gray Taylor, "New Orleans and Reconstruction," Louisiana History, IX (Summer, 1968), 203.

30Townsend to Emory, September 15, 1874, in AGO File, 3579-1874 (Microcopy M-666, reel 169), RG 94, NA; Emory to AGO, September 15, 1874, ibid. (reel 172).
"Detain all troops, artillery companies included, reaching the city until the orders of the President [are] received." Bypassing Emory, General Townsend directed Brooke to "preserve the peace and order to the best of your ability." However, he added a proviso—Brooke must submit all "orders for the suppression of violence . . . to the Secretary of War for approval." These orders restricted Brooke's initiative in the event of an emergency. Considering the speed with which the White League had defeated the state militia, orders from Washington might arrive too late to benefit Brooke. Thus, the colonel was caught in the classic dilemma of the Army officer in Reconstruction: do not act unless you must and only then on directions from higher authority. 31

In this case, however, the massive reinforcements that Brooke had requested earlier were on their way to Louisiana. McDowell ordered six infantry companies to New Orleans from posts in Alabama, Tennessee, Georgia, and South Carolina. It would take several days for these soldiers to arrive, but once on the scene there would be more troops in New Orleans than at any other location in the United States. The New Orleans Republican gratefully reported the news about these reinforcements.

Disregarding the meaning of these reinforcements and the President's proclamation, an enthusiastic crowd of more than 10,000 persons cheered the "inauguration" of D. B. Penn on September 16. Penn

31Emory to Brooke, September 15, 1874, in Dept Gulf, vol. 140/DSL, RG 393, NA; Townsend to Brooke, September 15, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 169), RG 94, NA.

32McDowell to AGO, September 15, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 169), RG 94, NA; New Orleans Republican, September 17, 1874.
assumed the duties of "acting governor" until McEnery arrived, appointing a new police chief and drawing funds from the state treasury. Both the Shreveport Times and the New Orleans Bulletin claimed that "Louisiana [was] Redeemed," and the Times hoped that, with Penn now in office, Grant would not attempt to reinstate Kellogg. In contrast, the New Orleans Republican promised that "[a]s soon as the boys in blue shall have arrived bloody work may be expected, unless the Pennites throw down their arms. The result is awaited with confidence and without fear."33

The Army's actions justified the Republican's confidence. McDowell personally relayed the substance of Grant's proclamation to Emory and informed him to expect reinforcements soon. Townsend ordered Emory to prevent Penn from withdrawing any more money from the Louisiana treasury. Moreover, Townsend emphatically stressed that "[u]nder no circumstances can the insurgent gov't of Louisiana be recognized. Within [the] five days given by [Grant's] proclamation for the dispersal of the insurgents, such action will be taken as the emergency may require."34

Apparently inspired by the decisiveness displayed by Townsend and McDowell, Emory prepared to take charge in Louisiana. He ordered a company of infantry, initially bound for Shreveport but delayed in

33Shreveport Times, September 17, 1874; New Orleans Republican, September 17, 1874; New Orleans Bulletin, September 16 and 17, 1874; Taylor, Louisiana Reconstructed, 295.

34Emory to AAG, MilDivSouth, September 16, 1874, in Dept Gulf, vol. 140/DSL, RG 393, NA; Townsend to Emory, September 16, 1874 (two communications), in ACO File 3579-1874 (Microcopy M-666, reel 169), RG 94, NA; New Orleans Times, September 17, 1874.
Jackson, Mississippi, to head for New Orleans. Amending a previous order, he instructed the commanding officer at Fort Barrancas to send all available soldiers to the Crescent City as soon as transportation was available. Before leaving for New Orleans himself, Emory wired ahead to Brooke and Colonel Floyd-Jones, directing them to meet him at the St. Charles Hotel that night. Finally, Emory boarded the evening train in Holly Springs.  

At a stop along the way, probably in Vicksburg, John McEnery and a small retinue coincidently boarded the same coach in which Emory rode. (It would be interesting to know if the two men spoke to one another, and if they did, what their topics of conversation were.) The train arrived at the New Orleans depot at 10:00 p.m. on September 16. According to the reporter for the New Orleans Republican, McEnery stepped "majestically out of the car at the . . . depot, amid the plaudits of . . . friends, . . . and the blare of brass instruments. . . ." Only a few feet away on the same platform, "there stepped from the other end of the same car a quiet elderly gentleman": General William H. Emory had at last arrived to take command.  

Brooke and Floyd-Jones briefed their commander, who then arranged a conference with McEnery and Penn. Emory read Grant's proclamation to the two politicians, who acknowledged their familiarity with the document. Then the general bluntly told them to abide by the

35 Aide-de-camp Luke O'Reilly to Major Samuel A. Wainwright, September 16, 1874, in Dept Gulf, vol. 140/DSL, RG 393, NA; O'Reilly to Major J. M. Brannan, September 16, 1874, ibid.; O'Reilly to Brooke, September 16, 1874, ibid.

36 The arrival of the two leaders was best described in the New Orleans Republican, September 18, 1874.
President's directions, end the insurgency, and order the dispersal of their forces. In reply, the Democrats denied that there had been an "insurrection," and claimed that they were the legal state executives. However, McEnery and Penn both said that they had neither "the power nor the inclination to resist" the Federal Army. They made no immediate concessions to Emory's demands, but the general gave them till morning to think the situation over. 37

They responded just as Emory wanted. On September 17 McEnery and Penn issued a joint proclamation announcing that General Emory "was not permitted to recognize our government in any way, and that immediate submission and a surrender of the property of the State to the United States would be the only means of avoiding the employment of the military and naval force of the United States to compel obedience."

Protesting that Federal forces were improperly intervening in state affairs, the Democrats ordered their "state troops" to turn in all "captured arms" and return to their homes. However, the Democrats plainly stated that they would surrender the occupied state buildings only to the Army and not to Kellogg's representatives. 38

Accordingly, Emory designated Colonel Brooke officer in charge of the detachment that would receive the surrender of the State House from the White League. Furthermore, he appointed Brooke temporary military governor of New Orleans until Kellogg resumed office. Lending

37 McEnery to Emory, September 17, 1874, in House Reports, 43 Cong., 2 Sess., No. 261, Pt. 2, p. 825.

38 Ibid.; Proclamation by McEnery and Penn, September 17, 1874, ibid., p. 827; "GO No. 4" [McEnery forces], September 17, 1874, ibid., p. 824. New Orleans Republican, September 18, 1874; New Orleans Times, September 15 and 18, 1874; New Orleans Daily Picayune, September 18, 1874.
additional weight to his orders, Emory directed that a U.S. Navy monitor anchor off the New Orleans river front with its guns pointed toward the city.  

Preparing for the unusual ceremony, a company of soldiers "marched down Canal Street to the lively music of their fifes and drums," turned into the French Quarter and stopped near the St. Louis Hotel, which served as the state capitol. Thousands of persons quietly watched the troops form ranks outside the building. At about 4 o'clock McEnery officially relinquished control of the State House. John Ellis, adjutant general of the White League, described the "very sad scene":

McEnery & his officers clustered about him all in civilian garb; Gen. [sic] Brooke and staff [were] brilliantly uniformed; then came the formal demand [for surrender] in the name of the U.S. Govt: McEnery[,] with husky broken voice all trembling with emotion read his reply. . . . The soldier [Brooke] was then seated in the Governor's chair and we all quietly withdrew and proceeded up Royal Street to Canal. Men stood by with stern faces & Women wept—the decline of our brief day of liberty.

Ellis suspected that he, McEnery, Penn, and Ogden would be arrested by the Army, or worse, taken into custody by Kellogg's police.  

39 Special Circular, Dept Gulf, September 17, 1874, in GO, Dept Gulf, RG 393, NA; Emory to AGO, September 17, 1874, in Letters Read by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 6), RG 60, NA.  

40 John Ellis to Tom Ellis, September 21, 1874, in E. John Ellis Papers (Department of Archives and Manuscripts, Louisiana State University Library, Baton Rouge); New York Times, September 18, 1874; Emory to AGO, September 17, 1874, in Dept Gulf, vol. 140/DSL, RG 393, NA; McEnery to Brooke [September 17, 1874], in Senate Exec. Docs., 67 Cong., 2 Sess., No. 263, p. 133. Even as McEnery and Penn were abdicating and acknowledging defeat, Adjutant General Townsend was ordering eight companies of the 22nd Infantry to New Orleans from Winfield Scott Hancock's Military Division of the Atlantic. Townsend to W. S. Hancock, September 17, 1874, in Letters Read by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 6), RG 60, NA.
However, Emory did not favor such arrests. He took "the liberty" of advising Grant "as a friend of . . . [his] administration" and as an officer familiar with "this unfortunate and disturbed portion of the Country," recommending an executive pardon for the men who had recently "engaged in the insurrection against the State authorities of Louisiana. . . ." The "outburst embraced nearly every white man in the community," he explained, and although they were "laboring under the most maddening impulse" they promptly had "yielded to the mandates" of Grant's proclamation. Therefore, Emory believed that avoiding civil prosecution would yield "the best results."41 In truth, Emory had little time to devote to those men out of power; he still had to reestablish Kellogg in office.

Certainly it was unusual—if not unique—in American history for an Army officer to reseat a state governor who had been removed from office by an armed coup. Taking Townsend's advice, on September 18 Emory sent an official dispatch to Kellogg informing him of McEnery's surrender and offering "the necessary military support to re-establish the State Government." Kellogg was not very enthusiastic about resuming office immediately, appearing quite content to let the Army maintain control. Nevertheless, he agreed to take office again the next day.42

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41Emory to Grant, September 17, 1874, in Dept Gulf, vol. 115/DSL, RG 393, NA. McEnery and his lieutenants were never brought to trial. Justifiably, Grant probably reckoned that such trials would cause more trouble than they were worth.

42Emory to AGO, September 18, 1874 (two communications), in Dept Gulf, vol. 140/DSL; Emory to Kellogg, September 18, 1874, in Dept Gulf, vol. 115/DSL; Kellogg to Emory, September 18, 1874, in Dept Gulf, Letters Recd; RG 393, NA.
Kellogg's lack of enthusiasm was understandable. He had less power or authority outside of New Orleans than he did before September 14, which had been little enough. Emory acknowledged that "[n]early every parish in the State, following the example of New Orleans, is more or less in a State of insurrection. . . ." For example, Captain Arthur W. Allyn at Alexandria reported that "the country was on fire," and it appeared that his "little force" (about 50 men) was a "tempting morsel" for the White League. Wisely, the Leaguers did not attack the soldiers, but they repeatedly threatened Kellogg's officials.  

The White League's enthusiasm had bounded as the news of "Liberty Place" reached various towns. In one case enthusiasm turned into violence. A riot occurred in the town of Bayou Sara, near Baton Rouge, and Emory immediately ordered a detachment of troops from the nearby barracks to put down the disturbance and protect Kellogg's officials. The arrival of the troops quickly quieted the town. Elsewhere in the Baton Rouge vicinity, soldiers protected "unoffending Republicans" from "murderous White Leaguers" at Bayou Goula and St. Francisville.

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44 Taylor, Louisiana Reconstructed, 295; Alexandria Caucasian, September 19, 1874; Opelousas Courier, September 19, 1874; Bossier Banner, September 19, 1874; Natchitoches People's Vindicator, September 19, 1874; Rayville Richland Beacon, September 19, 1874; Landry, Liberty Place, 177-78.

45 Emory to AAG, MilDivSouth, September 18 and 20, 1874, in Dept Gulf, vol. 140/DSL; Luke O'Reilly to CO, Bayou Sara, September 18, 1874, ibid.; Citizens of Bayou Goula to Emory, September 21, 1874, in Dept Gulf, Letters Recd; RG 393, NA. Mayor Robert Hewlitt (St. Francisville) to Attorney General Williams, September 19, 1874, in Senate Exec. Docs.,
The Army's assistance was gratifying to Governor Kellogg, who resumed the duties of his office on September 19, "relieving Brooke of responsibilities which he was glad to be rid of," according to the New Orleans Republican. To his relief Kellogg learned that in several parishes where Republicans "had been ousted the old Incumbents [were] going back peaceably." Kellogg wrote Attorney General Williams that according to recent reports the country was "quieter than expected" and that New Orleans had settled down remarkably well. However, Kellogg added a note of caution: "No reports yet received from [the] Red River country." General Emory was prepared to send reinforcements to the garrisons in the Red River parishes as soon as he consolidated his forces in New Orleans and determined how many soldiers he wanted to station outside the city.46

Fresh troops began to arrive in Louisiana from several states. Advance units of the 2nd Infantry from Alabama arrived at Jackson Barracks on September 18. The remainder of the 3rd Infantry from Mississippi joined Brooke's four companies in New Orleans. On September 20 four companies of the 22nd Infantry came in from Michigan and were posted at the State House. Three companies of the 1st Artillery from Fort Barrancas were quartered in the city by September 21. Three other companies of the 22nd Regiment detrained at the city depot on September 22. Emory had to rent makeshift quarters for these new


46 Kellogg to Williams, September 22, 1874, in Letters Recd by U.S. Justice Dept from Louisiana (Microcopy M-940, reel 2), RG 60, NA; New Orleans Republican, September 20, 1874.
arrivals, creating windfall profits for owners of empty warehouses which were turned into temporary barracks.\footnote{Emory to AAG, MilDivSouth, September 19, 1874, in Dept Gulf, vol. 140/DPL; Emory to AGO, September 20, 1874, \textit{ibid.}; Dept Gulf, Journal of Events, pp. 30-31; RG 393, NA. Post Returns, Jackson Barracks, September 1874, in Records of the AGO (Microcopy M-617, reel 524), RG 94, NA.}

Louisiana newspapers devoted considerable space to the arrival of the massive reinforcements, while simultaneously interjecting stinging criticisms of Grant and Kellogg. For example, the Shreveport Times remarked that Grant "could have as well set a toad in the gubernatorial chair, surrounded it with soldiers and proclaimed it Governor; it would have received the same obedience that Mr. Kellogg will receive. . . ." The Shreveport newspaper concluded that Louisiana was "a military province of the United States." The New Orleans Times remarked that if the state government was "one of force and bayonets, it might as well assume the military title at once." The Times listed the men who had served as governor during 1874: Kellogg, Penn, McEnery, and Brooke, concluding that "[t]hese [were] all the Acting Governors we have had this year—but it's not our fault that we haven't had more. Times are hard, and we can't afford as much style as Costa Rica." The New Orleans Bulletin warned that "it will take a regiment of Federal soldiers in each parish to sustain . . . the officials and appointees of the Kellogg usurpation. . . . Is the Government prepared to quarter that number of soldiers in Louisiana to maintain in power a fraudulent and infamous government?" The Thibodeaux Sentinel accused the Army of supporting an administration of "robbers, usurpers and thieves." The Natchitoches People's Vindicator boldly called on north Louisianians for a
"demonstration of force" to show Grant that they were "unterrified ... [by the] armed displays [of the] swaggering soldiery." 48

Marshal Packard confirmed that north Louisiana needed troops stationed there "at once," citing especially "the critical condition of affairs at ... Monroe." Having by this time received adequate reinforcements, with more on the way, Emory not only sent troops to Monroe, but ordered others to Harrisonburg, Coushatta, and Shreveport. 49

No sooner had Emory started to distribute his fresh troops than McDowell asked for some of them to be returned to their original stations. Specifically, McDowell wanted two companies of the 2nd Infantry sent back to Alabama. Anticipating that other companies would be leaving Louisiana soon, McDowell's adjutant advised Emory to sign only one month leases for extra quarters. Emory agreed to relinquish the units of the 2nd Infantry, but recommended that "no more be taken away for the present" because it appeared that "the [ill] feeling on both sides is reopening and rekindling." Upon reading Emory's comments, President Grant ordered General Townsend to see that all "troops in New Orleans remain there for the present." 50

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48 Shreveport Times, September 22, 1874; New Orleans Times, September 20, 1874; New Orleans Bulletin, September 22, 1874; Thibodeaux Sentinel, September 26, 1874; Natchitoches People's Vindicator, September 26, 1874; See also New Orleans Daily Picayune, September 19, 1874; Alexandria Caucasian, September 26, 1874; Alexandria Louisiana Democrat, September 30, 1874; Monroe Ouachita Telegraph, September 25, 1874.

49 Packard to Emory, September 20, 1874, in Dept Gulf, Letters Recd; Emory to AAG, MilDivSouth, September 25, 1874, in Dept Gulf, vol. 140/DSL; RG 393, NA.

50 McDowell to Col. W. D. Whipple, September 21, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 172), RG 94, NA; AAG Chauncey McKeever to Emory, September 21, 1874, ibid. (reel 169); McKeever to Emory,
In Emory’s opinion, New Orleans was secure, guarded by nineteen companies of infantry and artillery, but the reports of continuing White League activity in north Louisiana worried him. He informed McDowell that the "Red River Parishes west of Alexandria are in such a condition that I do not think order can be maintained without the use of Cavalry." Therefore Emory requested that McDowell arrange for a squadron of cavalry to be sent from the Department of Texas. Emory believed that only mounted troops were capable of providing "peace and order" in the "disturbed districts."51

The cavalry Emory requested was stationed in Texas, one of the states and territories in the Military Division of the Missouri, commanded by Philip H. Sheridan. Initially, Secretary of War Belknap had asked Sheridan to consider annexing Louisiana into his division (which extended from Canada to the Rio Grande and from the Mississippi River to the Rocky Mountains) or simply to take personal command of the troublesome state. Sheridan replied that he had "no desire to ever have any control over Louisiana," but that he was always "ready to do anything within [his] power to help . . . the President in his embarrassing duties, . . . [no matter] how unpleasant it may be. . . ."52

September 24, 1874, ibid. (reel 170); Townsend to McDowell, September 23, 1874, ibid. (reel 172); Emory to AAG, MilDivSouth, September 21 and 22 (two communications), 1874, in Dept Gulf, vol. 140/DSL, RG 393, NA.

51 McDowell to Col. Whipple, September 25, 1874, in Letters Read by U.S. Justice Dept from Louisiana (Microcopy M-940, reel 6), RG 60, NA.

Subsequently General Townsend asked Sheridan if he could spare an entire cavalry regiment for service in Louisiana. Sheridan responded that six companies of the 7th Cavalry and a full regiment of infantry were available to assist Emory. At first Belknap ordered Sheridan to send all the troops he offered, but, after giving the matter additional thought, he directed that Sheridan send only the cavalry, without its flamboyant commander, Lieutenant Colonel George A. Custer, whose Democratic proclivities were well known. On September 28, following his inspection of troops in and around New Orleans, Emory returned to his headquarters to find Townsend's telegram informing him that the 7th Cavalry was on its way to Louisiana. 53

On his inspection tour Emory found that the troops at Jackson Barracks were comfortable in their standard quarters, and the men of the 22nd Infantry were refurbishing the old Sedwick Barracks, but that several companies of soldiers were bivouaced in tents in the city. The New Orleans City Park had become a muddy military camp. The frequent afternoon rain showers prompted one officer to ask a newspaper reporter "if it rained this way all the time here?" The officer declared that he and his men "had been living in the water and drilling in canoes ever since their arrival [in Louisiana]." Aware of the troops' discomfort,

53 Townsend to Sheridan, September 25 and 27, 1874, in Letters Recd by U.S. Justice Dept from Louisiana (Microcopy M-940, reel 6), RG 60, NA; Townsend to Belknap, September 26, 1874, ibid.; Sheridan to Townsend, September 28, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 169), RG 94, NA; Whipple to Sheridan, September 28, 1874, ibid.; Belknap to Townsend, September 28, 1874, ibid. (reel 170); Townsend to Emory, September 28, 1874, ibid. (reel 169). New Orleans Republican, September 30, 1874. Custer, of course, was not the 7th Regiment's colonel, but he had been the actual field commander for several years. The 7th's commanding officer, Colonel Samuel D. Sturgis, had been serving on detached duty for many months.
Emory asked permission to hire additional temporary quarters. By posing this question, Emory was not putting off a minor decision on a senior commander; the cost of quarters was an important part of the Army's budget. In past emergencies, the Army had paid $666 to rent one building for thirty days. More than one or two months of such bills undoubtedly would engender criticism from budget-conscious congressmen and General Sherman.

McDowell reminded Emory of Sherman's "orders . . . to incur as little expense as possible" and suggested that Emory leave the troops in camps outside New Orleans. Emory stressed that the troops were more effective in the city; it took two or three hours for them to reach the scene of a riot. McDowell referred the matter to Adjutant General Townsend. Explaining his case to Townsend, Emory wrote that "the effect of the presence of the troops is lost by their being encamped [outside the city], and when [the] rainy season commences in November the roads are impassable." Townsend discussed the problem with the Secretary of War, who finally authorized Emory to hire temporary quarters "in the best strategic position."

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55 Emory to McDowell, October 6, 1874, and McDowell's endorsement, in AGO File 3579-1874 (Microcopy M-666, reel 170), RG 94, NA; Emory to AGO, October 7, 1874, ibid.; Townsend to Emory, October 8, 1874, ibid. (reel 172).
The need for rented quarters decreased as Emory gradually funneled units into the country parishes. By the end of September he commanded twenty-six companies belonging to six regiments. Nineteen companies (846 men) were in New Orleans or at nearby barracks. The seven other companies (less than 50 men each) were stationed in Baton Rouge, Colfax, St. Martinville, Pineville, Monroe, Shreveport, and Coushatta. Emory commanded a total of 1,182 men in Louisiana and an additional 172 soldiers in Arkansas and Mississippi. He had the aid of seven U.S. Navy ships, carrying 51 guns, docked along the New Orleans waterfront or anchored in the Mississippi River. The soldiers under Emory's command comprised about one-third of all the troops stationed in the South, excluding Texas. 56

Emory now had to look ahead to the mid-term elections scheduled for November 2. Republican politicians would doubtlessly call for the Army to protect voters and guard polling places. Already the rival political leaders had met to resolve their differences over reopening voter registration. According to Emory, the Democrats had extracted concessions from the Republicans allowing complete "recognition of the legal rights of [the] insurgent parties." (Emory's tone indicated that he thought the concessions were inappropriate, coming only two weeks after the unsuccessful coup.) No matter how distasteful the job was to him,

Emory knew that his forces were going to be called upon to uphold "the helpless and dependent" Kellogg government. 57

The specific limits of the Army's authority were really less clear in 1874 than they had been under the Military Reconstruction Acts seven years before—and even then the range of military authority had been difficult to define. At least Sheridan and his lieutenants operated under the legal umbrella of laws passed by Congress, and for the most part the officers who enforced those laws expected (and received) the support of the War Department and Congress; if the military needed additional powers, Congress passed supplementary Reconstruction Acts, and in most cases allowed the generals free rein to interpret those acts.

In 1874 Emory asked McDowell to give him exact military duties along with guidelines on military power that could be used effectively and with assurance during the political campaign. Emory wanted these guidelines so that the soldiers "performing such duties [would be] protected by law in the execution of them." Without saying so specifically, he probably was hoping for the same sort of protection that Sheridan's men had enjoyed under the Military Reconstruction Acts. Emory believed that this protection was essential so long as the Army's "presence [was] necessary to the continuance of peace in the southern country and, . . . to [ensure] the existence of the [state] Government itself. . . ." 58

57 Emory to AGO, September 30, 1874, in Senate Exec. Docs., 43 Cong., 2 Sess., No. 17, p. 60.

In reply, McDowell told Emory "to aid the U.S. civil officers, and not to take any initial action of . . . [his] own." Perceptively, McDowell asked Sherman, "[i]f more than this is lawful and is desired, I beg to be informed what it is." By 1874 nothing more was lawful or desired by most Americans. The Army's power and its influence in Southern Reconstruction had declined to the point where it had a limited number of choices. Only a politically dedicated or a foolhardy commander would do more than higher authorities specifically allowed. 59

Under these circumstances, Emory did not see any "prospect of these [Southern] governments improving or becoming more stable so long as they are based upon universal suffrage or until the suffragists become better educated." 60 Emory obviously referred to black voters, and his opinion was probably shared by most of the Army officers in the Southern states.

The Army's top command was split on the matter of how (or even if) to continue enforcing a policy of equal rights for blacks. For several years General Sherman had wanted the Army to divest itself of its police duties in the South. In contrast, General Sheridan still believed that old Rebels had no place in government. Furthermore, Sheridan contended that Southern Republicans, if they were to survive in office, had to rely on the votes of unintimidated Negroes. Both of these groups depended upon the Army to protect them.

By 1874 the national government did not have enough soldiers in the South to protect all Republicans (either black or white), or even to ensure the existence of their state governments. By the end of 1874 the

59McDowell to Sherman, September 28, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 170), RG 94, NA.

60Emory's "Report on the Condition of Affairs in Louisiana."
Democrats had carefully used a skillful combination of court suits (as in the case of the Colfax rioters), intimidation, voter registration, measured applications of violence, and ballot box stuffing to regain control of Virginia, North Carolina, Georgia, Alabama, Arkansas, and Texas. (Tennessee had been "redeemed" in 1866 after approving the Fourteenth Amendment.) Thus, only Mississippi, South Carolina, Florida, and Louisiana had Republican governments at the end of the year. General Emory faced the prospect that the Democrats were going to continue to use all of the tactics mentioned above to regain control of Louisiana and Mississippi as well.

The Conservatives had tried to overthrow Kellogg's government, but now that such a strong force had been assembled in New Orleans it was unlikely that they would attempt to do so again. Undaunted, John McEnery did not "resign," and the White Leagues did not disband. In fact, they remained watchful and hopeful, prepared to rise to the call again if the opportunity presented itself, especially if the next Democratic gubernatorial candidate received a substantial number of votes and presented a legitimate claim to the governorship. (That election was only two years away.) Significantly, the White Leagues returned less than half of the weapons taken from state arsenals while Penn briefly held office.  

During the next few weeks some Republican officials were able to resume their offices in various Louisiana parishes. They knew that the White League almost had succeeded in its coup attempt. After the

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61 House Reports, 43 Cong., 2 Sess., No. 100, Pt. 2, pp. 199-200. Of 2,865 rifles and four cannon taken by the Democrats, they returned 1,183 rifles and two cannon.
horrors of September, there would never be enough troops in the state to make them feel safe. The dispirited Republicans looked ahead to the fall elections with trepidation, while the Democrats viewed their own prospects with anticipation. Emory and the Army regarded both factions with apprehension.
CHAPTER XV

EMORY AND THE "SMOLDERING REBELLION"

The mid-term election of November 2 beckoned to General Emory like a talisman: if he reached it without renewed outbreaks of violence in his department, he would count himself a lucky man. The Democrats were full of confidence, and according to Emory, they expected "to carry enough of the legislature to be masters of the situation. Should they do so, order may rule; but if they are defeated, conflict and violence will be the inevitable consequences, unless suppressed by the presence of a strong military force." Clearly Emory's respect for the Louisiana Republican party had reached such a low point that he did not seem to care if any of their candidates won or not. On the contrary, he indicated that it might be best for all concerned if the Democrats won most of the offices.¹

Regardless of his personal feelings, Emory planned to do all within his power to ensure that the election was peaceful. Neither he nor his soldiers would dictate the outcome; in fact, Emory had no desire to plunge the Army deeper into Louisiana's political morass. However, the only way to guarantee a quiet election was for the Army to station a detachment of troops near every polling place. This was impossible, but Governor Kellogg wanted the soldiers distributed as widely as possible

¹William H. Emory to AGO, October 1, 1874, in Senate Exec. Docs., 43 Cong., 2 Sess., No. 17, p. 61.
throughout the state. The Grant administration—especially Attorney General Williams—supported Kellogg's wishes, and during October the Washington authorities encouraged Emory to comply with most of Kellogg's requests for troops.

Having received no orders to the contrary and considering New Orleans pacified, Emory took steps to implement the old orders McDowell had given him on September 8 concerning the distribution of troops in Louisiana. To comply with these old orders, which had been originally drafted by Attorney General Williams, Emory had to reduce the number of troops serving in and around New Orleans. He expected that these reductions would be offset by additional reinforcements. Consequently, he sent one company of the 16th Infantry to Jackson, Mississippi (where it reestablished the post vacated during the crisis on September 14), and another company of the same regiment returned to its regular duty station in Nashville, Tennessee. Company E, 3rd Infantry, which had been previously ordered to Coushatta, arrived there on October 4. Company D, 3rd Infantry, took station at St. Martinville, and its commander dispatched an officer to the town of Breaux Bridge to investigate reports of violence there. On October 11 Company I, of the same regiment, reopened the old post at Alexandria. Accordingly, troops now garrisoned six of the nine towns in the Department of the Gulf that Williams and McDowell had earmarked for occupation.²

Based on his understanding of orders issued by the War Department in September, Emory expected at least six companies of the 7th Cavalry

²Dept Gulf, Journal of Events, p. 33; AAG E. R. Platt to CO, St. Martinville, October 7, 1874, in Dept Gulf, vol. 115/DSL; RG 393, NA. Irvin McDowell to William T. Sherman, September 8, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 169), RG 94, NA.
to arrive in New Orleans soon, and he planned to use some of these soldiers to garrison two of the remaining towns on Williams' list. He was disappointed to learn that McDowell had diverted two of these cavalry companies to posts in Alabama. When the other four companies arrived in Louisiana, Emory sent two of them to Shreveport and held the other two in New Orleans. Therefore, after these troop movements had been completed, five companies had left New Orleans, and two new companies had taken station there. 3

When President Grant learned that Emory had sent several companies out of New Orleans, he directed Adjutant General Townsend to learn the reasons for the transfers. Answering Townsend's inquiry concerning the troop movements, General McDowell denied giving any encouragement to Emory to relocate any soldiers. Furthermore, McDowell disavowed any prior knowledge of Emory's orders moving troops to Alexandria, St. Martinville, or Coushatta. Emory defended his actions, saying that he was trying to abide by orders he had been given earlier. He concluded that the "points of which . . . troops were . . . sent were under my command as much as New Orleans and . . . the peace and quiet of the state demanded the action . . . taken in sending troops to them."

Despite Emory's explanation, Grant was concerned about the troop strength in the Division of the South. 4

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3Emory to AAG, MilDivSouth, October 5, 1874, in Dept Gulf, vol. 140/DSL; Emory to AGO, October 6, 1874, ibid.; Dept Gulf, Journal of Events, p. 33; all in RG 393, NA.

4E. D. Townsend to McDowell, October 7, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 170), RG 94, NA; McDowell to Townsend, October 7, 1874, ibid.; Emory to AAG, MilDivSouth, October 7, 1874, ibid.
Reflecting the President's concern, Secretary of War Belknap ordered General Sheridan to send a regiment of infantry to McDowell. (Although McDowell had the authority to assign the troops wherever he wanted, the President obviously wanted most of them sent to Emory.) Sheridan picked the 13th Infantry, under the command of Lieutenant Colonel Henry Morrow, to reinforce the Southern division, and McDowell ordered the regiment to report to Emory in New Orleans.  

Although more infantry was on its way to Louisiana, the Republicans there wanted cavalry reinforcements. Governor Kellogg complained to Attorney General Williams about the loss of the two cavalry companies that McDowell had diverted to Alabama. Marshal Packard and U.S. Attorney James R. Beckwith requested that Emory station a cavalry company at Colfax in order to help the U.S. deputy marshal to serve his warrants. Emory replied that he had tried to garrison the state according to the directions of Williams and McDowell, and that if McDowell had not reduced the number of cavalry units sent to Louisiana, a company would have been available for duty at Colfax. Meanwhile, Emory said that he wanted to keep two cavalry companies in New Orleans to deal with any emergencies.  

Undeterred by Emory's refusal, Packard and Beckwith petitioned Attorney General Williams to use his influence on their behalf.  

5W. W. Belknap to Philip H. Sheridan, October 7, 1874, ibid.; Sheridan to Belknap, October 7, 1874, ibid.; New Orleans Republican, October 9, 1874. 

6William P. Kellogg to George H. Williams, October 8, 1874, in Letters Recd by U.S. Justice Dept from Louisiana (Microcopy M-940, reel 2), RG 60, NA; Stephen Packard and James R. Beckwith to Emory, October 8, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 170), RG 94, NA; Emory to Packard, October 9, 1874, ibid.
Subsequently, Williams asked Secretary of War Belknap to order Emory "to furnish . . . Marshal [Packard] with one company of cavalry . . . to assist the Marshal in making . . . arrests." Eventually, the War Department ordered Emory to assign a cavalry company for duty at Colfax, but the general complained that their horses . . . [were] unserviceable until they . . . [were] shod." Adjutant General Townsend ordered Emory to "[p]urchase [the] necessary horseshoes" and to requisition any additional cavalry supplies he needed from Rock Island Arsenal in Illinois. Finally, on October 15, Company K, 7th Cavalry, left New Orleans for Colfax. Company K would join two other companies of the 7th Regiment at Shreveport to form a squadron operating along the Red River.7

To command this cavalry contingent, as well as all other troops in north Louisiana, Emory chose Major Lewis Merrill of the 7th Cavalry. Merrill's command was designated "the District of the Upper Red River," and he established his headquarters at Shreveport. Merrill was graduated from West Point in 1855, and he had a competent but undistinguished record in the Civil War. Unlike Colonel Floyd-Jones and most of the officers in the 3rd Infantry, Merrill was an experienced Reconstruction commander, having served in South Carolina in 1871 when President Grant had declared martial law in several counties in that state. Merrill, who was a staunch Republican, had strictly interpreted the Enforcement Acts and supervised the arrest of several members of the

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7Packard and Beckwith to Williams, October 10, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 170), RG 94, NA; Williams to Belknap, October 10, 1874, ibid.; Emory to AGO, October 10, 1874, ibid.; Townsend to Emory, October 12, 1874, ibid.; Townsend to McDowell, October 12, 1874, ibid. Dept Gulf, Journal of Events, p. 33, RG 393, NA.
Ku Klux Klan. Consequently, South Carolina's Democratic newspapers had commonly referred to the major as "Dog Merrill." Although the Army's usefulness as a police force apparently was declining in the South, Merrill still believed that the military should play an important supervisory role in state politics, aiding Republicans whenever possible. 8

Obviously, Merrill's views coincided with those held by Louisiana's Republicans, who wanted the Army to protect black voters, reseat ousted Republican officeholders, and arrest troublesome Democrats. For example, Deputy U.S. Marshal Edgar Selye asked Captain George E. Head, commanding the garrison at Monroe, for a detachment of troops to help him serve warrants in the town of Vienna in Lincoln Parish. Head had been given no orders prohibiting such aid, and at the time he discerned nothing improper in Selye's request. The captain, therefore, personally led the detachment to Vienna, stationing a squad of soldiers in Farmer-ville (in Union Parish) along the way. However, after spending two days in Lincoln Parish, Selye had made no arrests, and Head concluded that the marshal was using the Army as a counter-intimidation force against

the Democrats. Consequently, Head took his soldiers back to Monroe, but he did leave the squad in Farmerville to protect blacks in the town. 9

Meanwhile, even before Merrill arrived in the Red River District, General Emory had ordered the post commanders at Shreveport and Coushatta to carry out another Republican objective, reseating office-holders who had been ousted by the White League in Caddo and Red River parishes. Furthermore, Governor Kellogg wanted soldiers to reinstate judges, clerks of court, court recorders, and sheriffs in Avoyelles and Rapides parishes. Rather than acceding wholeheartedly to Kellogg's request, Emory informed him that "[i]f no contrary orders . . . [were] received the troops enroute for Colfax [Company K, 7th Cavalry] will be directed to take the Parishes of Avoyelles and Rapides on the way and seat the parish officers. . . ." 10

Although Emory had recently helped some Republicans regain their offices, for some unexplained reason he had doubts about acceding to Kellogg's latest request for help. The general informed General Townsend that he "fear[ed] . . . [Kellogg's request] will be followed by many requisitions of the same kind . . . of very doubtful propriety." Creating a rather lame excuse, Emory concluded that he did not have "sufficient transportation" to continue providing such assistance in the

9Edgar Selye to George E. Head, October 14, 1874, in House Reports, 44 Cong., 1 Sess., No. 816, p. 235; SO No. 7, Monroe garrison, October 15, 1874, ibid., p. 236; Head's testimony before a congressional committee, ibid., p. 238; Lt. F. M. Roe to CO, Dist of Upper Red River, October 19, 1874, ibid.

10Platt to CO, Shreveport, October 12, 1874, in Dept Gulf, vol. 115/DSL, RG 393, NA; Platt to CO, Coushatta, October 12, 1874, ibid.; Emory to Kellogg, October 14, 1874, ibid. Kellogg to Emory, October 14, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 170), RG 94, NA.
future. Townsend's reply was apparently just what Emory wanted to hear. "Appropriations are so small," Townsend wrote, that "movements of troops must necessarily be curtailed. Therefore, make none such as you describe without . . . reporting here [the] detailed object [of any military assistance] and receiving authority [to carry it out]." 11

Emory promptly utilized Townsend's new instructions, ordering Major Merrill and Captain Head to reinstate "in their offices such [Republican] officials as may have been deposed," but not to take their troops outside their present posts "for that purpose without . . . reporting to . . . [Department] Headquarters and receiving authority to make . . . [such movements]." 12

Just as Emory had predicted, on October 16 Kellogg asked for more military assistance. The governor wanted the Army to install officials in Natchitoches, Bossier, DeSoto, and Lincoln parishes. Emory informed Townsend that he had "troops enough in position to seat most of the Kellogg officials" if Townsend issued the necessary orders. 13

When Townsend appeared reluctant to issue the orders, Kellogg and his Custom House cohorts again sought the help of Attorney General Williams, claiming that the troops were also needed to protect the voters in those parishes on election day. Williams dutifully informed

11 Emory to AGO, October 14, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 170), RG 94, NA; Townsend to Emory, October 15, 1874, ibid.

12 AAG Platt to CO, Upper Red River Dist [Merrill], October 15, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 170), RG 94, NA; Platt to Head, October 16, 1874, in House Reports, 44 Cong., 1 Sess., No. 816, p. 233.

13 Kellogg to Emory, October 15, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 170), RG 94, NA; Emory to AGO, October 16, 1874, ibid.
Secretary of War Belknap of Kellogg's request, urging him to order Emory to send troops into several parishes. If the Army needed additional transportation, Kellogg promised to provide it.  

In St. Martin Parish, where the Army was already active, there was considerable evidence to support Kellogg's requests. Two lieutenants, Lorenzo Cooke of the 3rd Infantry and Charles DeRudio of the 7th Cavalry, reported "that white men, known to belong to the White League, have [been] . . . intimidation colored men . . . , preventing them from registering [to vote] . . . ." Furthermore, blacks had been told that they would lose their jobs if they voted the Republican ticket. Cooke concluded that blacks would have been unable to register if his detachment had not camped in Breaux Bridge.  

The White League had been terrorizing blacks in Vermillion, St. Tammany, and DeSoto parishes, and the Republicans needed the Army's protection. J. A. Brookshier in Abbeville claimed that Democrats in his town had threatened all their Negro employees with "immediate discharge" from their jobs, unless they voted for the Democratic candidates. W. H. Yates reported that "[v]iolence and intimidation are the order of the day" in Covington and predicted that the polls would be unsafe, unless the Army patrolled the town on election day. J. J. Johnson in

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14 Williams to Belknap, October 20, 1874, ibid.; Kellogg, Packard, and others to Williams, October 19, 1874, in Letters Recd by U.S. Justice Dept from Louisiana (Microcopy M-940, reel 2), RG 60, NA; Kellogg to Williams, October 19, 1874, ibid.

Mansfield informed Marshal Packard that troops were needed in DeSoto Parish to offset the nefarious activities of the White League.\textsuperscript{16}

Although it painstakingly avoided any confrontations with Emory's troops, the White League continued to be active in New Orleans itself. Emory learned that "bodies of armed men" had been marching in the streets at several places in the Crescent City. Kellogg's administration seemed powerless to prevent these drills, despite the actions taken by the newly appointed police chief, George Baldey, a former Army officer who had served as assistant adjutant general to General Mower. Baldey submitted frequent reports to Kellogg concerning the New Orleans White League, but the police chief was reluctant to use his patrolmen against the well-armed and high spirited Leaguers. However, Emory responded to Baldey's reports, ordering some extra troops into New Orleans to quiet the "unsettled and violent feeling which . . . exists in this city."\textsuperscript{17}

Emory was under pressure from the White League and the Democrats, and the Kellogg administration and the Republicans, and now higher authorities seemed to believe that Emory had too many soldiers in his department. As units of the 13th Infantry arrived in Louisiana, Secretary of War Belknap ordered Emory to transfer some companies of the 2nd and 18th regiments to Alabama. In the meantime, Emory had to make


\textsuperscript{17}Emory to AGO, October 5, 1874, in Senate Exec. Docs., 43 Cong., 2 Sess., No. 17, p. 61; George Baldey to Kellogg, October 8, 13, 18, 25, 28, 1874, in House Exec. Docs., 44 Cong., 2 Sess., No. 30, pp. 356-57; Emory to Rear Admiral J. R. M. Mullany, October 10, 1874, in Dept. Gulf, vol. 115/DSL, RG 393, NA.
his own plans to distribute enough troops to all of the potential danger spots in Louisiana by the time of the election on November 2. Consequently, while fresh troops arrived in New Orleans, needing quarters and food, other soldiers were traveling to the interior or leaving the state. To be successful, these operations called for competent staff work, adequate logistics, and good coordination.  

Emory's staff was equal to the task, and during the last two weeks of October, New Orleans bustled with the activity of troop trains and marching soldiers. By the end of the month all ten companies of the 13th Infantry had arrived in New Orleans from the Department of the Platte, replacing three companies of the 18th Infantry and one company of the 2nd Regiment which were transferred to Alabama. Making light of the removal of troops from the Indian frontier to the South, the Monroe Ouachita Telegraph rhetorically asked if there were "not a few valiant souls in Louisiana who will tender their services to the helpless pioneers of the West?"  

Obeying the orders of the War Department, Emory sent out detachments to three towns which usually did not have garrisons. Two of the towns, Franklin in St. Mary Parish and Napoleonville in Assumption Parish, received detachments of the 3rd Infantry from Jackson Barracks.

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18 Belknap to Townsend, October 15, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 170), RG 94, NA; AAG Chauncey McKeever to Emory, October 20, 1874, in Dept Gulf, vol. 151/DSL, RG 393, NA.  

19 Post Returns, Jackson Barracks, October 1874, in Records of the AGO (Microcopy M-617, reel 524), RG 94, NA. AAAG W. W. Sanders to Brooke, October 21, 1874, in Dept Gulf, vol. 115/DSL; Emory to AAG, MilDivSouth, October 23, 1874 (two communications), in Dept Gulf, vol. 140/DSL; all in RG 393, NA. Monroe Ouachita Telegraph, October 23, 1874.
The third town, Moreauville in Avoyelles Parish, near Alexandria, was under the supervision of Major Merrill, who had been having a difficult time in his new command.  

Merrill had arrived in Shreveport on October 19, and immediately began a personal campaign to control the "fools and unreasoning hot heads" who had been creating "considerable bad feeling & excitement" throughout northern Louisiana. He opened his campaign by ordering an Army detachment to assist U.S. Deputy Marshal J. B. Stockton by arresting James H. Cosgrove, the Conservative editor of the Natchitoches People's Vindicator, a leading White League publication. After taking Cosgrove into custody, Stockton and his escort arrested thirteen prominent citizens in Coushatta, charging them with either violating the Enforcement Acts or participating in the "Coushatta Massacre." The Vindicator, still operating without its editor, labeled the Coushatta arrests a "raid" and accused the Army of allowing itself to be "used for political purposes." The Shreveport Times called the arrests "as vile a piece of business as men wearing the uniform of a great nation were ever guilty of performing." 

During the next few days Merrill's troopers assisted in the arrest of five other men who had signed a proclamation announcing that they

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21Merrill to AG, Dept Gulf, October 24, 1874, in Dept Gulf, vol. 151/DSL, RG 393, NA; Natchitoches People's Vindicator, October 24, 1874; Shreveport Times, October 22, 1874. See also ibid., October 19 and 27, 1874; Alexandria Caucasian, October 31, 1874; New Orleans Daily Picayune, October 20 and 21, 1874.
would not renew work contracts with blacks who voted for the Republicans in November. Merrill informed Emory that "it would be certain death to any native here to initiate proceedings" against these men, and therefore he had issued the warrants for their arrest. Merrill concluded that the arrest of these men would have a beneficial effect on other Conservatives in his district. 22

Louisiana's Democratic press bitterly denounced Merrill's "scurvy actions." The New Orleans Bulletin dubbed Merrill a "political bummer with shoulder straps" who did the bidding of "political blacklegs." The Shreveport Times accused the major of "bedraggling his uniform in the filth of partisan politics and using the troops under his command to persecute . . . a peaceable community. . . ." Furthermore, the Times reminded its readers of Merrill's experiences in South Carolina, and likened Merrill and the Army to vultures feeding off of the "defenseless" states of South Carolina and Louisiana. The New Orleans Picayune added its voice to the chorus of criticism, saying that Merrill's actions deserved "the reproach of the nation and the wrath of his superiors. . . ." 23

Merrill's unusual actions and the public notice they commanded led Emory to write General Townsend to explain that Merrill had not been given any authorization to issue arrest warrants and asking if the War Department approved Merrill's conduct. Although Merrill's actions were


23New Orleans Bulletin, October 27, 1874; Shreveport Times, October 27, 1874; New Orleans Daily Picayune, October 25, 1874.
"exciting much discussion and comment, and . . . [were] mischievous in
their effect . . . ," Emory wrote that he desired only a full explana-
tion of the unusual occurrences in Merrill's district and had no
intention of removing him at that time. 24

Reporting as Emory ordered, Merrill explained that by the time he
arrived in the "disturbed country" along the Red River, Kellogg's
officeholders had been "violently ousted" and McEmery's supporters had
replaced them. The White League controlled the countryside and exerted
strong influence in the towns. On his own initiative Merrill began
reseating Republican officials and arresting men who, in his opinion,
had violated the Enforcement Acts. He believed that such arrests were
absolutely necessary if the Army was to maintain order. Despite some
reports that had appeared in the press, Merrill denied that he had acted
as prosecutor against the arrested men. Merrill concluded that the
district was becoming quiet and orderly. These explanations satisfied
Emory, who offered Merrill additional troops if he needed them. Emory
now turned his attention to specific plans for the election. 25

Adjutant General Townsend, writing for President Grant, asked Emory
his "views as to stationing troops in New Orleans on [the] day of [the]
election." Townsend reminded Emory that the Army's objective was "to
confirm every individual in his legal right to vote." However, Townsend

24 Emory to AGO, October 25, 1874, in AGO File 3579-1874 (Microcopy
M-666, Reel 171), RG 94, NA. Emory to AGO, October 26 and 27, 1874, in

25 Merrill to AAG, Dept Gulf, October 27, 1874, in Senate Exec.
Docs., 43 Cong., 2 Sess., No. 17, pp. 7-11; Emory to McDowell,
October 29, 1874, ibid., p. 7; AAG W. W. Sanders to Merrill, October 29,
1874, in Dept Gulf, vol. 140/DSL, RG 393, NA.
cautioned Emory to avoid "all appearance of military interference. . . ."  

Emory replied that the "whole city and [the] river front [were] completely commanded" by eleven infantry companies and several Navy warships. Three other companies guarded the state capitol, and ten companies were at Jackson Barracks, ready to move to any location. Moreover, during the last several days different units had been "taking exercise" in the streets of the city, parading to demonstrate the Army's intention to keep the peace on election day. However, there were more than one hundred polling places in New Orleans, and it could be difficult to supervise every one. And the Democrats had not been idle; Emory pointed out that many Conservatives had registered and were legally entitled to vote. This could lead to a close election, but Emory did not expect an armed "conflict" unless one side challenged the other for "the custody of the ballot boxes," or disputed the election results after they were tabulated. To discourage either of these eventualities, Emory informed Townsend that he planned to bring all the troops at Jackson Barracks into the city on election day.  

By election day, November 2, Emory had stationed his soldiers at fourteen towns in thirteen parishes. He hoped that these preparations

26 Townsend to Emory, October 27, 1874, in Senate Exec. Docs., 43 Cong., 2 Sess., No. 17, p. 62.

27 Emory to AGO, October 28 and 31, 1874, ibid., pp. 62-63. Monthly Returns, Dept Gulf, October 1874, RG 393, NA. New Orleans Republican, October 24 and 27, 1874. Apparently Townsend believed that Emory's preparations were satisfactory because he ordered an infantry company from New Orleans to Savannah, Georgia. The company left New Orleans on October 29 and returned on November 17. Townsend to Emory, October 28, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 171), RG 94, NA; Dept Gulf, Journal of Events, pp. 35-36, RG 393, NA.
would effectively dampen what the Natchitoches People's Vindicator called the "smoldering of the rebellion."\textsuperscript{28}
On November 1, 1874, General Emory prepared for the elections scheduled for the following day, ordering his troops to occupy several important locations in New Orleans, including five police stations. Other soldiers, who had not been given specific guard duties, paraded through the city's streets. All troops of the New Orleans garrison and at barracks outside the city were on full alert.

Emory later claimed that he had no intention of impressing "the people with . . . the force in this city." However, the parade, the alert, and the evidence of soldiers near public buildings were correctly judged by the Democrats as a reminder that the Army would not tolerate any violent demonstrations. Elsewhere around Louisiana, Army companies and squads patrolled more than twenty towns and cities. They were ready for the voting to begin.¹

In New Orleans itself Emory termed election day "[p]erfectly quiet." The reports from post and detachment commanders around the state generally echoed Emory's own—there was little violence on November 2. For example, Lieutenant Edward A. Belger of the 3rd Infantry reported that his detachments in Alexandria, Lecompte, and

¹New Orleans Times, January 1, 1875; New Orleans Daily Picayune, November 1, 1874.
Cheneyville had maintained "peace and good order during the election . . . without any trouble."2

However, peace and quiet did not necessarily mean free and open elections. Considerable evidence indicates that many Louisiana voters—especially blacks—were unable to freely cast their ballots. Methodical intimidation by the Democrats had convinced many blacks that voting Republican was not worth their jobs or perhaps their lives.

Captain Arthur W. Allyn, commanding Company B, 16th Infantry at Colfax, said that by November 2 the blacks in Grant Parish were so fearful that "[a]ny man can go out and fire a shot-gun off half a dozen times and the negroes all . . . take to the canebreak or woods." Allyn concluded that no "colored man could vote as he wished in the larger portion of the parish." Agreeing with Allyn's conclusions, Major Lewis Merrill related that Conservatives in Caddo and DeSoto parishes often threatened to discharge their black employees if they supported the Republican party. Merrill said that these threats "had the effect to a very great extent to deter the negroes from voting, or to make them vote the democratic ticket." Lieutenant William Gerlach, leading a detachment of the 7th Cavalry to the Campo Bello precinct in Caddo Parish, looked on aghast as blacks "threw themselves on the ground shouting with joy" as he and his troopers rode through the village. After guarding the polls during the election, Gerlach said he was "fully convinced that the colored population in Caddo Parish . . . [was] terror stricken." Captain James H. Gageby, commanding at St. Martinville, testified that "armed parties"

2Testimony of Emory before a congressional committee, in House Reports, 43 Cong., 2 Sess., No. 101, Pt. 2, p. 60; testimony of Lt. E. A. Belger, ibid., p. 83.
had terrorized blacks in St. Martin Parish before the election, but that November 2 had passed quietly. Based on this kind of testimony by Army officers, it appeared that the Conservatives successfully intimidated many blacks, who consequently either decided not to vote or voted Democratic.3

Nevertheless, the Army positively influenced the outcome of the election in favor of the Republicans. The generally quiet election, marred only by the boisterous, non-political altercations expected on election day, worked in the Republican's favor. In fact, the New Orleans Times, claimed that "a More Peaceful Election has Never Been Known."4 In some cases, the mere presence of Army detachments probably encouraged some blacks to vote who otherwise would not have tried.5 In some parishes these votes meant the difference between winning or losing, or at least helping the Returning Board to substantiate a Republican victory, which would have been difficult to do without those votes.

Four of the thirteen parishes where troops had been stationed went Democratic, but the results might have been worse—even catastrophic—for


4New Orleans Times, November 3, 1874. See also House Exec. Docs., 42 Cong., 3 Sess., No. 91, pp. 112-28, for some complaints by Republicans against the Democrats on election day.

5Taylor concludes (Louisiana Reconstructed, 302) that "the sight of blue uniforms gave some blacks the courage to go to the polls on election day. . . ."
the Republicans had the soldiers not been present. The Alexandria
Louisiana Democrat complimented Caddo Parish on the prospect of electing
several Democrats to office, despite the fact that the parish had been
"overridden by bayonets, U.S. Marshals and the arch-vulture Merrill, who
disgraces his uniform." The Democrat, of course, was delighted
when it appeared that Rapides Parish would also be reported for the
Democracy. The election in Caddo and Rapides probably would have been
quite close in a fair contest. The Democrats were understandably
distraught when the Returning Board declared that Republicans had been
elected to the state house of representatives, but Conservatives were
victorious in many local contests.

The Army ultimately saved the election for the Republicans by
protecting the state Returning Board during its deliberations. The
Board, of course, acted as the final arbiter of Louisiana's elections,
and it was composed of four Republicans and only one Democrat. The
chairman of the Board was none other than former governor James Madison
Wells, who called himself a "conservative," but who usually cooperated
with the Republicans. Once the Board finally got down to business, its
deliberations lasted until late December. Before Wells officially
announced the returns, both parties claimed victories in races for
legislative seats, Congress, and local offices.

6 Alexandria Louisiana Democrat, November 11, 1874; New Orleans
Daily Picayune, December 23, 24, 25, 1874; New Orleans Republican,
December 23, 25, 1874.

7 Walter M. Lowrey, "The Political Career of James Madison Wells,"
Louisiana Historical Quarterly, XXXI (October, 1948), 1094; New Orleans
Times, November 11, 1874; New Orleans Daily Picayune, November 3, 6,
1874.
Meanwhile, with the election itself peacefully concluded, General McDowell granted Emory permission to withdraw two detachments from temporary stations to their regular garrisons. Emory ordered the detachment at Napoleonville to return to New Orleans. The squad at Breaux Bridge marched back to St. Martinville, where Captain Gageby was "engaged in executing writs" for the U.S. deputy marshal. ⑧

Assisting Marshal Packard and his deputies had become a commonplace duty for several troop commanders in Louisiana. Usually, the assistance involved nothing more than traveling a few miles and arresting some fugitives or other persons who the deputy did not want to confront alone. Sometimes the soldiers helped to escort the accused individuals to a local jail. The longer the deputies relied on the Army to provide their posses, the more bitter Louisianians became. The Conservatives invariably avoided any confrontation with marshals who had Army escorts. But in late 1874 an extraordinary series of incidents occurred in northern Louisiana demonstrating the Democrats' audacity and disrespect for the representatives of the Federal government.

On October 25, 1874, Lieutenant Benjamin H. Hodgson led a detachment of fourteen soldiers of the 7th Cavalry to assist U.S. Deputy Marshal Edgar Selye, who held arrest warrants for three men in the town of Homer in Claiborne Parish and one man in the town of Vienna in Lincoln Parish. All of the men were charged with violating the

⑧Irwin McDowell to E. D. Townsend, November 4, 5, 6, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 171), RG 94, NA; J. H. Gageby to AAG, Dept Gulf, November 7, 1874, in Dept Gulf, vol. 151/DSL, RG 393, NA; New Orleans Times, November 10, 1874. Later the detachment at Farmerville was withdrawn to Monroe. E. R. Platt to George E. Head, November 16, 1874, in Dept Gulf, vol. 140/DSL, RG 393, NA.
Enforcement Acts. Hodgson and Selye proceeded to Homer, where they arrested Mayor S. R. Richardson, Recorder J. B. Ramsay, and parish Judge N. J. Scott. Several townspeople gathered around the wagon carrying the arrested men, shouting threats and curses at the soldiers and promising to free the prisoners.

Making their way out of Homer, Hodgson, Selye, and their entourage went to Vienna and arrested J. G. Huey, the fourth man on the marshal's wanted list. Rumors abounded in Vienna that the "people were rising" throughout Claiborne, Lincoln, and Jackson parishes, and that they were planning to intercept the detachment and free the prisoners. The lieutenant and the marshal hustled their prisoners out of Vienna. About a mile outside of town Hodgson and Selye halted their men and paused to discuss the situation. Selye recommended that they cut the telegraph wires, thus preventing armed riders and White Leaguers from learning their whereabouts and movements. Hodgson believed that he and his troops "were in imminent danger," and when Selye ordered him to cut the telegraph lines, the lieutenant clipped the cables and, with help from his soldiers, wrapped the strands around some nearby tree stumps. The party then proceeded to Monroe without incident. 9

Within a few days, William Orton, president of Western Union Telegraph Company, wrote a letter protesting Hodgson's wire cutting, but more importantly, Judge J. E. Trimble at Vienna issued arrest warrants for Selye and Hodgson. The Lincoln Parish sheriff assembled a posse of

9New Orleans Daily Picayune, October 29, 1874. Statement of Edgar Selye, filed with AGO File 3579-1874 (Microcopy M-666, reel 171), RG 94, NA; B. H. Hodgson to Col. Henry A. Morrow, November 14, 1874, ibid.; Morrow to AAG, Dept Gulf, November 17, 1874, ibid.
twenty men and went to Monroe, planning to arrest the marshal and the lieutenant. Following the sheriff and his official posse were more than one hundred and fifty well armed "volunteers."  

On November 6 this mounted force rode into Monroe and searched the town for the two Federal officers. They found Hodgson in his room at the Ouachita House Hotel and arrested him. Selye eluded capture for a time, but the posse finally located and apprehended him at the home of J. T. Ludeling, chief justice of the Louisiana Supreme Court. Hodgson and Selye were hustled on horseback and, surrounded by the sheriff's posse and the volunteers, they galloped out of Monroe, heading towards Vienna. Captain George Head hastily assembled a dozen soldiers and sent them chasing pell mell after the posse.  

Soon after the arrests took place, Frank Morey, a Republican leader in Ouachita Parish, wired Major Merrill, telling him of the extraordinary abductions and recommending that he send a strong military unit to Vienna to reinforce the troopers who had followed the posse.  

Morey's telegram immediately propelled Merrill into action. He wired Hodgson in Vienna, directing him to "[d]emand . . . [that] the Sheriff . . . show you his warrant of arrest . . . [and to learn] the offense charged in the affidavit." Next, Merrill informed department


11Shreveport Times, November 7, 1874.

12Frank Morey to Merrill, November 6, 1874, in Senate Exec. Docs., 43 Cong., 2 Sess., No. 17, p. 32. (Unless otherwise noted, all the messages pertaining to the Hodgson case are found ibid., pp. 32-50. Many of the originals are found in Microcopy M-666, reels 171-172.)
headquarters of Hodgson's arrest, adding that he was ordering Lieutenant James M. Bell to take a company of cavalry to Vienna. Merrill considered going to Vienna himself, but he realized that he was widely disliked in north Louisiana and that his presence might be "regarded as an attempt . . . [to secure Hodgson's] forcible release and cause the whole white league force to go there." Merrill wisely decided to remain in Shreveport, hoping ultimately to beat the Conservatives at their own legal game by winning the case in court.

Accordingly, Merrill telegraphed Captain Head in Monroe, ordering him to take "every disposable man" of his command and go "at once" to Vienna. However, Merrill told Head to "[i]nterfere in no way with the execution of any lawful process issued by competent authority. . . ." Furthermore, Merrill ordered Head to "[o]ffer your services to the Sheriff to guard the prisoners . . . [and] all hazards protect the prisoners against any illegal violence. . . ." 13

But Captain Head was not cooperative, perhaps because he held pro-Democratic sympathies. Moreover, he seemed to believe that Hodgson was guilty and deserved whatever sentence the civilian courts might impose. Head informed Merrill that all available men had already been sent to Vienna—they had followed the sheriff's posse at the time of the unfortunate lieutenant's arrest. Head reported that most of his infantrymen had just returned from an eighteen-mile march and were in no condition to leave Monroe for at least two days. The captain concluded that he anticipated no harm would come to Hodgson. Displeased by Head's

13 Merrill to Hodgson, November 6, 1874; Merrill to AG, Dept Gulf, November 6, 1874; Merrill to Head, November 6, 1874.
attitude, Merrill ordered him to "[g]o yourself at once with all the men you can take" regardless of their condition. 

Meanwhile, the adjutant general of the Department of the Gulf, on orders from Emory, informed Merrill that his actions thus far had been approved. Furthermore, the adjutant general ordered Merrill to "[u]se all . . . the force at your command to prevent violence if necessary but instruct your officers to be very guarded, [that] in aiding to enforce one law, not to violate another." In conclusion, the adjutant general advised Merrill to have Hodgson's case transferred from Trimble's state court to the nearest Federal circuit court.

Merrill acknowledged the adjutant general's telegram and notified Hodgson of these instructions from headquarters. Simultaneously, the major instructed Frank Morey to hire an attorney to defend Hodgson. Before he set about employing a lawyer, Morey telegraphed Merrill, informing him that Hodgson and Selye were charged with contempt of court for not obeying a writ of habeas corpus, namely for failing to produce in Trimble's court the four prisoners the Army detachment had arrested on October 25. However, Morey claimed that the writ had been issued to Sheriff Aycock of Claiborne Parish, not to the Federal officers.

On November 7, before Hodgson's attorney (a local lawyer named W. R. Hardy) could apply to have Hodgson's case transferred to a U.S.

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14Head to Merrill, November 6, 1874; Merrill to Head, November 6, 1874.

15AAG, Dept Gulf to Merrill, November 6, 1874; Merrill to AAG, Dept Gulf, November 6, 1874.

16Merrill to AAG, Dept Gulf, November 6, 1874; Merrill to Morey, November 6, 1874; Merrill to Hodgson, November 6, 1874; Morey to Merrill, November 6, 1874.
court, Judge Trimble arraigned the lieutenant and Marshal Selye on charges of contempt of court. Trimble found the pair guilty, sentencing them to ten days in jail and fining them one hundred dollars each, plus court costs. The speedy trial destroyed Merrill's plans to conduct a slow, methodical defense in a Federal court. 17

General Emory was kept abreast of the situation in Vienna by Merrill's frequent telegrams. When he learned that Hodgson and Selye had been convicted, he sent a special message to General Townsend, giving him the salient facts in the unusual case. Emory added that he was sending Colonel Henry A. Morrow of the 13th Infantry to investigate the entire matter. The New Orleans Republican approved of Emory's choice, writing that "Colonel Morrow's report can be relied upon." However, it later became evident that Morrow was decidedly pro-Democratic, and his subsequent reports were unsatisfactory to the Republican. 18

In the meantime, Merrill was still trying fruitlessly to have Hodgson's case transferred to a Federal court. W. R. Hardy, Hodgson's lawyer, advised Merrill that there was no need for that—the case had

17Hodgson to Merrill, November 7, 1874; Merrill to Hodgson, November 7, 1874; Merrill to AAG, Dept Gulf, November 7, 1874.

18 Emory to AGO, November 7 and 8, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 171), RG 94, NA; Judge Trimble also wrote Townsend, describing his own version of the affair: Trimble to Townsend, November 9, 1874, ibid. New Orleans Republican, November 10, 1874. Henry A. Morrow was a native of Virginia and had fought in the Mexican War as a private. Afterwards he moved to Michigan. During the first year of the Civil War he commanded the 24th Michigan Infantry. By the end of the war he was promoted to major general of volunteers. He elected to remain in the Army, and in 1865 he was commissioned lieutenant colonel of the 36th Infantry, transferring to the 13th Infantry four years later. See Francis B. Heitman, Historical Register and Dictionary of the United States Army, 1879-1903 (2 vols., Washington, 1903), 1, 729.
already been tried and the sentence given. Hardy indicated that perhaps he could apply for a rehearing in Judge Trimble's court. Although Hodgson remained technically under arrest, Trimble had given him the "liberty of the town, . . . [and] his position [was] appreciated by the very Citizens he arrested . . . ," (which indicated that those gentlemen did not remain in custody for very long). Hardy concluded that Selye had tried to shift the complete blame of the wire cutting onto Hodgson's shoulders, and the lawyer suggested that it would be best to conduct the appeals separately. Major Merrill, who had been dissatisfied with Hardy from the outset, replied that Hardy was employed by the U.S. government, not by Hodgson and Selye, "who as far as you are concerned are John Doe & Richard Roe." Colonel Morrow was to take over direction of the case when he arrived.19

Before Morrow arrived, Frank Morey filed a complaint against Captain Head for "unofficer-like and disgraceful" conduct, public drunkenness, and fraternizing with the White League. Obviously, Morey had recognized Head's Democratic sympathies. Merrill was impressed by Morey's allegations and was tempted to place Lieutenant James Bell in charge of the troops in Vienna until Morrow reached the town. Moreover, Merrill was convinced that the charges against Hodgson had been trumped up and that, consequently, his conviction was improper.20

19 Merrill to W. R. Hardy, November 8, 1874, and reply, in Senate Exec. Docs., 43 Cong., 2 Sess., No. 17, p. 39; Merrill to AAG, Dept Gulf, November 8, 1874, ibid.

20 Merrill to AAG, Dept Gulf, November 9, 1874, ibid.; Morey to Merrill, November 9, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 172), RG 94, NA.
Suddenly, on November 9, Judge Trimble announced a decision that astonished everyone connected with the case. He nullified Hodgson's sentence, rescinded his fine, and discharged the lieutenant from custody. Captain Head was so caught by surprise that he asked Merrill what to do next. Merrill ordered Head to return to Monroe and ordered Hodgson to rejoin his company after conferring with Colonel Morrow.21

By all appearances the case had ended, but on November 10 Judge Trimble filed new charges against Hodgson for cutting the telegraph wires. Hodgson was not rearrested, but Head informed Merrill that a new trial would be held within a few days. Considering these new circumstances, W. R. Hardy advised Merrill that Head was "invaluable" to the conduct of the case because he had "formed and now controls public opinion [in Vienna]." Therefore, the captain had to remain in Vienna.22

Merrill's patience with Hardy had worn thin. Dismissing Hardy by calling him "an obstinate ignoramous," Merrill again ordered Head to have Hodgson's case transferred to a Federal court. Piqued by Merrill's language, Hardy responded in kind, threatening to prefer charges against the major for "conduct unbecoming an officer and a gentleman." "There is a wide difference between a gentleman and a Blackguard," Hardy boomed. "You furnish an illustration." Colonel Morrow's arrival in

21Head to Merrill, November 9, 1874; Merrill to Head, November 9, 1874; Merrill to AAG, Dept Gulf, November 9, 1874; AAG, Dept Gulf to Merrill, November 10, 1874; Merrill to Head, November 10, 1874; Merrill to Hodgson, November 10, 1874.

22Head to Merrill, November 10, 1874; W. R. Hardy to Merrill, November 10, 1874.
Vienna on November 10 finally made Hardy's services unnecessary and placed Captain Head in a subordinate position.23

After questioning the principals in the case, Morrow suggested to Merrill that Hodgson be placed under military arrest and stand a court martial for cutting the telegraph wires. Still nursing the notion that Hodgson should stand trial in a Federal court, Merrill nevertheless concurred with the colonel's suggestion and ordered Hodgson's arrest.24

Morrow placed Hodgson under military guard, ordering him not to surrender himself to civilian lawmen. Major Merrill wanted to withdraw all soldiers from Vienna before the civilian authorities reacted, but Morrow demurred, preferring to remain in the town a little while longer to see what the judge and sheriff would do next. Eventually, Merrill and the departmental adjutant, acting on Emory's orders, overruled Morrow; and the troops returned to their regular stations, avoiding a new confrontation. While awaiting court martial, Lieutenant Hodgson was placed in protective custody in Monroe.25

Two influential north Louisiana newspapers relished the controversy caused by the Hodgson case, using it as an opportunity to criticize the Army and its officers. For example, the Monroe Ouachita Telegraph concluded that "the army uniform has not been elevated by his [Hodgson's]
course [of action]." The Shreveport Times referred to the lieutenant as a "reckless and lawless subaltern," whose guilt was a foregone conclusion. The Times delightedly pointed out that Major Merrill was making "an ass . . . of himself in keeping up all this military display and excitement."26

Now that Hodgson's case was out of civilian hands, General Emory wanted the court martial to begin as soon as possible. Captain Arthur MacArthur was designated judge advocate in the case. The military court found Hodgson guilty on two counts: conduct unbecoming an officer and a gentleman during the arrest of the Claiborne Parish prisoners and destroying telegraph wire belonging to Western Union. The court handed down an unofficial reprimand as the only punishment for these infractions, citing the "very novel circumstances under which Lieutenant Hodgson was suddenly placed . . ." as reason for the light penalty. Hodgson was restored to duty with his company.27

The Hodgson case was unique during the Reconstruction years in Louisiana. A Conservative judge issued a warrant for the lieutenant's arrest without consulting the state's attorney general, Major Merrill, who commanded the Red River District, or Captain Head, who was temporarily Hodgson's immediate superior. In other words, some

26Shreveport Times, November 8, 1874; Monroe Ouachita Telegraph, November 20, 1874; see also ibid., November 13 and 27, 1874.

27Endorsement by Emory, November 18, 1874, on letter, McDowell to Townsend, October 30, 1874, in AGO File 3579-1874 (Microcopy M-666, reel 171), RG 94, NA; Arthur MacArthur to AAG E. R. Platt, December 9, 1874, in Dept Gulf, vol. 151/DSL, RG 393, NA. General Order No. 29, Dept Gulf, December 30, 1874 [results of the court martial of Lt. B. H. Hodgson], in House Reports, 43 Cong., 2 Sess., No. 261, Pt. 2, pp. 950-52.
satisfactory accommodation could have been worked out with one or more of these officers in relation to the charges against Hodgson. Instead, the judge and his sheriff demonstrated their insolence and disrespect for the Army; and coincidentally for U.S. Marshal Edgar Selye. The sheriff risked bringing on a general engagement with the Army, boldly leading his posse and volunteers into Monroe and abducting Hodgson and Selye. In taking this precipitate action, the sheriff might have been counting on the cooperation (or at least inaction) of Captain Head. If a Republican officer who supported Reconstruction had been in command at Monroe, he might have been able to prevent Hodgson's abduction and demonstrate a firmness that Head obviously lacked. Head's pro-Democratic stance may have encouraged the Conservatives in their dangerous venture. Once Hodgson and Selye had been arrested, Emory and Merrill elected to press for their release in court rather than sending a large armed force to Vienna and demanding that they be set free. Such an action likely would have been viewed as a military assault on the courts and would not have earned any friends for either the Army or the Grant administration. Therefore, a few civilian officials seized on the Hodgson case and used it to embarrass Major Merrill, General Emory, and the Army.  

By the time the lieutenant's court martial ended in December the whole affair had placed another black mark beside Emory's name, indicating that he had failed to ensure law and order in Louisiana.

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28 Sefton briefly mentions Hodgson's problems in United States Army and Reconstruction, 1865-1877 (Baton Rouge, 1967), 226-27. While serving with the 7th Cavalry Hodgson was killed at the Little Big Horn. Heitman, Register of the Army, I, 534.
In the weeks following the Hodgson incident, it was evident that the Republican's hold on northern Louisiana was deteriorating, despite Major Merrill's conscientious command of the Upper Red River District. In Merrill's opinion, most Republicans needed to maintain their "actual residence in the military camp" for self-protection if they tried to exercise the duties of elected or appointed office during the day. Furthermore, Merrill claimed that "the entire black population of this section is absolutely terror-struck," standing "in almost hourly apprehension of the visits of White Leaguers." According to Merrill, whites had committed "numerous acts of violence" against blacks. Major Henry L. Chipman, serving with the 3rd Infantry in Shreveport, corroborated Merrill's claims, and advised that it would be unwise "to withdraw any of the troops stationed in . . . [this] section."29

Subsequently, Merrill asked Emory to send additional troops to the Upper Red River District. Emory doubted the necessity for sending more troops to north Louisiana. Merrill already commanded three companies of cavalry and five companies of infantry—only two companies shy of a complete regiment. Therefore, Emory ordered Colonel Morrow to investigate "the condition of the troops, [and] the character of the locality in which they are placed" throughout north Louisiana.30

29Merrill to AAG, Dept Gulf, November 18, 1874, in Senate Exec. Docs., 43 Cong., 2 Sess., No. 17, p. 19; Merrill to AG, Dept Gulf, November 26, 1874, ibid., pp. 52-53. Henry L. Chipman to AAG, Dept Gulf, November 23, 1874, in Dept Gulf, Letters Recd, RG 393, NA.

In December Morrow filed two lengthy reports concerning the Army in northern Louisiana. First of all, Morrow recommended that in the future Federal troops should no longer provide posses for U.S. marshals. With the Hodgson case fresh on everyone's mind, Morrow stated that a "marshal discharging his duty in a gentlemanly manner does not ... require the aid of the military." Morrow thought that if Emory could be persuaded to adopt this recommendation, "the Army will be relieved from a most unpleasant and onerous duty, and a great cause of local irritation will be removed."

Moreover, Morrow, disagreeing with Merrill, believed that no additional troops were needed in the Upper Red River District. In fact, the colonel advised Emory to withdraw most of the troops from northern Louisiana, including those at Colfax, Alexandria, and Natchitoches, where a company of the 3rd Infantry had only recently been sent. "[T]roops will not be required at these points to compel obedience to any law of the United States. Troops will be required, however, in nearly every section of the State to sustain the State authorities. . . ." Morrow emphasized that there was "not the slightest disposition to oppose the General Government, but the opposition to . . . [Kellogg's] State government . . . [was] determined. . . ." Only "the presence and force of Federal soldiers" was restraining the "open defiance" of most whites against the Kellogg regime, which could not "maintain itself in power a single hour without the protection of Federal troops." "The political condition of the State is the one subject of conversation everywhere, in public and private, and among all classes, except the negro, who feels no interest in it, because he does not comprehend it," Morrow concluded. In Morrow's opinion, if the Returning Board declared
Republicans elected in Caddo and DeSoto parishes, "[n]early all influential and responsible citizens concur fully and entirely in the view that violence to any extent will be justified . . . to secure . . . a change of local administrators. . . ." By supporting Kellogg, the Army was going against "the personal and political feeling in the breasts of nineteen-twentieths of the white inhabitants of the State."\footnote{Morrow to AAG, Dept Gulf, December 3, 11, 24, 1874 (capitalization and emphasis in the original), ibid., pp. 67-68, 70-74.}

The events of the last three months had convinced General Emory that Morrow's observations and conclusions were correct. Emory was no longer certain that the Army was capable of consistently enforcing Grant's Reconstruction policy in Louisiana. The general waited expectantly for the Returning Board to tabulate and certify the election returns.

Meanwhile, it appeared possible that another riot equal to the one of September 14 was in the offing. Captain George Head at Monroe reported that the "mayor of the town has applied . . . for troops in case of a riot which is anticipated here as the Negroes are said to be universally arming." Head asked "[i]f at all, how and in what manner shall I use the troops at my disposal?" Emory ordered him "to interpose United States forces only to prevent conflict between armed bodies, or on requisition of United States marshal. . . ." Head had overstated the seriousness of the situation and fortunately the violence he had predicted did not occur.\footnote{Head to AAG, Dept Gulf, December 7, 1874, in Dept Gulf, vol. 151/DSL; Emory to AGO, December 8, 1874, in Dept Gulf, vol. 140/DSL; AAG E. R. Platt to Head, December 7, 1874, ibid.; all in RG 393, NA.}
In contrast, the situation in New Orleans appeared to be quite dangerous. On December 9 Governor Kellogg warned President Grant that the White League might attack the State House at any time. He asked the President to permit Emory to station soldiers in and around the capitol to protect James M. Wells and the other members of the Returning Board who were meeting there. (The troops had been withdrawn from the capitol on November 24 at General Townsend's direction in order to reduce the military expenses of the New Orleans garrison.) Supporting the governor's request, Wells informed Grant that the "members of the board are being publicly and privately threatened with violence. . . ." U.S. District Attorney James R. Beckwith wrote U.S. Attorney General Williams that loyal Republicans in New Orleans were "surrounded by an armed camp with a force exceeding by far the federal land forces now in the city. . . . There is no respect for Law[,] either State or federal. The condition is Volcanic and may culminate in bloodshed at any moment." Beckwith feared that a condition of "anarchy" would result in January when the next secession of the state legislature was scheduled to meet. 33

All of these "rumors of intended violence" had not escaped Emory's attention, and he decided to forestall any repetition of the events of September 14. He put the troops at Jackson Barracks on a round-the-clock alert and informed local political leaders of his plans to keep

33William P. Kellogg to Ulysses S. Grant, December 9, 1874, in American Annual Cyclopedia and Register of Important Events for 1874 (New York, 1875), 502; James M. Wells to Grant, December 10, 1874, ibid. Post Returns, New Orleans, November 1874, in Records of the AGO (Microcopy M-617, reel 844), RG 94, NA; J. R. Beckwith to George Williams, December 11, 1874, in Letters Recd by U.S. Justice Dept from Louisiana (Microcopy M-940, reel 2), RG 60, NA.
the peace. Privately, however, Emory asked both General Townsend and
General McDowell if, in the event of an attack on Kellogg, the Army
should defend the governor or wait for him officially to apply to the
President for help. 34

General Townsend promptly replied that the "President directs that
you make arrangements to be in readiness to suppress violence, and have
it understood that you will do it." Emory gratefully accepted those
firm orders, and borrowing Townsend's words, he sent Major Merrill what
was virtually a duplicate message. Democratic leaders soon learned
about Emory's orders. The general probably intentionally leaked the
information to the Conservatives. Suddenly, the potential for violence
decreased, and Emory wired the adjutant general, telling him that it
appeared "armed conflict will not be used by contending parties to
settle the pending political troubles in this city." Now that a measure
of calm had been restored to politics, the politicians and the soldiers
all waited for the Returning Board to announce the election results. 35

On December 22 and 24 James Wells and his Board released the
official returns, after selectively voiding the returns from several
precincts. The Board was dominated by Republicans, and consequently
many observers believed that it would declare Republican candidates

34E. R. Platt to CO, Jackson Barracks, December 13, 1874, and
Emory's endorsement, in Senate Exec. Docs., 43 Cong., 2 Sess., No. 17,
p. 66; Emory to AGO, December 15, 1874, ibid., p. 65; Emory to AAG,
MilDivSouth, December 13, 1874, in Dept Gulf, vol. 140/DSL, RG 393, NA.
Emory to AG, MilDivSouth, December 15, 1874, in AGO File 3579-1874
(Microcopy M-666, reel 172), RG 94, NA.

35Townsend to Emory, December 16, 1874, in Senate Exec. Docs., 43
Cong., 2 Sess., No. 17, p. 65; Emory to AGO, December 16, 1874 (two
communications), ibid., p. 66; Platt to Merrill, December 17, 1874, in
Dept Gulf, vol. 140/DSL, RG 393, NA.
elected in a majority of the contests. Surprisingly, Wells and his cronies declared only fifty-three Republicans elected to the state house of representatives, as against fifty-three Democrats. In a move sure to cause trouble in the future, the Board announced that it was impossible to determine the winners of five legislative seats, leaving the final decision up to the new house itself. Furthermore, Democrats had won two of Louisiana's six congressional seats. The Conservatives dominated the local elections in Orleans and Caddo parishes and were victorious in many other town and parish elections across the state. The Republicans were horrified by these results, but they still had a majority in the state senate, and Republican Antoine Dubuclet had been reelected state treasurer. 36

Without the protection of Emory's soldiers, the Democrats might have been able to force Wells to declare that other Conservatives had been elected. Having only one member on the Returning Board, the Democrats had still emerged holding many local offices, two congressional seats, and half of the house of representatives. Obviously, the Conservatives had tallied so many votes that the Board considered it unwise to deprive them of too many offices.

Even before the Returning Board announced the election results, President Grant and his advisors had considered sending a special envoy to Louisiana. 37 This was not a decision made on the spur of the moment. The events which had taken place during recent months in Louisiana had


eroded the administration's confidence in General Emory, and therefore Grant had decided to send to Louisiana a senior officer in whom he had the utmost confidence. That officer was General Philip H. Sheridan.

When it came to carrying out Reconstruction policy, Grant probably had more confidence in Sheridan than in any other Army officer, not excepting General William T. Sherman. Sherman's position on Reconstruction was well known. Had he been assigned to New Orleans, he might have recommended that the time had come for the Army to withdraw from Louisiana, leaving Kellogg to his fate. Sherman had warned Colonel Philippe DeTrobriand of the 13th Infantry that the continued use of troops in the South was "pregnant with danger," and he "[l]ooked on increased military display in New Orleans as wrong. . . ." Later he wrote his brother, Ohio's Senator John Sherman, telling him that he had "tried to save our officers and soldiers from the dirty work imposed on them by the city authorities of the South. . . ." Furthermore, Sherman "always thought it wrong to bolster up weak State governments . . . [with] our troops." It was the Army's duty to "keep the peace always; but not [to] act as bailiff constables and catch thieves. That should be beneath a soldier's vocation." Even under the most trying circumstances Grant had refused to abandon Kellogg, and he would never have wanted any kind of open rift on his Southern policy with Sherman.

Perhaps, then, it was not so surprising that the President picked "Little Phil" to go to Louisiana. 38

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On Christmas Eve Secretary of War William W. Belknap sent a telegram to Sheridan at his Chicago headquarters, explaining that Grant wanted him "to visit" Louisiana and Mississippi to "ascertain the true condition of affairs [in those states] and to secure such suggestions... as [he]... deem[ed] advisable and judicious." In fact, Belknap gave Sheridan virtual carte-blanche:

Enclosed herewith is an order authorizing you to assume command of... [McDowell's] Military Division of the South, or of any portion of that Division, should you see proper to do so.... You can, if you desire it, see General McDowell in Louisville, and make known to him confidentially, the object of your trip, but this is not required of you. Communication with him by you is left entirely to your own judgement.... [I]t is best that the trip should appear to be one as much of pleasure as of business; for the fact of your mere presence in the localities referred to will have, it is presumed, a beneficial effect.

After concluding his investigations, Sheridan was to give the President a complete personal report in Washington. Until then, Grant expected Sheridan to keep him informed "from time to time." Sheridan acknowledged Belknap's message and prepared for his trip to the Bayou State.

When he received the orders sending him to Louisiana, Sheridan was directing the climactic Indian war of the Southwest, the Red River Campaign of 1874-1875. Consequently, Belknap's orders called for him to deal with two major command problems at once.

Initially, Sheridan decided to abide by Belknap's suggestion concerning a "pleasure" trip, purposely not divulging the full

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implications of his orders to either the press or the public. Some
observers believed that Sheridan simply planned to pass through
Louisiana on his way to Cuba. Bolstering this notion, Sheridan's
fiance, Miss Irene Rucker, daughter of the general's divisional quarter-
master, announced that she intended to go along on the trip. Sheridan
notified one of his subordinate commanders, General John Pope, that he
simply "wish[ed] to take a little trip to the south for two or three
weeks & may possibly go as far as Havana. ..." Sheridan wanted Pope
to keep him "posted on all the events connected with the Indian
Campaign ..." while he was in New Orleans.  

But most of the reports in the newspapers indicated that Sheridan
did not fool the journalists by pretending he was on a trip to Cuba.
The New York Times, admitting it lacked official confirmation, neverthe-
less reported on December 28 that Sheridan was going to New Orleans to
"take command." "The case [in Louisiana] is grave enough," the Times
story continued, "to warrant the sending to New Orleans of an officer of
the highest rank to make a personal inspection of affairs, and use a
wide discretion in making changes ... in the disposition and arrange-
ment of forces." The Times hastened to add that Sheridan's mission
"implies no dissatisfaction with, or want of confidence in Gen. Emory."  

In New Orleans the local newspapers quickly picked up the story.
The New Orleans Times claimed that Sheridan was carrying orders giving
him "immediate sway" over Louisiana. The Republican predicted that

40 William H. Dixon, White Conquest (2 vols., London, 1876), II, 40,
42. Sheridan to John Pope, December 28, 1874, in Philip H. Sheridan
Papers (Manuscripts Division, Library of Congress).

Sheridan would assume command of the Department of the Gulf, attaching it to his grand Military Division of the Missouri. The Republican added that President Grant had considered sending General Alfred Terry on the mission, but that Sheridan had been chosen as the officer "who would promptly grasp the responsibility of the moment." At first, the Picayune doubted that Sheridan was coming to Louisiana, but by December 29 it was resigned to the fact. 42

Meanwhile, no one in Washington or Chicago had informed General Emory about Sheridan's mission or its objectives. In a widely circulated interview, Emory said that he had "received no official intelligence concerning the reports alluded to, nor of any measures looking to my removal." Using an interesting phrase, Emory accused "the banditti in Washington who are writing for the newspapers" of trying to turn public opinion against him. To Emory, it may have seemed that everyone was against him, but it was more than just the press coverage of Louisiana's problems that had brought him to the brink of losing his command. Since the fighting on September 14 Emory had seemed to face one potential crisis after another. Emory reported on December 27 that "[f]or nearly two years the condition of affairs has been very precarious, and the State government has constantly shown itself unable to cope with the difficulties of the situation in which it is placed. The state of things is daily growing worse. . . ." Despite the truth of Emory's words, Grant wanted someone in New Orleans, as the New York Times reported, "in whom he has implicit Confidence . . . and of such

rank that in case of an emergency he can act without special orders from Washington.⁴³ Emory had apparently lost his commitment to his unusual mission—protecting the Kellogg government. Consequently, Grant had lost confidence in Emory, and he wanted someone in Louisiana who was dedicated to Reconstruction.

Late on the night of December 30 Phil Sheridan stepped off the train at New Orleans. Accompanying him was his brother Captain Michael V. Sheridan, his trusted aide-de-camp Major George A. Forsyth, Mrs. M. V. Sheridan, and the general's fiance, Miss Irene Rucker. The New Orleans Republican reported that Sheridan's staff officers appeared to be "out for a holiday and intending to visit Havana before their return to Chicago."⁴⁴ Sheridan was apparently trying to keep up the pretense of a pleasure trip. Unfortunately, his mission to New Orleans was going to be anything but a holiday.

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⁴⁴New Orleans Republican, December 31, 1874.
Phil Sheridan was despised by white Louisianians as was no other Northern general with the possible exception of Ben Butler. No other general had done more to change the structure of their society and their politics. Sheridan's first command in Louisiana had been marked by contention, and his second Reconstruction assignment followed the same pattern. Indeed, controversy seemed to attend the little general. Since Sheridan was last in Louisiana, Eastern do-gooders had condemned him for his harsh warfare against the Indians; diplomats had shuddered when he offended the French while serving as an official observer during the Franco-Prussian War; and politicians had criticized him for his administration of Chicago after the catastrophic fire in 1871 which swept that city.¹

The possibility that Sheridan would assume command in Louisiana had aroused speculation in the press, but Sheridan and Secretary of War William Belknap had wanted to keep secret the true intent of the general's visit. But the newspaper men were too inquisitive. Belknap informed Sheridan that reporters had deduced Sheridan's real mission from "an occasional remark dropped by the President." "It is a study to

observe the efforts made by the correspondents to learn news & the correct surmises which they often make," Belknap commented.  

It had been widely reported that Sheridan had come to Louisiana simply "as a conservator of the peace," but the White League took his assignment to the state as an "ominous token." Mincing no words, the New Iberia Louisiana Sugar Bowl branded Sheridan the "little villain" soon after his arrival. The Bossier Banner ridiculed him, concluding that he was "about as well qualified for the position he occupies as a pig would be for running a saw mill."  

White Louisianians were antagonized by Sheridan's presence because they knew him too well. They knew that his stern reputation was well deserved and, moreover, they knew that they could not bluff him. Obviously, the resentment and antagonism many white Louisianians felt towards him made Sheridan's assignment more difficult. Such ill will might have been shown toward General Alfred Terry or any other new commander who was given the mission to pacify the rebellious Louisianians. But Sheridan's past reputation should have made it clear to Grant that, as Claude Bowers wrote, "[a] microscopic search of the army could not have discovered a single officer ... more provocative of the people of New Orleans." Sheridan's biographer, Richard O'Connor, concluded that "[i]f there was one man in the North completely ineligible to effect a cooling off of political passions at New Orleans, that man was Phil Sheridan." Similarly, James Sefton wrote that

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3New Orleans Times, January 4, 1875; Donaldsonville Chief, January 2, 1875; Bossier Banner, September 12, 1874; New Iberia Louisiana Sugar Bowl, February 11, 1875.
"Sheridan's mere presence in Louisiana was enough to antagonize people..."4

Sheridan was not in New Orleans to cool off passions: he was there to quash the feelings of rebellion that had been obvious since the Battle of Liberty Place. In fact, Sheridan was one of the few old Radicals left. Stevens and Sumner were dead; other Radicals had defected to the Liberal Republicans or had retired from politics. Their passing from the scene reflected a decline in the popularity of Grant's Reconstruction policy, which consistently had involved using the Army to support Republican regimes in the South. By 1875 most Northerners displayed a noticeable lack of concern about the ideals of Reconstruction, civil rights for blacks, or punishment and estrangement of former traitorous Confederates. Essentially, it appeared that Grant's policy was now obsolete. Despite this hard reality, Grant wanted Louisiana to remain in Republican hands; to achieve this end the Federal government would have to take firm control again. Sheridan's arrival, therefore, was a signal to the Democrats—cease and desist, or face the consequences of military suppression. The Monroe Ouachita Telegraph clearly recognized that "Kellogg... must be up held by the presence, and if need be, the arms and cartridges of federal soldiers."5

On January 1 Sheridan met with Emory, his old comrade in arms from the Shenandoah Valley campaign. At first they may have talked briefly


about the war, Emory’s XIX Army Corps, the battles in which they fought together, Opequon, Fisher’s Hill, and Cedar Creek; after the last battle Sheridan had recommended that Emory be breveted major general of volunteers. Sheridan usually was brusque when dealing with subordinates, but he may have shown some consideration for Emory, who had entered the Army the same year that Sheridan was born.

They finally turned their conversation to Louisiana politics. The legislature was scheduled to open in three days, and the Returning Board had left five house seats unfilled. It was up to the state house of representatives to choose five new members to fill those seats. By now Emory recognized the potential for violence whenever the Louisiana legislature convened. Emory showed Sheridan the orders which had been sent by Adjutant General Townsend and the President in December—"suppress violence and have it understood that you will do it."
Simultaneously, he handed Sheridan his draft of orders for the disposition of troops on January 4. After reading the documents, Sheridan replied that the President’s orders were "explicit and unambiguous."
Sheridan remarked that it was his "duty as a military officer . . . to prevent riot and bloodshed, [and] to take such steps in advance . . . [to prevent violence] instead of waiting until violence had actually occurred." Sheridan then showed Emory the orders from Belknap, authorizing him to assume command of the Department of the Gulf.
According to Emory, "from that moment no action looking to the troubles here was taken without consultation with . . . [Sheridan], or without
his positive orders. . . ." For all practical purposes Sheridan was in
command.  

Governor Kellogg had warned Emory that the White League might
instigate a disturbance on January 4, and perhaps even attempt to occupy
the state capitol. Therefore, the governor wanted Emory to station
troops "in close proximity to the State House" and inside the building,
if Emory believed it advisable. Sheridan left unchanged Emory's orders
directing Colonel Philippe Regis DeTrobriand of the 13th Infantry7 and
Colonel DeLancey Floyd-Jones of the 3rd Infantry to protect the
legislature. Captain Frederick W. Benteen, commanding Company H, 7th
Cavalry, was ordered to post his men near the Custom House, in which
Emory and Marshal Stephen Packard would have their headquarters on
January 4.  

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6 The description of the conversation is based on Sheridan's answers
to interrogatories in the case of Vaughn v. Sheridan, Emory, and
DeTrobriand, undated, in Sheridan Papers, and William H. Emory to AGO,
March 27, 1875, in AGO File 3579-1874 (Microcopy M-666, reel 173), RG
94, NA.

7 DeTrobriand was born in France in 1816 and had married an American
heiress before the outbreak of the Civil War. In 1861 he became a
naturalized United States citizen and obtained the colonelcy of the 55th
New York Infantry. Subsequently he commanded brigades and a division in
the Army of the Potomac, fighting in several significant battles,
including those in the Peninsula campaign, Fredericksburg, Chancellors-
ville, and Gettysburg. He ended the war with the rank of brevet major
general of volunteers. His request for retention in the Regular Army
was approved, and he was posted colonel of the 31st Infantry in 1866,
transferring to the 13th Regiment in 1869. DeTrobriand served in
different stations on the Indian frontier until 1874 when he and his
regiment were sent to Louisiana, where he immediately found favor
because of his French heritage. Except for a short period of detached
duty, DeTrobriand served in Louisiana until his retirement from the Army
in 1879, and the colonel retained a home in the Crescent City until his
death in 1897. See Ezra J. Warner, Generals in Blue (Baton Rouge,
1964), 121-22.

8 William P. Kellogg to Emory, January 2, 1875, AGO File 3579-1874
(Microcopy M-666, reel 173), RG 94, NA; AAG E. R. Platt to Delancy
On the evening of January 2, while DeTrobriand and Floyd-Jones were making preparations to move their troops into position, Sheridan telegraphed Belknap, informing him that "[a]ffairs here are still quite feverish, but I scarcely believe there will be any serious trouble on Monday the fourth instant." Without telling Emory of his purpose, Sheridan had definitely decided "to annex this department to my Military Division and eventually change the department commander": he had come to doubt Emory's "ability to keep things steady and inspire confidence." To replace Emory, Sheridan recommended Colonel Ranald Slidell Mackenzie, one of his favorite cavalry officers. But Sheridan indicated that he would not displace Emory immediately.9

On January 3 the Democrats and Republicans caucused separately. Each party planned to have their nominee elected speaker of the house. The Democrats picked former New Orleans mayor Louis A. Wiltz, and the Republicans chose former governor Michael Hahn. The details of these meetings remained secret, leading to frantic speculation that the Republicans would use the militia, the police, or the Army to secure the election of their nominee, or that the Democrats would use the White League to obtain the election for their candidate. The political atmosphere in New Orleans was more emotionally charged than at any time since the arms-laden steamer Mississippi had arrived the previous September.10

As stipulated in Emory's orders, between 7:00 and 8:00 a.m. on January 4 Army units occupied positions near the Custom House and the

Floyd-Jones, January 2, 1875, in Dept Gulf, vol. 115/DSL, RG 393, NA.

9 Sheridan to Belknap, January 2, 1875, in Sheridan Papers.

10 Ella Lonn, Reconstruction in Louisiana After 1868 (Gloucester, Mass., 1967), 293-95.
old St. Louis Hotel, which was serving as the state capitol.
Colonel John R. Brooke commanded five companies of the 22nd Infantry and three companies of the 13th Infantry in a line from the corner of Chartres and St. Louis streets, along St. Louis Street to the levee.
Colonel Henry A. Morrow commanded seven companies of the 13th Regiment stationed at the Importer's Bonded Warehouse on Chartres Street.
Colonel Floyd-Jones was in charge of the reserve, comprising four companies of the 13th Infantry and two companies of the 22nd Infantry positioned underneath the sugar storage sheds on the levee. One company of the 1st Artillery, with a Gatling gun and a twelve-pound Napoleon, supported Floyd-Jones' reserve. Colonel DeTrobriand, wearing a civilian suit, personally commanded a company of the 13th Infantry outside the State House on St. Louis Street. The force totalled more than 700 officers and enlisted men.

By 9:00 a.m. the senior commanders were ready to inspect the troops. Emory toured the lines, returning immediately to his temporary headquarters in the Custom House. At 10:00 o'clock Sheridan and his staff (all in civilian attire) left their rooms at the St. Charles Hotel and inspected the battle-ready soldiers. Sheridan neither offered any comments nor directed that any changes be made in the troop's dispositions.

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11 Philippe R. DeTrobriand to AAG, Dept Gulf, January 6, 1875, in ACO File 3579-1874 (Microcopy M-666, reel 173), RG 94, NA; Marie Caroline Post [ed.], The Life and Memoirs of Comte Regis de Trobriand (New York, 1910), 444-46. The 13th Infantry was a mere skeleton of a regiment, mustering only 338 officers and men, which accounts for the seeming disparity in the number of companies (23) present and the small total of troops. See Post Returns, Post of New Orleans, January 1875, Records of the ACO (Microcopy M-617, reel 844), RG 94, NA.

12 See sources cited in note 11, above.
Outside the capitol, a large and boisterous crowd assembled, including members of all political factions, policemen, and state militiamen. Undoubtedly, many of the civilians in the throng were armed, and a gunshot probably would have precipitated a riot. State senators and legislators slowly made their way through the crowd, identifying themselves to the policemen guarding the doors. Kellogg had ordered his constables to admit only legislators, newspaper correspondents with approved credentials, and other persons who were on state business, but the officers failed to do their job adequately. By one means or another, dozens of ineligible persons entered the building, clogging the halls, filling the chairs set aside for spectators, and occupying several rooms of the onetime hotel.  

At noon the clerk, shouting over the hubbub, called the house to order and began checking off the names of the legislators. Fifty-two Republicans and fifty Democrats answered the roll call. Acting on a cue, a Democrat nominated Louis Wiltz for speaker of the house. What followed reminded Republicans of the eventful opening of the legislature in 1872—a nightmare of confusion—as different men called for order, requested recognition from the chair, and shouted threats at opponents across the room. Wiltz sprang out of his seat and stepping to the podium, elbowed the clerk out of his way. Then he grabbed the gavel from the hand of the frightened clerk, who was fruitlessly trying to declare Wiltz's nomination out of order. Suddenly one of the spectators, who identified himself as a justice of the peace, came forward and quickly administered the oath to Wiltz, who assumed the speakership.

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13See Lonn's vivid description in *Reconstruction in Louisiana*, 295.
Without missing a beat, Wiltz "administered the oath to the members en masse," accepted the nomination of a Conservative for permanent clerk, declared him elected, and, to complete his coup, appointed dozens of sergeants-at-arms. These men instantly identified themselves, turning "down the lapels of their coats, upon which were pinned blue ribbon badges, on which were printed, in gold letters, the words 'assistant sergeant-at-arms...'." Under the protection of his sergeants-at-arms, Wiltz forced the election of Democrats to the five contested house seats left vacant by the Returning Board.\textsuperscript{14}

During all of this activity the Republicans had been protesting vociferously, shouting epithets at Wiltz and other Democrats, and calling for points of order, which Wiltz studiously disregarded. Sensing that they had lost this round of the contest, the Republicans attempted to leave the chamber, which would disrupt the quorum of the house. Brandishing knives and pistols, the sergeants-at-arms blocked some of the exits, forcing several Republicans to remain in the room, but others, aided by Kellogg's police, escaped to the dubious safety of the hallway.\textsuperscript{15}

The Republicans notified General Hugh J. Campbell, Kellogg's militia commander, of the extraordinary proceedings in the house chamber, calling on him to restore order. Unwilling to take this responsibility, Campbell stepped outside the building, located Colonel DeTrobriand, and asked him to pacify the unruly legislators.

\textsuperscript{14}Ibid., 296. Sheridan to Belknap, January 8, 1875, in Senate Exec. Docs., 43 Cong., 2 Sess., No. 13, p. 28.

\textsuperscript{15}Lonn, Reconstruction in Louisiana, 296-97; Joe Gray Taylor, Louisiana Reconstructed, 1863-1877 (Baton Rouge, 1974), 304-305.
Simultaneously a messenger from Wiltz approached DeTrobriand, presenting a similar request from the Democratic speaker, who said that the noise from the "idlers" in the hallways was disrupting the decorum of the house. Under any circumstances it was unusual for the Democrats to request the Army's help.

Accompanied by two junior officers, DeTrobriand followed the Republican and Democratic politicians into "the House where ... [his] entrance was saluted by general applause." At Wiltz's urging, DeTrobriand ordered the lobby cleared of everyone who had no official business in the capitol, but he made no attempt to unseat the speaker. Acknowledging another round of applause, DeTrobriand left the chamber. Pleased with their handiwork, the Democrats proceeded to consider other legislative business.16

Meanwhile, Governor Kellogg asked DeTrobriand to remove the Democrats who he claimed had been illegally seated. DeTrobriand replied that he could only consider such a request in "written and explicit orders." Pulling pen and paper from his desk, Kellogg wrote two similar notes, one to DeTrobriand and the other to General Emory. The governor requested that the Army "clear the hall and State-house of all persons not returned as legal members of the house of representatives by the returning-board of the State." DeTrobriand decided to wait until Emory gave him corroborating orders before he went to the legislature again.17

16Post [ed.], Memoirs of DeTrobriand, 446-47; DeTrobriand to AAG, Dept Gulf, January 6, 1875, in AGO File 3579-1874 (Microcopy M-666, reel 173), RG 94, NA.

At the Custom House, Emory considered Kellogg's note for a moment, then crossed the room and asked Sheridan to advise him on a course of action. Sheridan read Kellogg's note and replied "were I the Department commander I would not hesitate to comply with the requisition of the Governor..." Furthermore, Sheridan "suggested" that Emory should warn DeTrobriand "that no number of the State Legislature returned as such by the returning board... should be interfered with..." Emory incorporated Sheridan's suggestion into his orders.18

Armed with written orders from Emory and Kellogg, DeTrobriand, after changing from civilian dress into his Army uniform, re-entered the house chamber. Supporting the colonel was a lieutenant who commanded a squad of soldiers carrying bayoneted rifles. DeTrobriand's subaltern read both the orders of the governor and General Emory to the house. Protesting against the colonel's mission, Wiltz warned DeTrobriand that the Louisiana legislature was a legally constituted civil body and that the Army would have to employ force if it wanted to remove any of the legislators. DeTrobriand replied that he had his orders and his "only duty was to obey [them]." Accordingly, DeTrobriand individually located each of the five Democrats whose place had been challenged and asked them if their election had been approved by the Returning Board. Each man replied that they were legal representatives, but acknowledged that the Returning Board had not authenticated their election. After giving a short speech decrying their removal, the five Conservatives were individually escorted from the chamber by armed soldiers. In protest,

the rest of the Democrats angrily stalked out of the legislature, leaving the house to the Republicans, who promptly elected Michael Hahn speaker and selected Republicans to fill the five vacant seats. The Army had thwarted another attempt by the Democrats to gain power in Louisiana.  

Satisfied that the Army would act on his behalf, Kellogg asked DeTrobriand to clear the crowds from all the streets surrounding the State House. Receiving permission from Emory, DeTrobriand ordered Brooke's troops to disperse the bystanders. While the troops went about this duty, they were greeted by "cheers or groans," depending on the feelings of the nearby onlookers. Within a short time the soldiers had cleared the streets near the capitol, ending the possibility of a White League attack on the State House. That evening Brooke's and Floyd-Jones' troops remained in the French Quarter, but Morrow's units returned to Jackson Barracks.  

The Democratic press was predictably incensed by the Army's actions at the legislature. The New Orleans Bulletin called the expulsion of the Conservatives "[a]nother outrage, planned and perpetrated against the people of Louisiana" by the "outlaws of civilization"—the carpetbaggers. The Bulletin claimed that such an outrageous "military display" had been entirely uncalled for under the circumstances. The

19 Sefton, Army and Reconstruction, 241; Lonn, Reconstruction in Louisiana, 297; Taylor, Louisiana Reconstructed, 305; Post [ed.], Memoirs of DeTrobriand, 449-50.

New Orleans Times observed that "[p]ractically, we have no government, legal or illegal, and have not had for the past two years. . . . The rule is that of musket and sword and central authority, and everybody knows it." The Picayune judged that there was "no situation known to the law . . . that justifies military interference in the organization of a legislative body." The Picayune concluded that DeTrobiand's action was "the most violent, the most illegal, the most shameless act yet permitted by an administration whose history is one of violence, illegality and shamelessness unparalleled in the history of any free government." However, the Republican chided the Democrats for calling the same soldiers "military despot[s]" who had been so helpful to them earlier in the day.\(^\text{21}\)

Obviously the Democrats had not been satisfied with holding one-half of the seats in the house of representatives and had shown that they too would use the Army to their own advantage if the opportunity presented itself. The Democrats could have bargained with the Republicans for two of the five seats left vacant by the Returning Board. If the bargaining was successful, it would have given the Republicans an unsteady majority of one in the house. Instead of trying this or some similar negotiated settlement, the Conservatives chose another coup attempt, limited though it may have been. Predictably, it failed. But the rest of the nation viewed the Democrats as the injured party in the imbroglio. Soon General Sheridan provided more fuel for his critics,

\(^{21}\)New Orleans Bulletin, January 5, 1875; New Orleans Times, January 5, 1875; New Orleans Daily Picayune, January 5, 1875; New Orleans Republican, January 7, 1875.
inciting their wrath anew against himself, Louisiana Republicans, and the Grant administration.

At 9:00 p.m. on January 4 Sheridan "assumed control over the Department of the Gulf." (The Picayune wryly commented that this announcement meant "Sheridan's Cuba excursion has been temporarily postponed. . . .") He informed Belknap that there was "in this State . . . a spirit of defiance to all lawful authority, and an insecurity of life which is hardly realized by the General Government or the country at large. The lives of citizens have become so jeopardized, that, unless something is done to give protection to the people, all security usually afforded by law will be overridden." 22

Sheridan's solution to Louisiana's "spirit of defiance" was a stiff dose of his own bravado, tempered with his own certain logic, which was completely lost on most people of the day. Sheridan sent Belknap two telegrams recommending that stern measures be taken in Louisiana. The telegrams immediately caused consternation throughout the country. "Please say to the President," Sheridan reassuringly began, "that he need give himself no uneasiness about the condition of affairs here." Sheridan then got to the meat of the matter. He promised to "preserve the peace . . . if Congress will declare the White Leagues and other similar organizations, white or black, banditti. . . ." In his second message Sheridan claimed "that the terrorism now existing in Louisiana, Mississippi, and Arkansas could be entirely removed and confidence and

22 Sheridan to Belknap, January 4, 1875, in Senate Exec. Docs., 43 Cong., 2 Sess., No. 13, p. 21. At the same time Sheridan informed McDowell that he was taking command of the Gulf Department. Sheridan to McDowell, January 4, 1875, in Sheridan Papers. New Orleans Daily Picayune, January 5, 1875. See also Sefton, Army and Reconstruction, 243.
fair dealing established by the arrest and trial of the ringleaders of
the armed White Leagues. If Congress would pass a bill [or if the
President would issue a proclamation] declaring them banditti[,] they
could be tried by a military commission. . . ."²³

Sheridan made his intentions quite clear in these telegrams, which
the Democratic press immediately branded the "banditti" messages. He
would not act without authorization from Grant or Congress, but he was
recommending the same treatment for the White League's leaders as he had
recommended for the Indian chiefs of the warring Southwestern tribes.²⁴
The idea in each case was to supersede or bypass any form of civilian
courts. This could not be done without declaring martial law or rein-
stituting military government, and President Grant was opposed to both.
Therefore, as harsh as his proposal may have seemed, Sheridan actually
had very few options left open to him. The use of massive military
reinforcements was out of the question. The time for that way of
dealing with the problem had passed; the Army was too small and spread
too thin. Moreover, the Grant administration did not have enough
support in Congress or throughout the nation to insist on an entirely
military solution. On the other hand, Grant did not want to acknowledge
defeat and simply allow the Democrats to overthrow the Kellogg

²³Sheridan to Belknap, January 5, 1875 (two communications), in
Senate Exec. Docs., 43 Cong., 2 Sess., No. 13, p. 23. See also Lonn,
Reconstruction in Louisiana, 298-99, and Sefton, Army and Reconstruction,
242.

²⁴Sheridan had advised Belknap (October 5, 1874) that he thought
all Indians "who have committed murder or stolen cattle within the last
two years, should be tried by a military commission. . . ." See Joe F.
Taylor, The Indian Campaign on the Staked Plains, 1874-1875: Military
Correspondence from War Department Adjutant General's Office, File
2815-1874 (Canyon, Tex., 1962), 91.
government by the use of violence and intimidation. As Joe Gray Taylor has pointed out, Sheridan recognized that the civilian courts often had proven ineffective in trying cases under the Enforcement Acts, and the use of a military commission seemed to be the only practical alternative available. Some sort of continued military support was imperative if Kellogg was to remain in office.  

Sheridan's proposal for military trials, his banditti messages, and DeTribriand's interference in the legislature were condemned by most newspapers in the North and South and by many important men of affairs, both in and out of Congress. Led by Louisiana's Democrats, Northern and Southern state legislatures sent resolutions to Congress denouncing Sheridan. These resolutions were widely applauded across the country, indicating a great decrease in popular support for Grant's Reconstruction policies. The New York Times compared Sheridan's actions to those of Oliver Cromwell during the Protectorate and called the second banditti dispatch an unwarranted "blood-and-iron message." The Times was disappointed "that a very able graduate of West Point, and a soldier who has so gallantly and faithfully fought for the supremacy of the Constitution, should know so little of its requirements."  


26Memorial of the Louisiana legislature, January 20, 1875, in Senate Misc. Docs., 43 Cong., 2 Sess., No. 45, pp. 1-5. Similar legislative resolutions and memorials protesting Sheridan's and DeTribriand's actions were prepared in Ohio, Tennessee, Arkansas, New York, Pennsylvania, New Jersey, Texas, and by the Rochester, New York Board of Aldermen, the Baltimore, Maryland city council, and the governors of Ohio, Wisconsin, and Georgia. A special public meeting was called at New York City's Cooper Institute, where such speakers as William Cullen Bryant, E. L. Godkin, William M. Evarts, Whitelaw Reid, and Charles A. Dana denounced Sheridan and the Army. See New York Times, January 6, 7, 8, 12, 14, 15, 16, 1875. See also Lonn's description of the nationwide reaction to the events in Reconstruction.
But the criticisms of the New York Times were mild compared to the diatribes from the Louisiana press. Remembering Sheridan's Shenandoah Valley campaign, the Alexandria Louisiana Democrat labeled him "the great barn burner," and referring to his more recent actions, the Democrat dubbed him "Philip, Duc d'Orleans." The Shreveport Times said that Sheridan exhibited all the "brush instincts of the lowest class of Irish" and branded him with the epithet "Piegan H. Sheridan," referring to the Army campaign against the Piegans in Montana which nearly wiped out the tribe. Taking a different tack, the New Orleans Bulletin satirically indicated that the banditti messages might earn Sheridan a place as an "unsurpassed writer of fiction." Of course, the Bulletin denied that there were any bandits, murderers, or robbers in the White Leagues, which the paper claimed were composed of the state's best citizens. The New Orleans Times claimed it was "evident that the old spirit of the raider is strong in Phil and that he is anxious to execute vengeance on somebody," and accused Sheridan of completely failing to appreciate the feelings of most white Louisianians. The Picayune blasted Sheridan unmercifully, calling him a "mailed and booted ruffian." The Picayune concluded:

It is one of the saddest of the many sad results of our civil war, that it thrust into positions of power and responsibility a man like this, whose only notion of power is the power of the sword. . . . No further proof is needed of his conspicuous inability to understand the rudiments of law and the first principles of American republicanism, than his suggestion that Congress should pass a law . . . [allowing him to be] the judge and executioner of persons whose political opinions are objectionable to him.27

in Louisiana, 301-307.

27Alexandria Louisiana Democrat, January 6 and 13, 1875; Shreveport
Residents of New Orleans saw to it that Sheridan did not miss the press comments. Massachusetts Congressman George F. Hoar, sojourning in New Orleans with a committee sent to investigate the previous November's election, observed that diners in the St. Charles Hotel's dining room frequently greeted Sheridan with "loud hisses and groans." Moreover "[t]he morning papers teemed with abusive articles. The [hotel] guests would take these papers, underscore some specially savage attack, and tell the waiter to take it to General Sheridan. . . . The general would glance at it with an unruffled face, and bow and smile toward the sender of the article."²⁸

Despite these bitter snubs, Sheridan had his supporters, though it was difficult to find any in Louisiana outside of Kellogg, Packard, and their cronies. Demonstrating unusual boldness, the Republican editor of the Donaldsonville Chief wrote an editorial defending Sheridan, saying that he "may be neither a lawyer or a statesman, but he . . . [had formed the] correct opinion of the state of society existing in Louisiana. . . ." The Chief's editor concluded that Sheridan had done nothing to "excite the ill feeling of those who are peaceful and law abiding. . . ." Many persons in the North sent letters to Sheridan endorsing his policies, indicating that he was still very popular outside the South, and undoubtedly these missives bolstered his ego.

Secretary Belknap assured him that the "President and all of us have full confidence and thoroughly approve your course." 29

However, in a special message to the U.S. Senate, Grant displayed less than complete confidence in his old compatriot. Grant tried to excuse Sheridan's and DeTrobiand's actions, saying that there were unusual "circumstances connected with the late legislative imbroglio in Louisiana which seem to exempt the military from any intentional wrong in that matter." The President claimed that the Army had acted on Governor Kellogg's lawful request to remove "a body of unauthorized persons" from the house. Grant said that Sheridan had "suggested summary modes of procedure against them [the White Leaguers], which, though they can not be adopted, would, if legal, soon put an end to the troubles and disorders in that State." These were hardly words of unstinting support, but the President concluded that "[i]f error has been committed by the Army in these matters it has always been on the side of the preservation of good order. . . ." 30

The New York Times seemed to speak for most people in the country, however, concluding that "[i]f Federal troops are henceforth to play this important part in Louisiana politics, the least we can ask is that

29 Donaldsonville Chief, January 9, 1875. Many letters of support were sent to Sheridan during January, filed in Sheridan Papers. Belknap to Sheridan, January 6, 1875, in Senate Exec. Docs., 43 Cong., 2 Sess., No. 13, p. 25.

30 Grant's message to the Senate, January 13, 1875, in James D. Richardson, A Compilation of the Messages and Papers of the Presidents, 1789-1897 (10 vols., Washington, 1896-1899), VII, 305-14. See also the excellent analysis of the President's message by Sefton, Army and Reconstruction, 245.
they should be placed under a commander who is able to keep his head and
his temper under control." 31

But Louisianians were not only criticizing Sheridan, they were
threatening his life. After receiving assassination threats from
unidentified White Leaguers, Sheridan assured Belknap that he was "not
afraid"— "the very air [here] has been impregnated with assassination
for several years." Sheridan erroneously reported that the White League
was "trying to make arrangements to surrender to the civil
authorities[,] fearing to come under my jurisdiction." 32

On the contrary, the White League was recalcitrant and unrepentant.
The New Orleans Times indicated that Louisianians would bide their time,
waiting until the military was put back into "its proper subordinate
relation toward civil authority, [and] no raiding Sheridan will be
permitted to ride roughshod over a people—his equals in patriotism and
his superiors in intelligence...." The New Orleans Bulletin
published a lengthy editorial critical of Sheridan and signed it "one
who is not afraid." 33

Sheridan's actions and pronouncements continued to infuriate the
Democratic press. For example, Sheridan reported to Secretary Belknap
that since 1866 White Leaguers and other lawless individuals in
Louisiana had committed thousands of murders—perhaps as many as 3,500—
and that the perpetrators had gone unpunished in almost every case. The


32 Sheridan to Belknap, January 6, 1875 (two communications), in
Senate Exec. Docs., 43 Cong., 2 Sess., No. 13, pp. 24-25; Sheridan to
Belknap, January 6, 1875, in Sheridan Papers.

33 New Orleans Times, January 7, 1875; New Orleans Bulletin,
January 15, 1875.
New Orleans Times concluded that Sheridan was unqualified to describe incidents that "he never saw, and to pronounce on questions with which he is wholly incompetent to deal." The Times commented sardonically that the general should keep his hand on his sword and leave his pen alone. The Bulletin claimed that Sheridan's report was groundless and accused the general of being "unable to tell the truth." The Picayune derisively called Sheridan the "eminent author and statistician." The Picayune concluded that the puffy pronouncements Sheridan had made since his return to Louisiana had "shown ... exactly what sort of a man Grant wanted in New Orleans, [and] we understand why Gen. Emory failed to give satisfaction." The Natchitoches People's Vindicator called Sheridan the "champion liar of the age" and suggested that he should be dismissed from the Army. Subsequently Sheridan revised his estimate of the number of murders, setting the figure specifically at 2,141. He made this revision after receiving reports from some of his subordinate commanders, including Major Lewis Merrill.34

To no one's surprise, many of the murders listed in Sheridan's report had allegedly occurred in the Red River parishes, comprising the district commanded by Major Merrill. Moreover, according to Merrill's latest information, several prominent north Louisiana Democrats had discharged many of their black employees who had voted for Republicans in the November election. Furthermore, Conservative leaders publicly announced that they planned to refuse to employ, lease houses, or sell

goods to blacks who remained loyal to the Republican party. The Conservatives also pledged not to deal with planters or merchants who hired or traded with Republicans. Merrill reported the Conservatives had promised "that no radical shall find a home or employment in this [Red River] country." Sheridan expressed his concern over Merrill's reports to Belknap and ordered the major to come to New Orleans for consultations. 35

Merrill arrived in the Crescent City on January 26, and the next day he was seated before a congressional committee which had been sent to investigate the condition of affairs in the Southern states and to deduce if there had been any improprieties in the Louisiana election of the previous November. The committee was composed of three Republicans (George F. Hoar of Massachusetts, chairman, William A. Wheeler of New York, William P. Frye of Maine) and one Democrat, Samuel S. Marshall of Illinois. The committee called on several civilians and Army officers to relate their opinions and observations on conditions in Louisiana. Testifying before the visiting congressmen, Merrill reiterated his comments concerning the deplorable situation in northern Louisiana and contradicted Sheridan's statement that the White League had been cowed. Merrill said that the "State government has no power outside the United States Army, which is here to sustain it. . . . The White League is the only power in the State." As might be expected, the Shreveport Times condemned "Dog" Merrill's testimony, accusing him of lying in all

35 A list of the specific murders alleged to have occurred was given in House Exec. Docs., 44 Cong., 2 Sess., No. 30, pp. 458-544. Merrill to AG, Dept Gulf, January 11, 1875, in Senate Exec. Docs., 43 Cong., 2 Sess., No. 17, p. 58. Sheridan to Belknap, January 16, 1875, in New Orleans Republican, January 19, 1875. Merrill to AG, Dept Gulf, January 22, 1875, in Dept Gulf, vol. 151/DSL, RG 393, NA.
particulars, except the fact that the Army was protecting Kellogg's government. 36

In contrast, the Shreveport Times complimented Colonel Henry Morrow on his testimony before Hoar's committee. Morrow told the congressmen (as he had reported previously to General Emory) that it was unnecessary for the Army to station troops in northern Louisiana. Furthermore, Morrow believed the assurances of the "better class of people," who promised him that if the Democrats controlled the state, Negroes would not lose any of their political rights. According to Morrow, the "universal sentiment" among the "better class" indicated that they would prefer to have a military government replace Kellogg, thus assuring that the state would be "fairly and honestly administered." The New Orleans Times supported Morrow's conclusions: "[w]hether constitutional or not, a military government would be everywhere accepted as a vast improvement. . . ." 37

It was certainly debatable whether most Louisianians really wanted to have the Grant administration reinstitute a military government. (Such an option was not practicable barring another full-scale rebellion.) On the other hand, many military men, had they been asked, probably would have opposed the reinstitution of military government. In fact, many of them, such as Colonel Morrow, Captain George Head, and


others, would have preferred to end the Army’s assistance to Kellogg’s government.

Some of the officers, such as Morrow and Head, opposed military aid for Kellogg because they were Democrats, but others were simply tired of the thankless duty in Louisiana. For example, Lieutenant Lorenzo Cook of the 3rd Infantry told the congressional committee that he gladly would pay his own expenses if he were transferred to the Great Plains. "You would rather be among the Indians," one of the congressmen asked? "I would rather be among the Comanches than among these ignorant . . . priest ridden people," Cook replied, with some evident anti-Catholic bias. Frances M. A. Roe, wife of Lieutenant Fayette W. Roe of the 3rd Infantry, recorded in her memoirs that "the service for the officers has often been most distasteful. Many times they have been called upon to escort and protect carpetbag politicians of a very low type of manhood. . . ." General William T. Sherman wrote his brother John "that our soldier’s hate . . . [Reconstruction] duty terribly, and not one of those officers but would prefer to go to the plains against the Indians, rather than encounter a street mob, or serve a civil process." Sherman himself reluctantly "recognize[d] the great necessity of standing by the lawful State government, but the soldiers do not." In fact, the longer Reconstruction lasted in Louisiana, the more uncomfortable most soldiers became. General Sherman told President David F. Boyd of Louisiana State University that he was glad Grant had "sent Sheridan to New Orleans instead of me."

38 Testimony of Lt. Lorenzo Cook, in House Reports, 43 Cong., 2 Sess., No. 261, Pt. 2, p. 344; Frances M. A. Roe, Army Letters From an Officer’s Wife (New York, 1909), 157; William T. Sherman to John
Although Reconstruction problems dominated Sheridan's agenda, he had to consider other matters, especially the recently concluded Indian war. Sheridan was determined to hold military trials for the Indian chiefs who had led their tribes in the Red River War. Eventually Sheridan had to content himself with deporting several chiefs and important braves from the Southwest to prisons in Florida. His efforts to obtain their trials by military commission cut into the time he devoted to Reconstruction.  

But the matter of deciding who should replace Emory as commander of the Department of the Gulf was uppermost in Sheridan's thoughts. Although he had annexed the department to his military division, Sheridan did not want to exercise command over the troublesome region any longer than was absolutely necessary. Previously, Sheridan had recommended Colonel Mackenzie for the position. Mackenzie was a headstrong, impetuous, hard-driving cavalry officer, and one of Sheridan's favorite subordinates. Perhaps Sheridan advanced Mackenzie's name as a compliment to the young colonel, but if he pressed the appointment, Mackenzie would have to be given the assignment over the heads of several senior officers. Ultimately Sheridan realized that Mackenzie was too high-strung to handle the Louisiana assignment effectively.

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39 Sheridan to Sherman, February 26, 27, March 1, 1875, in Sheridan Papers.

40 Sefton, *Army and Reconstruction*, 244.
Although he conceded that it was unwise to elevate Mackenzie to the command, Sheridan definitely had decided that Emory must be replaced. Rather than making a "hasty and unsupportable appraisal of Emory's abilities," Sheridan correctly deduced that the Secretary of War and the President were dissatisfied with Emory's performance. In 1866 Sheridan had recommended to Grant that Emory be retained on active duty. In contrast, on February 9, 1875, Sheridan described Emory to Secretary Belknap as "a very weak old man, entirely unfitted for this place and [he] should be retired or relieved, and some good man sent here in his place." In Sheridan's opinion, Emory had become "uncertain and unsteady," and "his heart . . . [was no longer] on the side of the Government"—meaning that Emory no longer supported the Louisiana Republicans. Forcing the old officer to retire was "the best way to make the change," Sheridan decided. Sheridan considered Alfred H. Terry, but finally recommended Brigadier General Christopher C. Augur, commander of the Department of Texas. Sheridan told Belknap that he and Augur "have always worked together like one man." Even if Augur was not approved, Sheridan concluded that "[i]t will not do to leave Emory here."  

The importance of selecting a new departmental commander and the possibility of presenting his personal views on deporting the Southern Indian chiefs prompted Sheridan to ask Belknap if he could come to Washington to discuss these and "other matters" with him and the

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41Ibid.

42Sheridan to Grant, May 4, 1866, in Sheridan Papers; Sheridan to Belknap, February 9 and 24, 1875, ibid.
President. Belknap approved the trip. Before leaving New Orleans on March 6, Sheridan cancelled the Mardi Gras carnival (scheduled for March 9), apparently fearing that the large and boisterous crowds might become violent. 43

Four days later Sheridan met with President Grant at the White House. Grant concurred with Sheridan's choice of General Augur to replace Emory. Consequently, on March 11 Adjutant General Townsend notified Emory that he was relieved of his command. Augur would take charge as soon as possible. General Sherman suggested that Sheridan should divest himself of the Department of the Gulf, but Grant allowed him to retain control over the department indefinitely. Before returning to New Orleans Sheridan planned to spend a few days in New York City and Chicago. Matters relating to an Army expedition into Dakota's Black Hills kept Sheridan at his Chicago headquarters longer than he had expected. 44

Meanwhile, on March 25 Augur arrived in New Orleans, accompanied by his son Lieutenant Colon Augur, who served as his aide-de-camp. In a brief ceremony held at noon the next day Augur assumed command. General Emory delivered a short speech to the assembled soldiers, officers, civilians, and reporters. The band of the 13th Infantry

43 Sheridan to Belknap, March 4, 1875, in AGO File 3579–1874 (Microcopy M–666, reel 173), RG 94, NA; Belknap to Sheridan, March 6, 1875, ibid.; New Orleans Times, March 8, 1875; E. Merton Coulter, The South During Reconstruction (Baton Rouge, 1947), 299.

44 New Orleans Republican, March 11, 1875; Townsend to Emory, March 11, 1875, in Dept Gulf, vol. 151/DSL, RG 393, NA; Belknap to Sheridan, March 3, 1875, in AGO File 3579–1874 (Microcopy M–666, reel 173), RG 94, NA; [Sherman's adjutant] William D. Whipple to Townsend, March 11, 1875, ibid.; Townsend to Sherman, March 13, 1875, ibid.
played martial airs while Emory personally introduced each officer to General Augur. Under what must have been emotional circumstances, Emory kept his composure. The New Orleans Republican reported that the "leave taking was very affecting, the young officers of the army parting with regret from the old veteran who had done so much for the service and who had served his country so well." After the formalities, "an hour was pleasantly passed in [an] interchange of social sentiment." 45

The press reaction to Emory's removal was mixed. The Democrats could not overlook the manner in which Emory had objectively handled numerous crises since 1872, thus thwarting their grabs for power. On the other hand, the Conservatives commiserated with Emory because his removal came at the hands of the detested Sheridan. Briefly mentioning Emory's "subserviency to Kellogg," the Natchitoches People's Vindicator wrote that "[p]oor old Gen. Emory" had been "sat upon, . . . [and] grossly and flagrantly maltreated" by his superiors. The New Orleans Bulletin pictured Emory as having been "snubbed by the President, insulted by Gen. Sherman, overslaughed by Sheridan, and doomed to attend the whistle-call of [Kellogg,] the most abject human being in Christendom. . . ." Although the Bulletin wrote that Emory had "been careful to avoid being unnecessarily offensive to our local civil authorities," the newspaper wished he had "thrown down his sword," instead of using "it to overthrow a State government established by the people." The Bulletin concluded that Emory had "left a favorable impression on all who bear in mind the stern will by which the army is

45New Orleans Republican, March 27, 1875; New Orleans Times, March 26 and 27, 1875.
ruled and the stringent orders which he, as a soldier, felt bound to obey." Knowing Emory would be leaving Louisiana soon, the New Orleans Times generously wrote that "the best wishes of every citizen of New Orleans" went with him. The Picayune was even more effusive: "We cannot part with Gen. Emory without saying that if he regrets the separation as much as we do, his departure will be pleasant neither to him nor us." The Picayune wrote that Emory had "executed his orders with the delicacy which distinguishes a gentleman. No one has ever dreamed of holding him responsible for the uses to which the military force of the United States have been put in this State..." However, three other important Democratic newspapers (the Shreveport Times, Monroe Ouachita Telegraph, and Alexandria Louisiana Democrat) did not print any messages of forgiveness or farewell. 46

Strangely enough, the New Orleans Republican found itself agreeing with most of what the Democratic newspapers had written about Emory. The Republican noted that Emory had made many friends during his assignment in Louisiana and that they all regretted to learn of his forthcoming departure. The Republican recalled that Emory had "been considerate of the opinions and desires of all" and claimed that he was "intelligent and accomplished beyond others of his rank." Surprisingly, the Republican stated that if Emory "were a politician he might be a Conservative; [but] being a soldier, he... [has done] his duty as a soldier, recognizing only the power of federal and State laws, and the

wishes of superior officers." Above all, the Republican called Emory a "good soldier" and "a true gentleman."\(^{47}\)

Bidding adieu to a few close acquaintances and Congressman William Wheeler, Emory left New Orleans on March 27. Colonel DeTrobriand and Captain Edward R. Platt (Emory's trusted adjutant for more than three years) were among the small party of officers who bade him goodbye at the depot.\(^{48}\)

Emory went to Washington where he planned to prepare his own defense in two different cases. The first involved a civil suit by the Democrats against him, Sheridan, and DeTrobriand for disrupting the legislature, a case which was eventually dismissed.

The second case was more complicated, but less formal. In Emory's opinion, Sheridan had abruptly and unjustly terminated his command of the Department of the Gulf. (Emory told his lawyer that he had "been ruthlessly stricken down deprived of command for the mistakes of another," obviously meaning Sheridan, though not mentioning him by name.) Under these circumstances it appeared that Emory might be forced to retire from active duty with his actual rank of colonel. Emory had been serving as a brevet general for more than thirteen years and may have extended his active service longer than he really wanted, hoping to receive his general's stars. Emory desperately wanted to retire as a general, though he could always be called by his brevet rank after he retired. Grant authorized Emory's promotion. Sheridan and Belknap urged Congress to put Emory's name on the brigadier's list and then

\(^{47}\) New Orleans Republican, March 26, 1875.

retire him forthwith. Acting at its customary slug-like pace, Congress began to consider Emory's promotion. 49

Emory wanted to avoid a general court martial or any other hearings which might reflect badly on the Army or call his own actions into question. Consequently, Emory hired James Blott, a New York attorney with good Washington connections. Blott worked on Emory's defense in the Louisiana case and at the same time implicitly agreed to do all he could to secure Emory's promotion to general. 50

Emory also took steps on his own behalf. In a lengthy letter to Adjutant General Townsend, Emory cited the "many trying and vexatious circumstances" in Louisiana, during which "I have endeavored to perform my duties not in accordance with the spirit and letter of my instructions but in a manner which I deemed best calculated to preserve the peace and good order of the district . . . entrusted to my command."

Emory asserted that after January 1 he had not taken any actions at any time without Sheridan's approval. Likewise, Emory defended himself in a letter to Orville Babcock, President Grant's personal secretary. Emory acknowledged that mistakes may have been made on January 4 at the Louisiana legislature, but he insisted that he did not make them. Emory stressed to Babcock that he "was only obeying the unmistakeable order of

49 Emory to James Blott, April 15, 1875, in William H. Emory Papers (Bienecke Rare Book and Manuscript Library, Yale University); Belknap to Sheridan, March 3, 1875, in AGO File 3579-1874 (Microcopy M-666, reel 173), RG 94, NA.

50 Emory to Blott, May 5, 1875, in Emory Papers; Blott to Emory, August 6, 1875, ibid.
my superior officer then present [and] duly unpowered to give . . . orders." Of course, Emory was referring to Sheridan.\textsuperscript{51}

Emory was trying to defend himself on the wrong grounds. The crisis in the legislature on January 4 was not his fault, and though some newspapers and politicians had criticized him, most of the invectives had been hurled at Sheridan, DeTrobriand, and Kellogg. Afterwards, Sheridan himself said that he "endorse[d] and . . . [was] willing to be held responsible for the acts of the military as conservators of the public peace upon that day." In any case, most observers placed the responsibility for the Army's action on Sheridan because he was the senior officer present.\textsuperscript{52}

Emory failed to admit, or did not want to admit, that he was removed not for his part in the legislative crisis, but for his failure to prevent the insurrection of September 1874. Neither Grant nor Belknap said so specifically, but they had lost faith in Emory. They were probably both sorry that the crisis reached the point on September 15 when Adjutant General Townsend had to order Emory to take command of the troops in New Orleans. Once he arrived in New Orleans, Emory handled the dangerous situation satisfactorily. Although he remained in charge of the troops in Louisiana for three months following the insurrection, when Sheridan arrived it was almost a foregone conclusion that there would be a change in commanders.

\textsuperscript{51}Emory to AGO, March 27, 1875, in AGO File 3579-1874 (Microcopy M-666, reel 173), RG 94, NA; Emory to Orville Babcock, July 7, 1875, in Emory Papers.

\textsuperscript{52}Sheridan to Belknap, January 8, 1875, in Senate Exec. Docs., 43 Cong., 2 Sess., No. 13, p. 27; Sefton, Army and Reconstruction, 243.
Emory had persevered under intense pressure during more than three years of Reconstruction duty in the state with the most recalcitrant populace in the South. Prior to the September insurrection, he had done an adept job, skillfully maneuvering his troops and using his resources, maintaining Kellogg in office without persecuting McEnery. Although he maintained the peace after the insurrection, Emory was not as effective a commander as he had been before. The unusual exigencies of postwar Louisiana politics literally exhausted him, undoubtedly left him embittered toward Reconstruction, and unfortunately ruined any feelings of comradeship he had shared with Phil Sheridan during the Civil War. Eventually, Congress approved Emory's promotion to brigadier general. On July 1, 1876, after more than forty-three years of service, he retired from the Army.

Emory had tried to do all that was asked of him in Louisiana. In the end, he failed to give the full measure of effort that the onerous task required. William T. Sherman astutely assessed him: "a good man, an excellent officer of the old school, but perhaps a little timid in interfering in the civil affairs of the State." 53

53 Sherman's quote cited in Natchitoches People's Vindicator, January 23, 1875.
Christopher Columbus Augur and William Emory had seen service together in Louisiana under Banks during the Civil War. Consequently, Augur was no stranger to the state, though he had not been there since 1863. Augur began his military career in 1839, entering West Point as a cadet from Michigan, where his family had moved after his birth in New York in 1821. He was graduated in 1843 with his class, which produced thirteen generals, three for the South and ten for the North, including Ulysses S. Grant. After serving in the Mexican War and at various frontier posts, mostly in the Pacific Northwest, Augur was promoted to the rank of major in 1861 and appointed commandant of cadets at West Point.

He spent most of the early months of the war at the Military Academy, impatiently waiting for field service. In 1862 Augur was given a division under Banks. While commanding this division, Augur was wounded at the Battle of Cedar Mountain. Recovering from his wound, Augur accompanied Banks to Louisiana, where he supervised the District of Baton Rouge and directed the left wing of Banks' army at the siege of Port Hudson. In late 1863 Augur returned to the East, serving there as commander of the XXII Army Corps and the Department of Washington. By the end of the war Augur had attained the rank of major general of volunteers, but according to the reorganization of the Army in 1866, he
reverted to the rank of colonel. Three years later he was promoted to brigadier general. Augur successively commanded the Department of the Platte and the Department of Texas before Sheridan picked him for the Louisiana post in 1875.¹

Augur assumed command of the Department of the Gulf on March 26, and a few days later, on April 4, Sheridan returned to New Orleans. Sheridan came back to Louisiana because he wanted to be on hand when a special session of the legislature convened on April 14.²

Governor Kellogg had called the special session to enable the legislature to consider the so-called Wheeler Compromise. Republican Congressman William A. Wheeler of New York had been serving with George F. Hoar's House subcommittee which was investigating the Louisiana election of 1874. Wheeler suggested an "adjustment" that would effectively establish a truce between Louisiana's antagonistic Republicans and Democrats. The Conservatives had been bitterly disappointed over the failure of their attempt to dominate the state house of representatives in January, when Colonel DeTrobriand had intervened on behalf of the Republicans. Since then the Democrats had been making veiled threats against the Kellogg administration. In early February Wheeler suggested a compromise which would allow the Democrats to regain

¹Ezra J. Warner, Generals in Blue: Lives of the Union Commanders (Baton Rouge, 1964), 12; George W. Cullum, Biographical Register of the Officers and Graduates of the United States Military Academy at West Point, New York, 1802-1867 (2 vols., New York, 1868), II, 82-83; Francis B. Heitman, Historical Register and Dictionary of the United States Army, 1789-1903 (2 vols., Washington, 1903), I, 175.

all of the disputed seats in the legislature—and more besides—if they ceased trying to overthrow Kellogg. In effect, the Wheeler Compromise was a trade-off designed to get the Democrats to accept Kellogg as governor for the remainder of his term in exchange for Republican acceptance of an increase in the number of Democrats in the state house of representatives. George Hoar's congressional investigating committee would determine the number of new Democrats in the house, based upon a reexamination of the election returns. Wheeler's adjustment implied from the outset that the Democrats would be given a majority in the house. Thus the Conservatives would gain control of the house and its speakership, which had been their twin objectives in January.3

The movement for some sort of political settlement between the Republicans and the Democrats actually began as early as 1873. The central objective of the settlement was always the same: Democratic recognition of Kellogg's right to hold his office in exchange for increased representation for the Democrats in the house. But in 1873 the Democrats spurned any attempts at compromise. Full of self-confidence and seeing themselves as in the right, John McEnery and his cohorts believed that they could come to power despite the presence of Emory's troops. Ultimately their schemes failed, both in the legislature and in the streets.4


4 Lonn, Reconstruction in Louisiana, 358-59, and supra, Chapters 12-16.
The longer Emory served in Louisiana, the more he believed that a political solution must be found to end the constant bickering and fighting between the Republicans and Democrats. Considering the Democrats' dislike for the Army, it was unlikely that they would accept a proposal offered by a military officer. Consequently, before he left Louisiana, Emory had talked with Wheeler about the matter. It is not known how many times the two men met or what they specifically discussed. But Emory claimed that the stain "of the acts of January 4 . . . [was] to be covered up by . . . the compromise, a settlement of the question which I myself suggested to Mr. Wheeler to undertake in the interest of the Government." Probably other men also had given Wheeler advice, but historians have not mentioned the possibility of Emory's influence on the congressman.¹

      Sizeable blocks in each party continued to oppose a political settlement, but eventually the Democrats saw advantages in Wheeler's proposal. The compromise might remove Louisiana from the national spotlight and thus reduce the consistent support that the Grant administration had given to Kellogg. Some Conservatives had been on the fringes of political power for too long: the obvious fact that they would hold office and control the house encouraged the Democrats to accept adjustment. Moreover, some Democrats realized that the house had the power to initiate impeachment proceedings against a governor. Although such an action would violate the compromise, some farsighted Conservatives probably anticipated the likelihood of impeachment

¹William H. Emory to James Emott, April 15, 1875, in William H. Emory Papers (Beinecke Rare Book and Manuscript Library, Yale University).
occurring several months after they were comfortably in control of the house. Despite the logic of these arguments, John McEnery and former New Orleans Mayor Louis Wiltz opposed Wheeler's arbitration, and the Shreveport Times and the New Orleans Bulletin both disapproved of the plan. On the other hand, the Picayune favored compromise because it would redress "the violent interference of Gen. Sheridan" in Louisiana politics.  

Many Republicans were reluctant to endorse any compromise, believing that it was unnecessary to give anything to the Conservatives. Overcoming P. B. S. Pinchback's resolute opposition, Kellogg persuaded a majority of Republicans to support adjustment as a way to ensure the stability of the government for the remaining two years of his term.

Subsequently, from March 12 to 15, Hoar's committee met in New York to examine the returns of the Louisiana election of 1874. The committee certified the election of sixty-three Democrats and forty-seven Republicans in the house, but they did not tamper with the Republican's control of the senate, which they dominated, twenty-seven members to nine members.

Governor Kellogg might have been surprised by the size of the majority awarded to the Democrats in the house, but he supported the compromise nonetheless. He sent out the call for a special legislative

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7Lonn, Reconstruction in Louisiana, 361, 364, 367; Charles Vincent, Black Legislators in Louisiana During Reconstruction (Baton Rouge, 1976), 202.

session to ratify the committee's work. Congressman Wheeler returned to New Orleans on April 13 to lend his moral support to the adjustment. General Sheridan, feigning disinterest, waited expectantly, suspicious of the practicality and advisability of the unusual arrangement.  

On April 15 the house overwhelmingly approved the Wheeler Compromise by a vote of eighty-nine to eighteen. The senate followed suit two days later, thirty-three votes to three votes. The Democrats sealed the adjustment, refusing to renominate Louis Wiltz as speaker of the house. Instead, they chose E. C. Estilette, a Democrat who received Governor Kellogg's support. Shortly after the house approved the compromise, General Sheridan left New Orleans, taking a train on April 17, and arrived in Chicago six days later.

Sheridan's departure undoubtedly pleased the Democrats. The "Shenandoah rough-rider" (as the New Orleans Bulletin called him) had left more bitterness in the wake of his second tour of duty in Louisiana than he had after the first. Sheridan had expressed his low opinion of Louisianians in his banditti despatches, and the state's white Democrats viewed him with a combination of hatred and fear, for the general was a man who had no sympathy for their goals or their way of life. In General Sherman's pithy phrase, Sheridan considered New Orleans as little more "than an Indian village," and the knowledge that "[h]e would

9New Orleans Daily Picayune, March 25, 1875; New Orleans Bulletin, April 13 and 14, 1875.


11Sheridan to Col. R. C. Drum, April 15, 1875, in Sheridan Papers; Sheridan to Gen. E. O. C. Ord, April 16, 1875, ibid.
not hesitate to level it" if it became necessary only redoubled their abhorrence. In the Picayune's opinion, Louisianians tolerated a commander like Emory because he "never slandered the people of Louisiana; he . . . never denounced them as banditti and assassins; he . . . never menaced them with the power which he wielded." In contrast, Sheridan did all of these things, and more besides. According to the Picayune, Sheridan had "shown himself deficient in every one of the elements of a statesman," and his "brutal tyranny" over Louisiana during January and February deservedly made him "conspicuously odious and ridiculous in the eyes of the whole country. . . ."12

It was understandable that most white Louisianians opposed Sheridan. He had expected their wrath, but perhaps he had not anticipated their insults. Acceding to the wishes of President Grant, Sheridan had gone to New Orleans, although he was dissatisfied with the idea of a second tour of duty in the Bayou State. Subsequently, he had handled the situation there according to his own views on Reconstruction, which essentially had remained unchanged since 1867. But by 1875 the Democrats in Louisiana were much stronger than they had been in the 1860s. There were many Conservative city councilmen, mayors, police jurors, sheriffs, legislators, and many more registered Democratic voters. Sheridan found that it was very difficult to carry out a governmental policy when a substantial portion of the state's population was opposed to that policy, no matter how just or beneficial the policy might be. Sheridan, Emory and Augur did not have enough soldiers to

police the entire state. The Army could no longer provide sufficient protection for Louisiana's Republicans, and the President was finding it impossible to continue the old interventionist Reconstruction policy in the South without the support of the majority of the elected officials, newspapers, and citizens of the Northern states.

Returning to his headquarters in Chicago, Sheridan was probably filled with disappointment over the adoption of the Wheeler Compromise. He had been unable to bend the political situation in Louisiana to his will.

* * *

Following the Wheeler Compromise and Sheridan's departure, an unnatural calm, lasting several months, settled over Louisiana. Adding to this quietude was the resignation of George Williams as U.S. Attorney General. Williams had been one of Kellogg's primary supporters in the national government, frequently advocating the use of the Army to sustain the Republicans in Louisiana. Williams' successor, Edwards Pierrepont, was disinclined to act as "Secretary of State for Southern affairs" and mainly devoted his attention to the increasing number of cases of corruption involving members of the Grant administration. 13

Williams' retirement, coupled with the Wheeler adjustment, afforded General Augur a leisurely introduction to his duties as commander of the Department of the Gulf, which remained attached to Sheridan's Military Division of the Missouri. Consequently, Colonel Richard C. Drum,

Sheridan's adjutant, received Augur's routine correspondence, containing requests for improving and renting temporary quarters for soldiers in New Orleans or describing other matters familiar to General Irvin McDowell and his staff, at the headquarters of the Division of the South in Louisville. For all practical purposes, the new arrangement was permanent; Sheridan kept Augur's department in his division until 1878.  

The apparent settlement of the "Louisiana question" prompted the reduction of troop strength in the state. Sheridan ordered Captain Frederick Benteen's company of the 7th Cavalry to return to frontier duty at the Yankton Sioux Agency in Dakota Territory. Augur complied with Sheridan's order, and on May 6 Benteen's troopers, with the exception of Lieutenant Charles DeRudio, left the state. Governor Kellogg and Marshal Packard requested that DeRudio remain on duty in St. Martinville because he was particularly experienced in dealing with problems in southwest Louisiana.

Two weeks later the seven companies of the 22nd Infantry which had been sent to Louisiana following the insurrection of September 1874 were returned to their regular duty stations in New York and Michigan. Augur also ordered Company F, 1st Artillery to resume its post at Fort Barrancas. These departures left approximately 900 officers and men on

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14 Christopher C. Augur to AAG, MilDivMo, April 20, 1875, in Dept Gulf, vol. 115/DSL, RG 393, NA.

15 AAG R. C. Drum to CG, Dept Gulf, April 28, 1875, in Dept Gulf, vol. 151/DSL; Sheridan to Augur, May 5, 1875, ibid.; Augur to AAG, MilDivMo, May 7, 1875, in Dept Gulf, vol. 141/DSL; RG 393, NA.
duty in Louisiana. Augur also commanded 350 other soldiers in Mississippi, Arkansas, and Florida.  

Augur saw this as an appropriate time to make an inspection of his department. He went first to Jackson, Mississippi, and subsequently inspected troops and facilities at Little Rock and Shreveport. He later took a side trip to San Antonio to visit his family, which had not moved to Louisiana.

During Augur's absence a fight broke out among several off-duty soldiers who were "drunk and disturbing the peace at the corner of Burgundy and Canal" streets in New Orleans. Metropolitan Policemen quickly arrived on the scene, freely using their nightsticks to break up the fight, injuring several soldiers in the process. In the past, the Picayune certainly had found little to admire about the Metropolitan Police. Ironically in this instance, the Picayune praised the efficiency of the policemen and directed a barb at the Army, commenting that "[t]he spectacle of drunken soldiers has been unpleasantly common upon our streets of late." "The boys in blue are very superior creatures we have no doubt," the Picayune continued, "but we like them parading in Lafayette Square or answering roll call at the Barracks much better than we like them staggering along the boulevard and airing their Hessian manners before the New Orleans public." The Picayune called for someone


17 Augur to AAG, MilDivMo, April 29, May 7, 1875, in Dept Gulf, vol. 141/DSL, RG 393, NA.
to investigate "the propriety of keeping so much army [sic] in New Orleans." 18

On May 27, the day that Augur returned from his "extended trip through Texas, north Louisiana, and Arkansas," another altercation occurred between soldiers and the New Orleans police. Fifteen soldiers, who were intoxicated with the cheap whiskey available "on credit from the different dens which infest Girod street," attacked a policeman who was walking home alone. The Picayune denounced "[t]he presence of drunken and disorderly soldiers [which] has become an eyesore to the whole community. . . ." The Picayune reckoned it was "high time that they should be sent to the plains, where they belong." 19

General Augur issued no statement following the incident. After spending only three days in New Orleans, he left the state again, traveling to Chicago, where he attended the wedding of General Sheridan and Irene Rucker. 20

On June 9 Augur returned to New Orleans and four days later another fight took place between soldiers and police—this time in Shreveport—and one policeman was killed. Once more the Picayune accused the "shoulder strapped gentry" of instigating the violence, and reminded its readers that "[t]hese military outrages are becoming unbearable, and

18 New Orleans Daily Picayune, May 8, 1875.
19 Ibid., May 28, 1875.
20 Augur to Major G. B. Russell, May 30, 1875, in Dept Gulf, vol. 141/DSL, RG 393, NA. The Shreveport Times (June 20, 1875) said that it wished the newlyweds "many little banditti."
must be checked by some strong means." "No one is safe with such a
command in our midst," the Picayune concluded.21

Notwithstanding the Picayune's denunciations, these incidents of
violence between soldiers and policemen apparently were nothing more
than drunken troopers having conflicts with their natural antagonists—
the local constabulary. During the early years of Reconstruction such
incidents might have led to more violence, forcing the commander to
decclare martial law. But now the summer fever season was close at hand,
and Augur took the opportunity to send the soldiers out of New Orleans,
temporarily removing the temptation of additional altercations while
simultaneously protecting them from the danger of yellow fever.

Augur had no trepidations about moving his troops to Mississippi in
the summer of 1875. He must have been cognizant of the fact that the
year before Emory had left New Orleans virtually without military
protection, but the political situation was different one year later.
The White League had been inactive, and the Democratic politicians
appeared to be quite satisfied with the provisions of the Wheeler
Compromise.

Consequently, Sheridan permitted Augur to "make such movements of
the troops . . . [from] New Orleans as the [yellow fever] emergency may
demand and at such time as he thinks proper." Augur selected the Gulf
goast town of Mississippi City for the summer encampment. Emory
previously had used the town for the same purpose, and Augur's chief
quartermaster, Major Joseph A. Potter, reported that the site was "in

21 New Orleans Daily Picayune, June 18, 1875.
every way suitable, . . . situated almost immediately on the bank of the
Gulf in the midst of a Pine Grove, with bathing facilities, &c, &c."

On July 21 soldiers from Jackson Barracks boarded a train taking
them to the coast, and three days later Colonel Philippe DeTrobiand's
New Orleans garrison arrived on the beach. (DeTrobiand was cautioned
to be on guard against yellow fever. Fifteen cases already had been
reported at Fort Barrancas in Pensacola.) Following Emory's policy, and
probably abiding by the advice of Captain Edward R. Platt, his
dependable adjutant, Augur decided that it was unnecessary to move the
troops from the other posts in Louisiana. He left a few orderlies and
staff officers (including Platt) in New Orleans. According to the post
returns, only "the Ordnance and Commissary Sergeants, Hospital Stewards
and guards" remained at Jackson Barracks. After seeing the troops off,
Augur went on leave to visit his family in San Antonio.23

The soldiers had been in Mississippi City less than a month when an
outbreak of yellow fever in nearby Pascagoula forced Augur to relocate
the command. On August 17 he ordered his men to move to Holly Springs
in northern Mississippi, the town that Emory had found was the most
suitable summer camp. Meanwhile, in Louisiana two soldiers died of
yellow fever at Coshatta, and that garrison was moved to the nearby

22 Endorsement by Sheridan, July 8, 1875, on the medical report by
Dr. V. B. Hubbard to Augur, in Dept Gulf, Letters Recd, RG 393, NA;
Joseph A. Potter to AAG, Dept Gulf, July 6, 1875, ibid.

23 Post Returns, Jackson Barracks, July 1875, in Records of the AGO
(Microcopy M-617, reel 524), RG 94, NA; Post Returns, Post of New
Orleans, July 1875, ibid. (reel 844). AAG Platt to Col. Philippe
DeTrobiand, July 24, 1875, in Dept Gulf, vol. 115/DSL; Major John M.
Brannon to AAG, Dept Gulf, ibid.; Gen. Augur to Lt. Jacob A. Augur,
August 1, 1875, in Dept Gulf, vol. 141/DSL; RG 393, NA.
village of Springville. However, five other infected soldiers later succumbed to the fever. 24

Although the fever did not reach epidemic proportions, Augur was reluctant to have his family come to New Orleans. Therefore, following a brief inspection trip to Baton Rouge and New Orleans, he decided to send his family and their household belongings to his home in Ogdensburg, New York. 25

On November 6 Augur returned to Louisiana and ordered the troops at Holly Springs to take their regular posts at New Orleans and Jackson Barracks. By November 21 the move was completed. In November 1875 Augur commanded 921 officers and men distributed among eight Louisiana posts (counting New Orleans and Jackson Barracks as one garrison). The year before Emory had commanded 1,998 soldiers located at nine posts. The decrease was caused by the removal of several units, including the companies of the 22nd Infantry, 16th Infantry, and 2nd Infantry. Some of these units had been returned to their regular stations in other departments and some had been relocated within the Department of the Gulf. In contrast, the rest of the garrisons in the South were woefully undermanned. There were 575 soldiers in South Carolina; 480 in Virginia; 311 in Georgia; 293 in Florida; 266 in Alabama; 247 in North


25 Post Returns, Jackson Barracks, September 1875, in Records of the AGO (Microcopy M-617, reel 524), RG 94, NA; Augur to AAG, Dept Gulf, October 1, 1875, in Dept Gulf, vol. 151/DSL, RG 393, NA; Augur to Emory, October 12, 1875, Emory Papers.
Carolina; 210 in Tennessee; 178 in Mississippi; and only 89 in Arkansas. 26

Augur's troops were inactive during the early months of 1876. The state legislature convened on January 3 with none of the forebodings of violence which had been common in previous years. Augur saw no reason to post troops around the State House. 27

On February 28, near the end of the legislative session, Democrats in the house of representatives shattered the existing political tranquility, voting sixty-one to forty-five to impeach Governor Kellogg, thus violating one of the cardinal provisions of the Wheeler Compromise. The idea of impeaching Kellogg had been bandied about for several weeks, but when it came the move caught the Republicans off-guard. If the senate failed to act on the impeachment before the legislature adjourned, the Democrats planned to claim that Kellogg was technically out of office. Thus Lieutenant Governor C. C. Antoine would become "acting governor"—duplicating the peculiar arrangement of Warmoth and Pinchback a few years before. If the Democrats' ruse worked, it would cast doubt on the legitimacy of the Republican state government. Acting promptly, the Republicans in the state senate demanded specific impeachment charges from the house. On the evening of February 28 the senate acquitted Kellogg on all charges by a vote of twenty-five to nine, allowing him to retain his precarious seat. The impeachment

26 AAG E. R. Platt to DeTrobriand, November 13, 1875, in Dept Gulf, vol. 115/DSL, RG 393, NA; Post Returns, Post of New Orleans, November 1875, in Records of the AGO (Microcopy M-617, reel 844), RG 94, NA; Post Returns, Jackson Barracks, November 1875, ibid. (reel 524); Monthly Returns, Dept Gulf, November 1874, November 1875, RG 393, NA. SW, Annual Report, 1875-1876, pp. 146-57.

27 New Orleans Daily Picayune, January 4, 1876.
episode convinced Kellogg that he would not be a candidate for governor in the 1876 election.\textsuperscript{28}

Within a few hours, however, everyone seemed to put aside the ill will created by the impeachment to celebrate the Mardi Gras. General Sheridan had canceled the Shrove Tuesday celebrations the previous year, and perhaps for that reason Mardi Gras day, February 29, 1876, was a particularly festive occasion. A few Army units marched in the parades, and it was traditional for a squad of soldiers, disguised in gay costumes, to act as guards for Rex, the king of carnival. Selected officers and their wives were invited to attend the Rex and Comus balls. By inviting the soldiers to participate in one of the most important social events in New Orleans, some of Louisiana's most prominent citizens indicated that their hostile attitude toward the Army had mellowed somewhat.\textsuperscript{29}

For several weeks following Mardi Gras, Louisiana politics remained remarkably peaceful. Consequently, General Sheridan ordered the remaining companies of the 7th Cavalry from the Department of the Gulf to Dakota Territory, where they were needed for a summer campaign against the Sioux. In April Companies B, G, and K, 7th Cavalry, left Louisiana and reported for duty under the regiment's field commander, Lieutenant Colonel George A. Custer. The change of locale and the prospect of a campaign against the Indians pleased most of the troopers, although this would be the last campaign for many of them.

\textsuperscript{28}Taylor, Louisiana Reconstructed, 310; Lonn, Reconstruction in Louisiana, 393-99.

\textsuperscript{29}Edward King, The Great South (Hartford, Conn., 1879), 43; Frances M. A. Roe, Army Letters From an Officer's Wife (New York, 1909), 154; New Orleans Daily Picayune, February 29, March 1, 1876.
With the departure of the cavalry, Augur gave orders discontinuing the District of the Upper Red River which had been in existence since October 1874. Major Lewis Merrill, the district's former commander, went to Philadelphia, where he acted as the assistant to the director of the Centennial Exposition. Therefore, Merrill was not present at the Battle of the Little Big Horn. The exit of Merrill's cavalry left Augur without any mounted troops serving in his department, a deficiency which Augur keenly felt in the 1876 election campaign. 30

The first violent incidents associated with that campaign occurred in May near Coushatta. An unidentified gunman severely wounded Republican state Senator Marshall H. Twitchell and killed his traveling companion, George King, former Republican tax collector for Red River Parish. Twitchell's brother had been killed by unknown assailants in the same area two years earlier. King's murderer was never caught. 31

A second incident, which took place in central Louisiana, frightened Republicans throughout the state and demonstrated that the Army was unable (or unwilling) to protect Republicans at all times and in all places. Democrats in the little town of Bayou Sara, in West Feliciana Parish, had been threatening Republican officials for several weeks, hoping to force them out of office. In late February, responding to Republicans' request for help, General Augur had sent Company B, 13th

30 Post Returns, Post of Shreveport, March-April-May 1876, in Records of the AGO (Microcopy M-617, reel 1169), RG 94, NA. Dept Gulf, Journal of Events, pp. 82, 85; AAG to CO, Shreveport, April 11, 1876, in Dept Gulf, vol. 142/DSL; Lt. Colon Augur to Major Lewis Merrill, April 29, 1876, in Dept Gulf, vol. 115/DSL; RG 393, NA. For Merrill's role in Philadelphia, see Edgar I. Stewart, Custer's Luck (Norman, 1955), 177.

31 New Orleans Daily Picayune, May 3 and 4, 1876.
Infantry, Captain Gustavus M. Bascom commanding, from Baton Rouge to Bayou Sara to ensure the safety of the officials. Initially, Bascom seemed confused by his assignment and wrote the departmental adjutant asking if "[i]n case of a mob [coming] after local officials, am I to interfere and must I act on my own judgment, or whose call for assistance must I recognize?" Augur ordered Bascom "to do all in your power to preserve peace and prevent bloodshed."

On May 11 a group of angry blacks killed Marx Aaronson, a white farmer who had whipped several Negroes responsible for butchering cattle on his land. Four days later white vigilantes from West Feliciana, cooperating with an armed posse of Mississippian led by the sheriff of Wilkinson County, hunted down Aaronson's killers, hanging two of them and killing several others in a shoot-out. Captain Bascom made no effort to stop the vigilantes or arrest the Mississippian. Taking advantage of Bascom's inactivity, the white "bulldozers" rode through the parish threatening black voters and generally intimidating Republicans.

Democrats justified the actions of the vigilantes, citing the violent acts which supposedly had been perpetrated by blacks in the parish. However, Lieutenant Governor C. C. Antoine, himself a black,

32 D. A. Weber to Kellogg, March 6, 1876, in William P. Kellogg Papers (Department of Archives and Manuscripts, Louisiana State University Library, Baton Rouge); Lt. Colon Augur to CO, Bayou Sara, March 7, 1876, in Dept Gulf, vol. 115/DSL, RG 393, NA.

33 Capt. G. M. Bascom to AAG, Dept Gulf, May 2, 1876, in House Reports, 44 Cong., 1 Sess., No. 816, p. 737; Augur to Bascom, May 2, 1876, ibid., pp. 736-37.

34 Bascom to AAG, Dept Gulf, May 15, 1876, ibid., p. 737. New Orleans Daily Picayune, May 11 and 16, 1876.
took exception to the Democrats' evidence and called upon General Augur to restore order. At first Augur was reluctant to honor Antoine's request unless the U.S. marshal called for the Army's assistance. But after reconsidering, Augur ordered Bascom to have patrols march through the parish and prevent any disturbances. Furthermore, Augur wanted Bascom to write a complete report on the situation in the Felicianas.

Reporting as ordered, Bascom informed the departmental adjutant that perhaps as many as thirty blacks had been killed in the recent fighting. Bascom tried to excuse his own inaction, claiming that most of the disturbances actually had taken place in Wilkinson County, Mississippi, which he apparently assumed was outside his jurisdiction. Within a few days the New Orleans Picayune reported that the area around Bayou Sara was "all . . . quiet and that the people . . . [were] returning to their homes . . . " Believing these reports, Augur decided that no additional military action was necessary. The Picayune complimented Augur for avoiding even the appearance of military interference during the Feliciana commotion. But Augur had been forewarned; the "bulldozing" at Bayou Sara indicated that the political campaign could become a violent one.

On June 1 Augur left for Chicago, where he planned to confer with General Sheridan concerning Louisiana matters. The evening before Augur


36Bascom to AAG, Dept Gulf, May 16, 1876 (two communications), in House Reports, 44 Cong., 1 Sess., No. 816, pp. 738-39; New Orleans Daily Picayune, May 18, 1876.
departed, Governor Kellogg wrote Sheridan, informing him that President Grant and U.S. Attorney General Piemepont had pledged to give Louisiana Republicans "every possible assistance . . . to keep the peace and enforce the laws and secure a fair election." Kellogg asked Sheridan to provide Augur with "all the assistance you can." The governor reminded Sheridan that "[t]he Republicans of this state depend greatly upon you." Kellogg would have been pleased to know that Sheridan had anticipated his request. Acting on Sheridan's orders, Augur already had begun preparations designed "to prevent open violence as far as possible and to afford protection to all requiring it." 37

Upon returning from Chicago, Augur initiated his plans for the usual summer encampment for the New Orleans garrison. The Crescent City had been quiet and free of any major disturbances, and Augur believed that it would remain peaceful during the campaign. General William T. Sherman had given Augur permission to relocate his troops to safer ground if disease appeared to endanger their health. Augur made no plans to move any garrisons other than the one at New Orleans. 38

The wisdom of not relocating any of the other garrisons became evident when a riot occurred on June 17 at the Mount Pleasant Plantation, situated about two miles south of Port Hudson in East Baton Rouge Parish. Troops were sent to restore order, but only after the end of the disturbance, which apparently began when two black Democrats refused to cooperate with the members of a Negro Republican club on the

37Kellogg to Sheridan, May 31, 1876, in Sheridan Papers; Augur to Sheridan, May 17, 1876, in Dept Gulf, vol. 142/DSL, RG 393, NA.

38William T. Sherman to Augur, April 21, 1876, in Christopher C. Augur Papers (Illinois State Historical Library, Springfield).
plantation. Several members of the club fired shots into the houses of the two black Democrats, wounding one of them. Recognizing his attackers, one of the victims reported the incidents to local white Democratic leaders, who formed a posse and rode to Mount Pleasant to apprehend the assailants. But the blacks had built barricades to protect themselves and fired on the posse, driving them off of the plantation. On June 18 the Democrats gathered some reinforcements, and now numbering more than 200 strong they rode back to Mount Pleasant. The reinforced posse carried the barricades, wounded several blacks, and arrested eight men. Five blacks were lynched and left hanging from trees as a warning to other Republicans in the area. 39

Augur ordered Colonel John R. Brooke to investigate the incidents, and Brooke sent Captain Bascom to Mount Pleasant. Bascom's pro-Democratic feelings were evident in his report. He blamed the violence on a militant black organization called the "Union Right Step Republican Club." Bascom, who admitted being on friendly terms with several Democrats in the Baton Rouge vicinity, tried to exonerate the "bull­dozers," calling them "the best citizens here." The New Orleans Times naturally agreed with Bascom's findings, and the Picayune printed Bascom's report on the disturbances, accompanied by an editorial filled with compliments for the captain. In contrast, the New Orleans Republican "protest[ed] against the one-sided conduct of this officer [Bascom], who does not comprehend his duty." The Republican wanted "the War Department . . . [to] promptly exchange him for one of better

discretion." Disregarding the Republican's advice, Augur left Bascom in command of the company at Bayou Sara.  

As a result of the Mount Pleasant disturbances, Augur established a new military district in central Louisiana and Mississippi. He created the District of Baton Rouge, comprising six Louisiana parishes (East and West Feliciana, East Baton Rouge, St. Helena, Livingston, and Tangipahoa) and three Mississippi counties (Wilkinson, Amite, and Pike). He placed Colonel Brooke in command of the district and transferred a well known Democrat, Colonel Henry A. Morrow, to Little Rock, Arkansas. (Morrow was Brooke's senior.)

The Picayune attributed Morrow's transfer to "his courteous department and impartial official conduct [which] had secured him the esteem of the respectable people of East Baton Rouge." The Picayune concluded that the popular colonel's transfer was "the first step taken toward carrying out that programme of Federal interference . . . intended to carry Louisiana in the interest of the Republican party. . . ." Echoing the Picayune's conclusions, the Thibodaux Sentinel added that Morrow ("a just and hightoned gentleman") had been removed to allow Brooke ("clad in a once honorable, but now prostituted uniform") to fulfill the Republicans' "design of terrorizing the State." Providing its usual counterpoint to these Democratic comments, the New Orleans Republican saw "[t]he relief of Col. Morrow . . . and the

In addition to sources cited in note 39, see New York Times, June 20, 1876; New Orleans Times, June 20, 1876; New Orleans Daily Picayune, June 26, 1876; testimony of Bascom before a congressional committee, in House Reports, 44 Cong., 1 Sess., No. 816, pp. 735-36; New Orleans Republican, June 25, 1876.

assignment of Col. Brooke to succeed . . . [as] a hopeful sign." The Republican concluded that "the Republicans of the disturbed region were to be afforded something like justice at last." 42

Soon after Brooke took command of the Baton Rouge District, another violent incident occurred near Bayou Sara. On July 11 a group of armed white vigilantes tried to arrest Gilbert Carter, a Negro who the whites claimed had been plotting to kill several prominent Democrats in the vicinity of Bayou Sara. When Carter supposedly tried to escape, the vigilantes shot and killed him. In a report to Colonel Brooke, Captain Bascom indicated that Carter had been the chief conspirator in such a plot, and therefore, the vigilantes were justified in trying to arrest him. Bascom reported that the "gentlemen" who killed Carter were all "men of character, education, and property. Want of confidence in the sheriff, . . . [was] the reason they [gave] . . . for their irregular action in this case," Bascom concluded. Colonel Brooke was not satisfied with Bascom's explanation of the "irregular action," and he decided to investigate the matter personally. Brooke found that there was no clear evidence implicating Carter in any conspiracy. Moreover, Brooke determined that the whites had simply refused "to place the investigation of such matters or the arrest of accused parties in the hands of proper authorities, even when all possibility of bloodshed, &c., might be avoided by so doing." Brooke ordered Bascom to "prevent bloodshed" in the future and stationed Company C, 13th Infantry, in

42 New Orleans Daily Picayune, June 26, 1876; Thibodaux Sentinel, July 1, 1876; New Orleans Republican, June 25, 1876.
Clinton, Louisiana, to provide more protection for blacks in the district. 43

Despite Brooke's efforts to keep the peace, the District of Baton Rouge (especially East and West Feliciana parishes) was overrun by armed groups of mounted white "bulldozers." White employers fired several of their black employees who refused to pledge their support for the Democratic ticket. The Mount Pleasant riot and Carter's murder were the opening salvos in a campaign of terror, demonstrating the Conservatives' determination to win the election of 1876. 44

Rumors concerning the possibility that General Phil Sheridan would take command of Louisiana heightened interest in the political campaign. The possibility of Sheridan's return provoked an outpouring of invectives from several newspapers. For example, the Thibodaux Sentinel called Sheridan the "blind, brutal tool of . . . Grant," and the Picayune branded him "a cold-blooded, narrow-minded martinet--a sort of diminutive Grant, without brains, without culture, and utterly oblivious of the civil rights of the unfortunate people who happen to fall into his power." The Monroe Ouachita Telegraph endorsed an editorial in the New York Sun, which concluded that Sheridan was going to "leave the extermination of the Indians of the Northwest to inferior officers and troops, while he, with the flower of the Army, was engaged in putting


44 Senate Exec. Docs., 44 Cong., 2 Sess., No. 2, pp. 11-12, 22, 26, 28-29, and passim.
down the white "banditti" of Louisiana. The New Orleans Democrat claimed that in the past Sheridan had "displayed all the cowardly brutality of a ruffian, and . . . that he [had] made the national flag a terror to those to whom it should have been a protection." In short, the Democrat denounced Sheridan "as the shameless tool of an infamous administration" and an officer who had "disgraced his uniform." The Democrat had no doubts that he would do anything to "prolong the domination of Radicalism in Louisiana." The Picayune warned "that if the attempt is renewed to carry Louisiana at the point of the bayonet, the reaction of 1874 will be repeated in 1876."45

Under the shadow of the Picayune's threat, the delegates to the Republican state nominating convention gathered on June 28 in New Orleans. Confirming everyone's expectations, Governor Kellogg declined renomination, leaving U.S. Marshal Stephen B. Packard and former Lieutenant Governor P. B. S. Pinchback as the chief contenders. Although boasting the support of former Governor Henry Clay Warmoth, Pinchback failed to pick up much strength, and the convention nominated Packard, who, as leader of the Custom House faction, was the Republican's logical choice.

A native of Maine, Packard was thirty-seven years old in 1876 and had served without distinction as a captain in the 12th Maine Volunteer Infantry during the Civil War. In 1864 he came to Louisiana with his regiment, married a local woman, and opened a law office in the Crescent City after the war ended. He quickly became influential in the

45 Thibodaux Sentinel, July 1, 1876; New Orleans Democrat, June 26, 1876; Monroe Ouachita Telegraph, July 28, 1876; New Orleans Daily Picayune, June 25 and 27, 1876. See also Alexandria Louisiana Democrat, July 5, 1876.
Republican party and was appointed U.S. marshal for Louisiana in 1869. Subsequently exercising power beyond the limits of his office, he dominated the Custom House faction of his party. He probably could have obtained the gubernatorial nomination in 1872, but instead continued as marshal and cooperated closely with the Army, wielding his considerable influence on behalf of Kellogg. In 1876 Packard decided to secure the governorship and the official powers that went with the office.

Caesar C. Antoine, Kellogg's lieutenant governor and a Negro, was renominated to balance the Republican ticket. In a move to assure the support of Negro voters, the convention also nominated black politicians for secretary of state and superintendent of education. Although the Republicans tried to appear united, Pinchback and other blacks were dissatisfied with the slate of candidates. But whatever their differences, few Republicans could picture Pinchback or his followers giving their support to the Democrats.

On July 24 the Conservatives met in Baton Rouge to nominate a standard bearer. The most likely candidates were "Governor" John McEnery; David B. Penn, hero of Liberty Place and one-time "acting governor;" former New Orleans Mayor Louis A. Wiltz; and former Confederate General Francis R. T. Nicholls. Wiltz led on the early ballots, but McEnery broke the deadlock, withdrawing his name and announcing his support for Nicholls. The convention delegates followed McEnery's lead and overwhelmingly nominated "all that was left" of General Nicholls, who had lost his left arm at the battle of Winchester and his left foot.

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at Chancellorsville. The convention completed its business, nominating Wiltz for lieutenant governor and filling the lesser spots on the ticket with other stalwart Democrats. Running on his glorious bloodstained war record, Nicholls proved to be an excellent candidate. 47

In spite of the violence in the Felicianas and the evident concern about the campaign displayed by members of both parties, General Augur had decided to proceed with his plans for the annual summer encampment of the New Orleans garrison. In early July the troops at Jackson Barracks had boarded trains taking them to Holly Springs. As usual, a small caretaker squad was left behind at the barracks. However, the soldiers in New Orleans, who expected to go to Holly Springs, were ordered to spend the summer at the small town of Lewisburg, Louisiana, twenty-five miles from New Orleans. No other garrisons in the state were moved to special summer camps. 48

Following the accustomed practice that General Emory previously had adopted, Augur left Louisiana on a combined business-pleasure trip to Washington, D.C. and New York. He met with his superiors at the War Department for a few days and subsequently spent the remainder of July and most of August in Ogdensburg, New York, visiting his family. During Augur's absence, his adjutants kept him informed of the situation in the department. 49

47Taylor, Louisiana Reconstructed, 482-83; Lonn, Reconstruction in Louisiana, 408-11; Ezra J. Warner, Generals in Gray: Lives of the Confederate Commanders (Baton Rouge, 1959), 224-25.

48AAG, Dept Gulf to CO, Jackson Barracks, June 20, 1876, in Dept Gulf, vol. 115/DSL, RG 393, NA. Post Returns, Jackson Barracks, July 1876, in Records of the AGO (Microcopy M-617, reel 524), RG 94, NA; Post Returns, Post of New Orleans, July 1876, ibid. (reel 844).

49Dept Gulf, Journal of Events, p. 92; AAG, Dept Gulf to Augur,
During Augur's absence, there were no major disturbances, riots, or violent incidents. In fact the reports from the adjutants were usually brief and lacking in detail, such as the one on July 18: "all quiet in the Department—no news of importance." But the Democrats probably derived a psychological boost from Augur's absence. His presence in Louisiana during the summer and his close attention to the details of the campaign might have discouraged some of the Democratic intimidation. Although it appeared that there was "no news of importance" to report, the Democrats were girding themselves for the final push of the campaign during September and October. In fact, the Democratic "bulldozers" in East and West Feliciana, East Baton Rouge, Morehouse, and Ouachita parishes set to their work with unaccustomed ferocity, making it plain that they planned to deliver the votes of their parishes to the Democratic column. Several minor incidents in his district prompted Colonel Brooke to ask for reinforcements, but the departmental adjutant's reply was discouraging: you "must manage to [make] do with what you now have." It was impossible for Brooke to have soldiers everywhere they were needed. As the campaign intensified, the white vigilantes did not hesitate to use violence. By the time troops arrived on the scene the vigilantes were gone, and witnesses were reluctant to testify about what they had seen. Time was running out for most local Republican officeholders, and without strong reinforcements, the Army

July 18, 22, 25, 29, August 1, 5, 6, 11, 14, 23, 1876, in Dept Gulf, vol. 142/DSL, RG 393, NA.

was unable to stop the final sands from dropping to the bottom of the hourglass.

Officially, at least, national policy regarding the protection of Republican voters and officeholders in the South remained unchanged. In fact, the U.S. House of Representatives buoyed President Grant's hopes, passing a resolution confirming his authority to use any Army troops "not engaged in subduing the savages on the Western frontier . . . for protecting all citizens without distinction to race, color, or political opinion in the exercise of the right to vote. . . ." Moreover, the newly appointed U.S. Attorney General, Alonzo Taft, informed General Sherman that he expected the Army to aid any U.S. marshals who were trying to protect voters in the South.  

Louisiana's Democratic newspapers bitterly attacked the national administration's plans to use the Army in the election. For example, the Shreveport Times criticized the planned cooperation between Attorney General Taft and General Sherman, and suggested, as it had in the past, that the soldiers were supposed to be serving on the frontier rather than in the South. Disregarding the "bulldozing" that had already occurred, the Picayune declared that the Republicans would do anything to justify the use of troops in the South. Purposely distorting the role the Army was intended to play, the Picayune asserted that "the presence of the army is itself calculated to exercise an undue and unlawful influence upon the colored voter, and is practical, effective intimidation."  

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51 New Orleans Daily Picayune, August 17, 1876; New Orleans Democrat, September 5, 1876.
52 New Orleans Daily Picayune, August 17, 18, 23, 25, September 5
The New Orleans Republican tried its best to defend Grant's policy. Counterattacking the Picayune, the Republican concluded that "[t]he presence of the entire army of the United States in Louisiana would not deprive any Democrat of voting just as he thought best. . . ." But the obvious fact was that the majority of white Louisianians were intent upon electing General Nicholls. Turning the Republican's statement on its head, it actually might take the entire U.S. Army to guarantee any Republican the privilege of voting as he thought best.  

Meanwhile, General Augur had decided to return to Louisiana. He went first to Chicago, where he conferred with General Sheridan and learned that he was to receive reinforcements from other Southern states. Sheridan wanted the 1876 election to be one of the most peaceful ever held in Louisiana. Concluding his meeting with Sheridan, Augur returned to New Orleans on August 31. The Reconstruction era's climactic political campaign was about to begin.

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and 6, 1876 (quote from August 25); Shreveport Times, July 7, August 24, September 10, 1876.

53 New Orleans Republican, August 17, 18, September 5, 1876.

54 AAG R. C. Drum to Augur, August 21, 1876, in Dept Gulf, vol. 154/DSL; Sheridan to Augur, August 22, 1876, ibid.; Dept Gulf, Journal of Events, p. 96; RG 393, NA.
CHAPTER XIX
AUGUR AND THE 1876 ELECTION

At their conference in Chicago Generals Sheridan and Augur apparently formulated a plan designed to prevent Louisiana Democrats from riding roughshod over the Republicans during the election of 1876. Within a few days after his return to New Orleans, Augur began issuing orders that eventually sent Army detachments to more Louisiana towns and precincts than had ever been garrisoned before a single election.

The need for such a plan was evident. Augur had been back in New Orleans only a matter of hours when he received a report that an unidentified gunman had killed B. F. Dinkgrave, the former Republican sheriff and tax collector of Ouachita Parish. Although the Democrats claimed that Dinkgrave's murder was the result of a personal feud unrelated to politics, Dinkgrave had a reputation as a political organizer among Ouachita blacks, and his murder was probably politically motivated.¹

Consequently, General Augur sent his son, Lieutenant Jacob A. Augur, to Monroe with orders for Captain James T. McGinnis, acting commander of the post. The general ordered McGinnis "to preserve the peace as far as he . . . [could] lawfully do so--to prevent collisions

¹Ella Ionn, Reconstruction in Louisiana After 1868 (Gloucester, Mass., 1967), 432; New York Times, August 31, 1876; New Orleans Daily Picayune, August 31, 1876; Shreveport Times, August 31 and September 1, 1876.
between opposing factions, and to give protection to innocent parties who may be threatened or be driven from their homes." Remembering Captain George Head's previous associations with Ouachita Democrats, Augur also instructed McGinnis to maintain "friendly relations with all parties, but be intimate with none." Moreover, Augur suggested that McGinnis meet with several important Ouachita Conservatives to inform them of his orders. Augur planned to reinforce the Monroe garrison, and in the meantime he let McGinnis decide whether to split his company into detachments for duty in different parts of the parish. McGinnis subsequently reported that Monroe was temporarily "quiet & no trouble was apprehended."\(^2\)

Discounting McGinnis' assurances, Governor Kellogg believed that the Democrats would commit additional murders unless the Army protected Republicans throughout northern Louisiana. The governor suggested that Augur station troops in DeSoto, Morehouse, and Catahoula parishes. The general agreed to Kellogg's suggestion, and planned to locate detachments in Mansfield and Bastrop, and ordered a reliable officer (Captain Clayton Hale) to investigate the situation in Harrisonburg.\(^3\)

Augur ordered the transfer of one officer and twenty enlisted men from Little Rock to Mansfield, and took steps to strengthen several other posts in Louisiana. A squad of infantrymen was sent from Holly Springs, Mississippi, to St. Martinville. More than one hundred


\(^3\)Augur to William P. Kellogg, September 21, 1876, in Dept Gulf, vol. 116/DSL; AAG, Dept Gulf to CO, Jackson, Mississippi, September 21, 1876, in Dept Gulf, vol. 142/DSL, RG 393, NA.
recruits, who had recently arrived in New Orleans, were distributed among the garrisons at Baton Rouge, Natchitoches, Coushatta, and Pineville. Furthermore, Augur dispatched Company G, 16th Infantry, from Mount Vernon Barracks, Alabama, to Baton Rouge. 4

During October Augur arranged for Republicans in other towns to receive military protection. Detachments consisting of one officer and ten or fifteen enlisted men marched into the towns of Colfax in Grant Parish, Minden in Webster Parish, Franklin in St. Mary's Parish, and Evergreen in Avoyelles Parish. In each case the detachment commanders understood that they were to remain in the towns until the balloting was finished on November 7.5

Despite these extraordinary precautions, Republican officials wanted more troops stationed in the state. One of Louisiana's U.S. senators, John R. West, informed President Grant that unless Colonel Benjamin Grierson's 10th Cavalry (a black regiment) was sent to the northern parishes by the end of October, the state's electoral votes would be forfeited to Samuel J. Tilden, the Democratic nominee for President. Buttressing West's opinion, Governor Kellogg urged Republican National Committeeman R. B. McCormick to convince the

4 AAG, Dept Gulf to CO, Little Rock, September 21, 1876, in Dept Gulf, vol. 142/DSL; Col. DeLancey Floyd-Jones to AG, Dept Gulf, September 15, 1876, in Dept Gulf, vol. 154/DSL; AAG, Dept Gulf to COs, Baton Rouge (September 27, 1876), Natchitoches, Coushatta, and Pineville (September 28, 1876), and Mount Vernon Barracks (September 19, 1876), ibid.; Dept Gulf, Journal of Events, pp. 98, 100. All in RG 393, NA.

5 AAG, Dept Gulf to CO, Pineville, October 19, 1876, in Dept Gulf, vol. 116/DSL; Augur to Kellogg, October 24, 1876, ibid.; AAG, Dept Gulf to CO, St. Martinville, October 27, 1876, ibid.; Augur to Col. J. R. Brooke, October 27, 1876, in Dept Gulf, vol. 142/DSL; RG 393, NA. Colfax Chronicle, November 4, 1876.
President that Grierson's cavalry was desperately needed to reinforce troops already in the state. Although Grant previously had indicated that he might send "some colored troops from the plains" to Louisiana, he was reluctant to issue the necessary orders. Stephen Packard's replacement as U.S. marshal for Louisiana, John R. G. Pitkin, told Grant that it was "absolutely vital" for additional soldiers to be stationed in all parts of the state "to discourage attempts at violence" by the Democrats. The Republicans continued to hope for the transfer of Grierson's regiment, but the troops were never sent.6

Overcoming this disappointment, Governor Kellogg buoyed Republican spirits, reporting that Phil Sheridan planned to come to New Orleans. The little general had been ordered to supervise the protection of the state Returning Board after the election had been held. Kellogg urged Secretary of War J. Don Cameron to send Sheridan to Louisiana as soon as possible. Kellogg believed that "the moral effect of his presence in the city will go very far towards preserving the public peace, averting violence and bloodshed, and securing to all citizens protection in the exercise of the right to vote. . . ." However, General Sherman informed Augur that "Sheridan will not come to New Orleans unless it is a case of extreme urgency." Answering a question from a reporter for the New Orleans Times on the likelihood of Sheridan's assuming command, Augur said that there was "no probable truth in the rumor of General Sheridan's

6John R. West to U. S. Grant, October 3, 1876, in House Exec. Docs., 44 Cong., 2 Sess., No. 30, p. 151; Grant's quote from his endorsement on Stephen B. Packard to J. R. Beckwith, September 5, 1876, ibid.; J. R. G. Pitkin to Grant, October 17, 1876, ibid. Kellogg to Republican national committeeman R. B. McCormick, October 16, 1876, in Rutherford B. Hayes Papers (microfilm copy, Rutherford B. Hayes Library, Fremont, Ohio).
visit to New Orleans." In view of these conflicting reports, Republicans did not know what to expect, but considering Kellogg's assurances, they hoped that if the cavalry was not coming, at least Sheridan could be sent instead. Perhaps the effect of his presence would be equal to that of a regiment of soldiers.  

Until "Little Phil" arrived, Augur was charged with the responsibility of ensuring a peaceful election campaign. Although post commanders had been ordered to prevent violence, they hesitated to challenge armed groups of Democrats who used violence and intimidation on a broad scale, especially in the parishes of East Baton Rouge, East and West Feliciana (all in the District of Baton Rouge), Morehouse, and Ouachita. Despite the fact that Army garrisons had been established in each of these parishes, white vigilantes, or "bulldozers" as they were commonly called, terrorized local Republicans almost at will. By election day on November 7 many Republicans had been threatened, bullied, shot at, roughed up, and had had their property damaged or destroyed by Conservatives who believed that the election of Francis Nicholls would rescue their state from Republican misrule.  

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7Kellogg foretold of Sheridan's plans in the New Orleans Daily Picayune, October 23, 1876. (SW J. Don Cameron specifically ordered Sheridan to make certain that the members of the Returning Board were not "prevented by force or intimidation from performing their proper functions." Cameron to Sheridan, October 31, 1876, filed with Dept Gulf, Letters Recd, RG 393, NA.) See also Kellogg to Cameron, November 1, 1876, in AGO File 4788-1876 (Microcopy M-666, reel 298), RG 94, NA; Sherman to Augur, November 6, 1876, ibid. New Orleans Times, November 7, 1876.

8For overviews of the violence and its effect on the election, see Joe Gray Taylor's perceptive comments in Louisiana Reconstructed, 1863-1877 (Baton Rouge, 1974), 485-89. See also Ella Ionn, Reconstruction in Louisiana, 431-37, a noticeably pro-Democratic view of the campaign. Although conflicting in many particulars, the overwhelming weight of the testimony given by men of both parties to congressional
For example, in the District of Baton Rouge, Captain Gustavus Bascom, an avowed Democrat, failed to curtail the mounted vigilantes near Bayou Sara in West Feliciana Parish. (Testifying before a congressional committee, Bascom said the nickname "bulldozers" had been given to the vigilantes as "a joke.") But the well armed riders were no joking matter to the Felicianas' blacks, who were intimidated to such an extent that few of them voted in the election. The murder of Ike Mitchell, one of Bayou Sara's most prominent black businessmen, undoubtedly had a petrifying effect on his friends and neighbors. Other than the fact that several unidentified horsemen had committed the crime, Bascom claimed that he was unable to learn any details of Mitchell's murder.9

In the neighboring parish of East Feliciana, Republicans asked the Army to provide protection for one of their political rallies. But Lieutenant William S. Davis, commanding at Clinton, was hesitant to furnish a detachment without specific orders from district headquarters. Acting in the temporary absence of Colonel Brooke, Lieutenant Fayette W. Roe, the district adjutant, ordered Davis to use his troops to prevent a collision between hostile political parties in the area. Responding to Roe's orders, Davis sent guards to the Republican rally and provided an


9Testimony of Capt. Gustavus Bascom before a congressional committee, in Senate Reports, 44 Cong., 2 Sess., No. 701, vol. 3, pp. 2599, 2606, 2613; Bascom to AAAG, Dist of Baton Rouge, October 3, 1876, in Dist of Baton Rouge, RG 393, NA.
escort for East Feliciana's Republican tax collector, Frank Powers, while he traveled between Clinton and Jackson, Louisiana. Bushwackers fired on Davis from ambush and quickly made good their escape. Neither the tax collector nor the lieutenant was wounded, but the incident was only one of fifty occurrences of politically inspired violence in East Feliciana reported to Colonel Brooke between June and November. Following the election, Lieutenant Davis testified that the parish was "overwhelmingly [R]epublican," but that "every [R]epublican in the parish . . . was afraid to vote the way he wished . . . ." Although East Feliciana had 2,127 registered black voters, there were no votes recorded for Rutherford B. Hayes, the Republican presidential candidate, or for Stephen B. Packard, the Republican gubernatorial candidate. In an effort to dissuade the Democrats from using violence, Brooke ordered his small detachment of thirteen mounted infantrymen to help U.S. deputy marshals W. H. Murphy and George Thompson arrest several men accused of intimidating blacks in the Baton Rouge area. The marshals jaled the accused men, but other bulldozers carried out their program of intimidation and the Democrats dominated the District of Baton Rouge in the election.  

The New Orleans Democrat criticized the activities of "Grant's Janissaries" in the Baton Rouge area. The Democrat noted that the Army

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was on a "war footing" and that the troops had been dashing "through
some quiet plantation quarters," firing their guns into the air, and
disturbing blacks who belonged to the Democratic party. The Baton Rouge
Weekly Advocate denounced "Uncle Sam's roosters" and their "Grand
Military Sortie." Although the Army was "strengthening the broken
backbone of Radicalism in this parish and overawing the white and
colored Democrats," the Advocate said that the Army's behavior was
another example of how "this arm of the public service has so often been
prostituted during the past eight years for political purposes by the
bastard party in power." Disregarding the crimes and acts of intimida­
tion committed by the Democrats, the Advocate ironically concluded that
the Army's assistance to U.S. marshals and its protection of Republicans
was a disreputable "chapter . . . to be . . . handed down to future
generations as a part of the history of the Centennial year."¹¹

The situation was just as chaotic in the northeastern part of the
state, where Captain Clayton Hale tried to protect the Republicans in
Ouachita and Morehouse parishes. Hale said that the "condition of
affairs in Ouachita Parish . . . was very much unsettled" during the
weeks before the election. Several different "mounted and armed
organizations of white men" rode through the parishes, whipping blacks,
breaking into and ransacking their homes, and disrupting Republican
political rallies. The vigilantes told blacks to vote Democratic or not
to vote at all. On at least six separate occasions during October and
November, Hale dispatched Army detachments to guard Republican campaign
meetings. Hale usually designated his most reliable officer,

¹¹New Orleans Democrat, October 27 and 28, 1876; Baton Rouge Weekly
Advocate, October 27, 1876.
Lieutenant Henry M. McCawley, to command the detachments. McCawley reported that on one occasion boisterous Democrats forced Republicans to adjourn their meeting prematurely. A few days later twenty armed Democrats boldly rode into another Republican rally and it was clear to McCawley that they "meant mischief." When the Conservatives tried to disrupt the convocation, McCawley personally challenged the most vocal Democrat to a fight, and subsequently the noise subsided. Hale himself attended a similar meeting just prior to the election. The visiting Democrats unmercifully heckled the Republican speakers. Drawing his sword, Hale threatened to order his troops to disperse the hecklers unless they remained quiet. He told them that they were welcome to leave if they did not like the speeches. The Democrats stopped their harassment, and when the rally ended, rode away in a cavalry-style column of twos under good discipline. Obviously, all of the riders were armed, and they openly displayed their weapons. 12

Among the numerous forms of intimidation the Democrat used in Ouachita, murder was the most terrifying. On October 11 two masked white men killed Primus Jackson and wounded Eaton Logwood at the latter's farm located six miles north of Monroe. Both Johnson and Logwood were Negroes. Johnson had been an important Republican leader in the parish and had built a school for black children near Monroe. After the shootings, neighbors sought a doctor and the U.S. marshal, both of whom refused to venture out of Monroe, "considering the mission

too dangerous." Captain Hale sent Lieutenant McCawley with eight enlisted men to investigate the incident. Under the lieutenant's questioning, Logwood named Robert Logan as one of the murderers and implicated William F. Theobalds, captain of a local rifle club, as the other. McCawley left three soldiers to guard Logwood, and when he was well enough to travel, the soldiers escorted the wounded man into Monroe.

Hale severely criticized all of the local civil authorities in Ouachita for not taking charge of the case, indicating his lack of respect for the district judge ("a time-serving man, desirous of adapting his course to the changing political condition of the State") and the sheriff, who Hale said was "wholly inefficient." The captain branded U.S. Deputy Marshal John H. Dinkgrave "a coward" who was "utterly worthless." 13

The Monroe Ouachita Telegraph condemned the partisan tone of Hale's report on the Johnson-Logwood incident, claiming that the captain had no evidence to connect Logan and Theobalds with the shootings. The Rayville Richland Beacon accused Hale of "turning the outrage mill ... with a vigor and earnestness that shows that he understands the object of his mission," in other words, implying that the captain was trying to distort the incident to the Republicans' political advantage. In contrast, the Donaldsonville Chief, a Republican newspaper, complimented Hale's exemplary sense of duty and advised Republicans to take

13 McCawley's testimony, in Senate Reports, 44 Cong., 2 Sess., No. 701, vol. 1, p. 249; Hale's testimony, ibid., p. 639. Hale to AAG, Dept Gulf, October 12, 1876, in Monroe Ouachita Telegraph, November 3, 1876.
heed: Johnson's murder was proof that the Democrats were using every available means to win the election.  

Although the intentions and tactics of the Democrats were obvious, General Augur had not ordered the troops spending the summer at Holly Springs to return to New Orleans. The big city had been quiet, and therefore Augur could have used these troops at other locations in the state. Eventually, toward the end of October, Augur decided to reestablish the garrison in the Crescent City, thus ensuring that it would remain quiet during the election. The troops who had spent the summer months at Lewisburg also returned to the New Orleans vicinity. Augur divided the garrison, placing 234 soldiers at different locations within New Orleans itself, and holding 52 soldiers in reserve at Jackson Barracks. Augur sent a special letter of instruction to Colonel Philipe DeTrobriand, commander of troops in the city, ordering him to hold his forces in readiness to act at the call of the U.S. marshal, but otherwise to keep the soldiers at or near their assigned locations. The troops were not "to approach any poll of election except in the performance of some duty under ... [DeTrobriand's] orders" to keep the peace.  

Acting on the personal request of Governor Kellogg, Augur dispatched troops to the towns of Delta and Tallulah in Madison Parish. The governor feared that vigilantes from Mississippi might cross the

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14 Monroe Ouachita Telegraph, November 3, 1876; Rayville Richland Beacon, November 4, 1876; Donaldsonville Chief, November 4, 1876.

15 Dept Gulf, Journal of Events, p. 106; SO No. 207, Dept Gulf, October 28, 1876, in SO, Dept Gulf; Circular Letter No. 18, Dept Gulf, November 1, 1876, filed with ibid.; AAG, Dept Gulf to Col. Floyd-Jones, November 6, 1876, in Dept Gulf, vol. 116/DSL; RG 393, NA.
state's border and disrupt the election in those towns. Kellogg also advised Augur "that disorder and bloodshed ... [were] imminent," unless military units occupied West Baton Rouge Landing and Houma. Consequently, Augur ordered soldiers to go to each of those towns. On his own initiative Augur stationed troops in the towns of Port Hudson, Breaux Bridge, and Oak Ridge before the election. By election eve on November 6 almost eight hundred officers and enlisted men had been sent to twenty-one towns and forty separate parish precincts outside of New Orleans. Augur was attempting to show the flag in as many different locations as possible. The general told a reporter for the New Orleans Times that "a good feeling" existed "throughout the country between the troops and citizens," but by then the bulldozers had done their work. 16

Reports from Army officers across the state indicated that November 7, 1876, was one of the quietest election days in Louisiana history. 17 Although there was virtually no violence at the ballot boxes, Democrats patrolled the roads in some parishes, especially near Baton Rouge and Monroe. Captain Hale said "that the town of

16 Special Return, November 7, 1876, filed with Monthly Returns, Dept Gulf; Kellogg to Augur, November 4, 1876 (two communications), in Dept Gulf, Letters Recd; Augur to Kellogg, November 4, 1876, in Dept Gulf, vol. 116/DSL; RG 393, NA. New Orleans Times, November 2, 1876. SW, Annual Report, 1876-1877 (House Exec. DocS., 44 Cong., 2 Sess., No. I), pp. 99-100.

17 The troop commanders filed separate reports on the quiet election, reporting "no disturbances" or "all quiet" from Evergreen, Clinton, Bayou Sara, Baton Rouge, Colfax, Franklin, Minden, Bastrop, Coushatta, Shreveport, Houma, St. Martinville, Natchitoches, and Alexandria on either November 7 or 8; in Dept Gulf, vol. 154/DSL. See also Sgt. James McCrea (Lobdell's Store, West Baton Rouge Parish) to Post AG, Baton Rouge, November 8, 1876, in Dept Gulf, Letters Recd; Augur to AAG, MilDivMo, November 7, 1876, in Dept Gulf, vol. 142/DSL; RG 393, NA. Testimony of Lt. Fayette Roe (Post Hudson) before a congressional committee, in Senate Reports, 44 Cong., 2 Sess., No. 701, vol. 2, pp. 1492-95.
Monroe . . . was encircled and picketed by armed men, and that all of
the roads and approaches thereto were so strongly guarded by the same
class of men as to effectively prevent Colored [sic] people from either
going to or from it without great risk to their lives." Apparently,
Hale held his soldiers in Monroe to prevent any disturbances at the
polls themselves. Colonel John Brooke reported that most blacks in the
Baton Rouge area had been so intimidated before the election that they
were too scared to vote. Lieutenant William Davis, who guarded the
polls at Jackson, said that many blacks were "afraid to hold meetings or
vote as they wished." Lieutenant William Gerlach, an Army officer who
sympathized with the Democrats, claimed that he did not witness any
intimidation of blacks by whites, but he acknowledged that some
Conservatives had used various means to "coax" Negroes into voting for
the Democratic ticket. Despite General Augur's effusive congratulations
to his troops for their "good conduct and courtesy" on election day, the
Army obviously had been unable to prevent the Democrats from
intimidating black voters in several parts of Louisiana.  

It appeared that the Democrats had won a signal victory in the
election of 1876. "The Carnival of Thieves, State and National, [is] at
an End," trumpeted the Shreveport Times. Francis Nicholls' election
seemed assured, and Samuel Tilden's chances appeared to be rosy.
Overjoyed by these indications, the Thibodaux Sentinel claimed that

18 Testimony of Clayton Hale before congressional committee, in
Senate Exec. Docs., 44 Cong., 2 Sess., No. 2, pp. 332, 334, 336. See
also Hale to AG, Dept Gulf, November 7, 1876, in Dept Gulf, vol. 154/
DSL, RG 393, NA. Testimony of Col. J. R. Brooke, in Senate Reports, 44
Cong., 2 Sess., No. 701, vol. 2, p. 1696; testimony of Lt. W. S. Davis,
ibid., p. 1294; Lt. William Gerlach to Mayor of Baton Rouge Leon
Pastremski and Dr. J. W. Dupree, November 16, 1876, in House Reports, 44
Cong., 2 Sess., No. 156, Pt. 1, p. 75.
finally the "iron heel of despotism . . . [was] about to be lifted off" of Louisiana's neck. The New Orleans Picayune believed that Tilden had undoubtedly carried the nation and Louisiana. But the New Orleans Times was reluctant to award the laurels of victory just yet and predicted that Tilden's winning margin would be very close—in fact, his election hinged on the results in South Carolina, Florida, and Louisiana, Southern states which still had Republican governments. The New Orleans Democrat agreed with the assessment of the Times: the election turned on the electoral votes of the three doubtful Southern states, where each party was claiming to have won. Until the results were officially announced, neither Tilden nor Hayes could be inaugurated.  

In contrast to the gloom of the Times and the Democrat, the New Orleans Republican was hopeful about Hayes' chances, encouraging all Republicans in the state to "Hold the Fort" and remain "Steady." The Republican warned that it was going to be "A Very Close Vote."  

So many conflicting and confusing elements attended the election of 1876 that a winner could not be named for almost four months. Even in a time without the benefit of computers and electronic mass communications, the results of a national election were usually known within a week's time. The initial results in 1876 indicated that Tilden undoubtedly had carried sixteen states, including his home state of New York, giving him a total of 184 electoral votes, only one shy of the amount needed for victory. On the other hand, Hayes had won in

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19 Shreveport Times, November 8, 1876; Thibodaux Sentinel, November 11, 1876; New Orleans Daily Picayune, November 10, 1876; New Orleans Times, November 10, 1876; New Orleans Democrat, November 11, 1876.

20 New Orleans Republican, November 9, 1876.
seventeen states, and he unquestionably deserved two of Oregon's three electoral votes, giving him a total of 165 electoral votes, twenty less than the number needed to win the presidency. But there were twenty disputed electoral votes. In addition to one disputed electoral vote in Oregon, all of the votes from Florida (four), South Carolina (seven), and Louisiana (eight) were contested. Republicans and Democrats in the Southern states asserted that their party had carried their respective states, and in Oregon the Democrats forced one of Hayes' electors to resign when he admitted that he was a Post Office employee, and persons holding Federal jobs were ineligible to serve as electors. The man who had finished second was a Democrat, but Oregon's voters had overwhelmingly supported Hayes, and within a short time some of Tilden's supporters and several Democratic newspapers conceded that Hayes deserved the contested vote in Oregon. If Hayes could obtain the remaining nineteen votes from the Southern states, he would be elected.

In the first hours following the election even Hayes believed that Tilden had won, but in a matter of days he saw that victory was possible. Republican leaders, especially Zachariah Chandler, Grant's secretary of the interior, encouraged the governors of Florida, South Carolina, and Louisiana to hold their states for Hayes. The Republicans wanted authenticated election returns for their candidate sent to Washington as soon as possible. Meanwhile, Northern and Southern Democrats maintained their claim that Tilden had carried the unredeemed Southern states.21

The furor over the electoral votes in the three former Confederate states made Grant realize that the Army must protect the ballots against damage, tampering, or abduction. Consequently, on November 10 he ordered General Sherman to "[i]nstruct Gen. Augur . . . to be vigilant with the force at . . . [his] command to preserve peace and good order and to see that the proper & legal boards of canvassers are unmolested in the performance of their duties." Furthermore, if Augur had any "suspicion of fraud . . . on either side it should be reported & denounced at once." Sherman promptly telegraphed the President's instructions to Sheridan, who relayed them verbatim to Augur. Moreover, Sheridan warned Augur that "[t]he slightest suspicion of trouble or [even] ordinary precaution should require the presence of all your troops in New Orleans." Sheridan told Augur "if you think that the three regiments now in your Dept are not sufficient for this purpose let me know at once."  

Responding to Grant's orders, and acting on Sheridan's suggestion, Augur planned to assemble most of the troops in Louisiana at New Orleans.  

As soon as the ballots were safe, Augur ordered Colonel Brooke to bring most of his soldiers from Baton Rouge to New Orleans, leaving only a few men with Captain Rogers at Clinton and one infantry company with the quartermaster at Baton Rouge Barracks. Augur

201-210.

22 Grant to William T. Sherman, November 10, 1876, in AGO File 4788-1876 (Microcopy M-666, reel 298), RG 94, NA; Sheridan to Augur, November 10 and 11, 1876, in Dept Gulf, vol. 154/DSL, RG 393, NA. In fact, Augur had issued orders for some troops to come to New Orleans before he received Sheridan's messages.

directed the commanders at Couthatta and Natchitoches to dismantle their posts "at once" and transport their garrisons to the Crescent City. The commander at Pineville was ordered to send one of his two companies to the capital. When completed, these movements left only two companies on duty in central Louisiana, one at Pineville and the other at Baton Rouge.  

During the next few days the military telegraph hummed with messages from Augur's headquarters to other post commanders in Louisiana and nearby states, ordering them to bring their detachments or companies to New Orleans. The Army abandoned Alexandria, Shreveport, and Morgan City; and the garrison at Monroe was reduced to Captain Hale's lone company, the last one left in north Louisiana.  

To further ensure the safety of the Returning Board and to preclude the possibility of an insurrection in New Orleans, Augur drew on the resources of other states in his department. He ordered nine companies of the 16th Infantry from Mississippi, Arkansas, and Alabama to assemble in the Crescent City under Colonel Galusha Pennypacker, the regiment's commander. Troops at Vicksburg, Columbus, Holly Springs, Jackson, and McComb, Mississippi, Mount Vernon Barracks, Livingston, Huntsville, and Mobile, Alabama, and Little Rock, Arkansas, boarded trains or steamers and rendezvoused in New Orleans. A reporter for the Picayune asked Augur if he believed that his force would be strong enough to maintain

\footnotesize{\hspace{1cm}24}AAG Oliver D. Greene to Brooke, November 8, 1876, in Dist of Baton Rouge; Augur to Brooke, November 9 and 10, 1876, in Dept Gulf, vol. 142/DSL; AAG, Dept Gulf to COs, Couthatta, Natchitoches, and Pineville, November 11, 1876, ibid.; RG 393, NA.  

\footnotesize{\hspace{1cm}25}Dept Gulf, Journal of Events, pp. 107-110, RG 393, NA.
the peace. Considering the question for a moment, the General "answered that it depended upon 'how belligerent the people were.'"  

By November 19 twenty-five companies of infantry from the 3rd, 13th, and 16th regiments had assembled in the New Orleans vicinity. Twenty-two companies, totaling 1,118 soldiers, were located in the city, and three other companies (172 officers and men) occupied Jackson Barracks. The Picayune kept close tabs on the military arrivals, reporting to its readers that "New Orleans is beginning to assume a truly warlike appearance." Troops marched through the streets, mounted messengers maneuvered their horses in and out of the civilian traffic on Canal Street, groups of officers conferred in hotel lobbies, a detachment of U.S. Marines patrolled the riverfront, and "lumbering baggage wagons" transported military supplies to soldiers bivouaced in the city's parks. The Picayune concluded that the "very atmosphere breathed of the military. . . ."  

In spite of the thorough precautions Augur had taken, President Grant wanted Sheridan to command the troops in New Orleans. Grant telegraphed Sheridan that "[t]here is such apprehension of violence in New Orleans during the canvassing of the vote of the state . . . that . . . you should go in person." The President ordered his favorite general "to keep the peace and to protect the legal canvassing board in the performance of its duties," virtually the same orders he had given to Augur only a few days before. Reluctantly, even

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27 Monthly Returns, Dept Gulf, November 1876, in Dept Gulf, RG 393, NA. New Orleans Daily Picayune, November 8, 12, 13, 14, 15, 19, 1876 (quotes from Ibid., November 12 and 13).
unwillingly, Sheridan bowed to the orders of his chief and prepared once again to enter the perilous labyrinth of Louisiana politics.  

The New Orleans *Picayune* immediately picked up the story of Sheridan's impending arrival, running a short news article about the general under the headline "Philip Expected." Sheridan left his Chicago headquarters on November 13 and detrained in New Orleans two days later, accompanied by his brother, Captain Michael V. Sheridan, and other aides. The little general was now forty-five years old, and since the slashing Shenandoah Valley campaign he had gained several pounds, making him appear shorter than his five feet, five inches. A correspondent for the *Picayune*, who had met Sheridan the previous year, described him as "a smiling red-faced man, of a short cut Herculean style of architecture, and very . . . stout. . . . He would make a severe trial of any Fairbanks scale in the city." The reporter called Sheridan "the very incarnation of a soldier, and a generous feeder." One of Sheridan's most striking characteristics, according to the reporter, was his head, which "was . . . almost globular in shape." Remembering Sheridan's past adherence to Radical Reconstruction policies, the newspaperman believed that it was "just the sort of a head calculated to hold an idea very tenaciously, and which would require an Archimedian battering ram to reduce into submission."  

The Shreveport *Times* disdainfully greeted the news of Sheridan's arrival and used the occasion to ridicule the Army. The *Times* called

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28 Grant to Sheridan, November 11, 1876, in AGO File 4788-1876 (Microcopy M-666, reel 298), RG 94, NA.  

29 New Orleans *Daily Picayune*, November 11, 1876; *ibid.*, January 1, 1875.
Sheridan a "Bully" and accused him of using "the Army to Assist in the Infamous Work" of the Republican Returning Board. In a biting editorial, the *Times* claimed that the Radical Republicans had been doing the Devil's work in Louisiana for many years and that the Army had been acting as the agents of the Fallen Angel, protecting a Republican governor, who, like his Radical compatriots in the North, "dared not show all of . . . [his] cloven foot."  

In a strongly worded editorial of its own, the *Picayune* charged that "all this marshalling of battalions here, this hasty military investiture of the city, . . . cannot be justified on the ground of supervising the counting of votes." Obviously, the *Picayune* believed that Louisianians needed no help from either Sheridan or the Army to count the votes from the recent "quiet and peaceable election." The *Picayune* rhetorically asked whether "the sword of Phil. Sheridan [was] considered necessary, in some way yet undefined, to cut the Gordian Knot of the Louisiana difficulty?"  

According to the *Picayune*, Sheridan's presence "Phil-ed" Louisiana Republicans with courage, and outwardly the general indicated no dissatisfaction with the administration's Reconstruction policy. Actually, Sheridan was quite uncomfortable about having been asked to play the role of savior (or devil) in Louisiana politics. He believed that his presence in New Orleans was not required. Augur had skillfully marshaled most of three infantry regiments in New Orleans, and he appeared to have the situation under control. Since Sheridan's arrival,  

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30 Shreveport *Times*, November 22 and 17, 1876.  
31 *New Orleans Daily Picayune*, November 15, 1876.
James Madison Wells had held several meetings of the Returning Board without interference from the Democrats. At Grant's urging, more than thirty "gentlemen of both political parties" had arrived in the city to "observe the conduct of the canvass." These so-called "visiting statesmen" included Democrats Lyman Trumbull and George W. Julian, and Republicans John Sherman, James Garfield, and Lew Wallace.  

On November 16, the day after he arrived, Sheridan wired Adjutant General Edward Townsend that there was "very little excitement [and] no appearance of any trouble." A few days later, Sheridan informed Sherman that there was no need for him to remain in Louisiana, and he asked to leave before the Returning Board ruled on the outcome of the election. (The only Democrat on the Board had resigned. He was not replaced, and no one doubted that the Board would eventually declare the Republicans victorious in Louisiana.) However, Sherman replied that the President and Secretary of War Cameron both "will feel more comfortable if you will remain till the canvass is completed." Disgruntled, Sheridan nevertheless abided by his superiors' wishes and waited for another opportunity to ask to leave Louisiana.  

Meanwhile, the Returning Board had called dozens of witnesses to testify concerning alleged Democratic bulldozing during the election.
campaign. Some of the witnesses sent written depositions, but Marshal John Pitkin arranged for many of them to come in person to New Orleans, and in several cases the Army provided escorts for some men who might have been in danger had they traveled without Federal protection. 34

Sometimes a few of the "visiting statesmen" attended the meetings of the Returning Board, and the witnesses' testimony appalled the Northern politicians. Senator John Sherman wrote his wife that "[w]e have already heard enough to show in some of the Parishes the most extraordinary system of intimidation & violence" had been used by the Democrats, "but whether this can be clearly proven . . . I neither know nor will guess." Sherman concluded that "[t]he whole tone and elements of society are so different here and in Ohio that no one can realize the truth of what is here plain and palpable." Sherman's colleague, Ohio Congressman James A. Garfield, wrote Rutherford B. Hayes that he had "no doubt" about the "justice of our claim" to Louisiana's electoral votes, but he "fear[ed] it will be impossible for our northern people to understand how difficult a thing it is for anything like regularity and order to be brought out of such a chaos as this in a few days." 35

34 On the Army escorts for witnesses see New Orleans Daily Picayune, November 21, 1876, and Taylor, Louisiana Reconstructed, 491-92. Examples of specific orders for military escorts are Augur to Capt. B. H. Rogers (Clinton), November 21, 1876, in Dept Gulf, vol. 116/DSL; Augur to Capt. Clayton Hale (Monroe), November 22, 1876, ibid., RG 393, NA.

35 John Sherman to Cecilia Sherman, November 20, 1876, in John Sherman Papers (Manuscript Division, Library of Congress; typescript, R. B. Hayes Library, Fremont, Ohio); James A. Garfield to R. B. Hayes, November 23, 1876, in Hayes Papers.
On the other hand, the New Orleans Democrat hoped that the presence of the visiting Northern Democrats might swing the election to Nicholls and Tilden. The Democrat printed a two-paneled political cartoon showing Grant stabbing "Lady Louisiana" in 1875, with a dog (labeled "Sheridan") snapping at the lady's feet. The second panel portrayed ladies labeled "New York" and "Indiana" preventing Grant from stabbing Louisiana again in 1876, while Samuel Tilden, holding a copy of the U.S. Constitution, comforted Louisiana, and the dog (Sheridan) scampered away in fear. 

The Natchitoches People's Vindicator stridently protested the Army's protection of Kellogg and Grant's orders that had "nationalized" Louisiana, and menacingly asked, "Shall it be war or Tilden?" In fact, many politicians and newspaper editors of both parties were concerned about the possibility of a second civil war in late 1876 and early 1877. Angry Democrats, dismayed over the disputed election, were threatening to force Tilden's inauguration by sending thousands of armed men to Washington. Demonstrating his concern over this threat, President Grant ordered several additional Army units into the nation's capital. 

Political tensions were evident in Louisiana's capital as well, and violence was more likely to occur in New Orleans than Washington. Notwithstanding this possibility, Sheridan wired Sherman that "[t]here is no military necessity for my presence here. It is not fair to Augur and I doubt if it is fair to me." Plainly, Sheridan wanted to leave

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36 New Orleans Democrat, November 19, 1876.

37 Natchitoches People's Vindicator, November 18, 1876; William A. Russ, "Was There a Danger of a Second Civil War during Reconstruction," Mississippi Valley Historical Review, XXV (June, 1938), 39-58.
Louisiana. After meeting with Secretary of War Cameron, Sherman reluctantly gave Sheridan permission to return to Chicago. Sheridan thankfully made his plans to leave New Orleans within twenty-four hours and soothingly informed Adjutant General Townsend that "[e]verything [is] all right here. Canvass will give Louisiana to Hayes."  

Sheridan departed without fanfare on November 26 and arrived in Chicago four days later. (The Picayune noted that he had slipped "Quietly Out of Town," apparently "believing that the 'banditti' were in a harmless frame of mind. . . .") His last assignment in Louisiana during Reconstruction had been unproductive. His superiors had hoped that his presence in the violence-prone state would be beneficial, or they would not have sent him there. Finding that Augur had blanketed New Orleans with troops, Sheridan impatiently had awaited permission to leave virtually from the day he had arrived. The responsibility of keeping the peace was placed in General Augur's capable hands.

A correspondent for the Picayune reported that Augur had "no apprehension of any disturbance" in Louisiana. Nevertheless, Augur ordered his regimental commanders to keep their troops under arms and prepared for any eventuality. Specifically, Augur directed Colonel DeTrobiand and Colonel Brooke to "furnish the [members of the] Returning Board . . . such protection to their persons and papers as they may deem necessary." Brooke was to "confer" personally with

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38 Sheridan to Sherman, November 24, 1876, in AGO File 4788-1876 (Microcopy M-666, reel 299), RG 94, NA; Sherman to Sheridan, November 25, 1876, ibid.; Sheridan to AGO, November 25, 1876, ibid.

39 New Orleans Daily Picayune, November 27, 1876. See also New Orleans Democrat, November 27 and 28, 1876.
Governor Kellogg and J. Madison Wells to learn if they wanted any special assistance.  

Kellogg apparently was satisfied with the precautions the military had taken in the capital, but he felt uneasy about the situation in some of the country parishes. He asked Augur to leave troops in Monroe "to preserve the public peace" in that town. Furthermore, Kellogg requested that a detachment be sent to Lafayette Parish "in the interests of peace and order & to prevent violence and bloodshed. . . ." Although there had been no unrest in Lafayette Parish, Augur acceded to Kellogg's request, ordering Lieutenant Lorenzo W. Cooke and ten enlisted men from the garrison at St. Martinville to Vermillionville. The general assured the governor that the troops would remain in Monroe until Captain Hale believed it was safe to withdraw them. Meanwhile, the soldiers and politicians waited for Wells to announce the results of the canvass.

The Returning Board reached its decision in early December. Wells and his associates (dubbed the "Overturning Board" by the Picayune) nullified or discarded the returns from selected precincts in twenty-four parishes, throwing the election to Packard and Hayes. Louisiana Democrats cried "foul" and "fraud," and refused to abide by the Board's decision. Francis Nicholls, following the example of John McEnery in 1872, claimed to have been elected and planned to be inaugurated in January. Rejecting Nicholls' claims, Kellogg declared that Packard was

40 New Orleans Daily Picayune, November 27, 1876. AAG, Dept Gulf to Col. Philippe DeTrobriand, November 27, 1876, in Dept Gulf, vol. 116/DSL, RG 393, NA.

41 Kellogg to Augur, November 29, 1876 (two communications), in Dept Gulf, Letters Recd, RG 393, NA. (Vermillionville was later renamed Lafayette.)
the state's next governor and certified the Hayes electors. Reviving his dormant governorship, John McEnery proclaimed that Nicholls had carried Louisiana and forwarded to Washington a separate set of certificates giving the state's electoral votes to Tilden. 42

To the dismay of historians, the results of the election of 1876 will never be known to everyone's complete satisfaction. Contested elections and dual governments were familiar to Louisianians, but they could not be tolerated by the nation. According to the Louisiana Returning Board, Packard and Hayes were victorious, and John Sherman and other visiting Republican politicians concurred in the Board's decision, stressing the evidence of widespread intimidation before the election that had prevented many blacks from voting or had persuaded some blacks to vote for the Democratic ticket. Historian Harry Barnard concluded that the election returns "did not include, as it could not have included, votes not cast, because many qualified voters—mainly Negroes—were scared off from attempting to vote." 43 Undoubtedly Louisiana Republicans found it difficult to organize an effective campaign—several of their black leaders had been killed, and members of the rank and file had been threatened with loss of their lives or their jobs. 44


43 John Sherman and other Republicans to Grant, December 6, 1876, in Senate Exec. Docs., 44 Cong., 2 Sess., No. 2, pp. 7-8; Barnard, Hayes, 316-17. Also supporting this conclusion is Rembert Patrick, The Reconstruction of the Nation (New York, 1967), 261.

44 T. B. Tunnell, Jr., argues in his article "The Negro, the Republican Party, and the Election of 1876 in Louisiana," Louisiana
Regardless of who certified the election returns or how they had been obtained, Congress had the responsibility to count the electoral votes of the individual states. Under the unusual circumstances which existed after the 1876 election, Congress would have to determine which set of returns to accept from South Carolina, Florida, and Oregon, as well as Louisiana because the officials in each of these states had sent multiple sets of electoral certificates to Washington.

Meanwhile, obeying the orders of Sherman and Sheridan, General Augur gave military protection to all persons who came to New Orleans to testify before the committees of the U.S. House and Senate which had been empaneled to investigate the election. But Augur cautioned that when the witnesses returned to their homes and passed "out of our reach," the Army could not be held responsible for their safety. Augur reported to the adjutant general of the Military Division of the Missouri that Democrats in some parishes would probably protest against the Returning Board's decision, but Augur did not speculate on what form these protests might take. In fact, he advised Sheridan against "using troops in the interior . . . to settle mere local

*History*, VII (Spring, 1966), 101-116, that thousands of Louisiana's blacks voluntarily abandoned the party of Lincoln because the Republicans had been corrupt and failed to deliver on all of their political promises of the 1860s. Furthermore Tunnell rejects most of the charges that the Democrats used fraud and intimidation against Republicans in the '76 campaign. Although he presents his argument forcefully, in light of the military correspondence between June and November 1876, Tunnell's thesis seems to lack credibility. Polokoff accepts Tunnell's argument in *Politics of Inertia*, 183. Other historians, led by William A. Dunning, *Reconstruction, Political and Economic*, 1865-1877 (New York, 1907), 320-21, have indicated that Louisiana properly belonged in the Democratic column. See also Claude G. Bowers, *The Tragic Era: The Revolution After Lincoln* (Cambridge, Mass., 1929), 526-29; Hodding Carter, *The Angry Scar* (New York, 1959), 328; Robert S. Henry, *The Story of Reconstruction* (Indianapolis, 1938), 579-80.
disturbances. The limited number of troops available for the purpose, and their restricted authority for action in such cases, renders it undesirable, . . . to make the attempt." Augur correctly concluded that "[t]he definite and authoritative announcement of who is to be President, will quickly settle all the questions. . . ." 45

In the meantime, Augur had to contend with a more immediate crisis, one that was familiar to his subordinates, Colonels DeTrobriand, Floyd-Jones, and Brooke. The state legislature was scheduled to convene in January, and the Democrats and Republicans already had caucused separately. It appeared that the Democrats would either challenge the Republicans for control of the legislature, or establish a rival legislature of their own. Augur telegraphed Sheridan, asking "what action . . . to take, if any" when the legislature met. Hesitating to issue orders on his own, Sheridan sent the question on to Sherman, who placed the matter before Secretary of War Don Cameron. Governor Kellogg had not yet asked for assistance at the State House, but Grant and Cameron directed Sherman to send the following orders to Sheridan: "If there be any riot or violence[,] General Augur's duty will be to interpose [his troops], prevent violence, and keep the peace." 46

Sheridan dutifully forwarded the orders to Augur, who now faced his greatest challenge as commander of the Department of the Gulf.

45 Augur to AAG, MilDivMo, December 18, 1876, in AGO File 4788-1876 (Microcopy M-666, reel 299), RG 94, NA.

46 Sheridan to Sherman, December 30, 1876, ibid. (reel 300); Augur to Sheridan, December 30, 1876, in Letters Read by the Justice Dept from Louisiana (Microcopy M-940, reel 3), RG 60, NA; Sherman to J. D. Cameron, December 31, 1876, ibid.; Sherman to Sheridan, December 31, 1876, ibid.; Sheridan to Sherman, January 1, 1877, ibid.
"THE TROOPS ARE NOT TO BE USED AS A POLITICAL ENGINE"

On New Years' Day 1877 Louisiana's Democratic and Republican legislators convened separately and organized two different legislatures. Taking a necessary precaution, General Augur previously had stationed several companies of infantry in the Orleans Hotel, which was adjacent to the State House. He assigned no units to occupy the capitol itself. Captain George B. Russell of Augur's staff acted as a military observer inside the Republicans' stronghold. In addition, the general had stationed troops at key locations throughout the city and had alerted them to be on guard against violence. Subsequently, Republicans and Democrats peacefully demonstrated on behalf of their legislatures, but it was not necessary for the Army to intervene. ¹

Representatives of each party were prepared to continue the spectacle of dual governments. Cheering partisans surrounded St. Patrick's Hall, which temporarily housed the Democratic legislature. Conservative senators elected Louis Wiltz as their presiding officer. Louis Bush, who had been a colonel in the Confederate army, was elected speaker of the Democratic house. Several blocks away, meeting under the

¹Philip H. Sheridan to William T. Sherman (enclosing a despatch from Augur), January 1, 1877, in AGO File 4788-1876 (Microcopy M-666, reel 300), RG 94, NA. AAG, Dept Gulf to Col. Philippe DeTrobiand, January 1, 1877, in Dept Gulf, vol. 116/DSL; AAG, Dept Gulf to Col. Galusha Pennypacker, January 1, 1877, ibid.; Augur to Sheridan, January 4, 1877, ibid.; RG 393, NA.
protection of the police and U.S. infantrymen, the Republicans elected former governor Michael Hahn speaker of their house. Lieutenant Governor C. C. Antoine presided over the senate. The Republican legislature drafted and passed an appeal for continued military protection, and Governor Kellogg sent it to President Grant.2

A few days later Kellogg addressed the President again, asking him to recognize Packard as the legitimate governor upon his inauguration and requesting that Augur be instructed to guard the new Republican administration, which was to take office on January 8. Grant's reply must have sent a shiver down the collective spines of all Louisiana Republicans. The President wrote that he felt "constrained to decline your request for the aid of troops to inaugurate the new State Gov't. . . . To do so would be to recognize one of the rival governments for the State Executive and Legislature. . . ." Grant reminded Kellogg that Congress was investigating the Louisiana situation, and that in the meantime Federal troops would "suppress violence if any should take place."3

For the first time during Reconstruction the President overtly and promptly had refused to recognize the Republican claimant to the governorship in Louisiana. Grant's action was partly due to the fact that the outcome of the national election remained in doubt. Moreover, Grant had been less inclined to order troops to intervene in Southern

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2New Orleans Times, January 2, 1877; William P. Kellogg to U. S. Grant, January 1, 1877, in Letters Recd by the U. S. Justice Dept from Louisiana (Microcopy M-940, reel 3), RG 60, NA; Ella Lonn, Reconstruction in Louisiana After 1868 (Gloucester, Mass., 1967), 476-77.

3Kellogg to Grant, January 5, 1877, in Letters Recd by the U. S. Justice Dept from Louisiana (Microcopy M-940, reel 3), RG 60, NA; Grant to Kellogg, January 7, 1877, ibid.
politics after the incident at the Louisiana legislature in January 1875. Recently he had tended to take the advice of his Secretary of State, Hamilton Fish, who opposed any help to Kellogg or Packard and preferred to have the Army in Louisiana maintain the peace between rival parties. On the other hand, Secretary of War J. Don Cameron and Secretary of the Interior Zachariah Chandler strongly urged Grant to recognize Packard and provide him with Federal protection before the results of the presidential election were known. 4

Meanwhile, in keeping with Grant's intentions and with the dual inaugurations of Packard and Nicholls forthcoming, General Augur took precautions to maintain the peace in New Orleans. He had kept a strong force within the city: twenty-one infantry companies totaling more than one thousand soldiers were stationed at important locations. On January 8 the rival governors took their oaths of office, Nicholls standing on a balcony of St. Patrick's Hall before an audience of several thousand well-wishers, Packard choosing to remain within the protective confines of the State House. There was no violence at either location. 5

4Grant supported the creation of a special electoral commission which would judge the acceptability of the electoral certificates from Louisiana and the other states which had sent multiple returns. See Allan Nevins, Hamilton Fish: The Inner History of the Grant Administration (New York, 1937), 851; and Keith Ian Polakoff, The Politics of Inertia: The Election of 1876 and the End of Reconstruction (Baton Rouge, 1973), 269-79.

On the evening of his inauguration Francis Nicholls boldly decided that he would attempt to seat his state supreme court appointees and supplant the Metropolitan Police with a police force of his own. Nicholls later wrote that he had "resolved to take all risks essential to our success but to attempt nothing which . . . would be or might be considered by the federal government as essential to the National Republican Party[.]" In other words, Nicholls decided not to attempt to overthrow Packard, as Penn, Ogden, and the White League had tried to overthrow Kellogg in 1874. Instead, he aimed to take partial control of some important government functions, leaving the State House and his Republican rival unmolested. Nicholls could not be sure of Augur's reaction—or of Packard's either. But the crippled general's scheme paid dividends during the remaining months of Reconstruction in Louisiana.

In December President Grant specifically had ordered Augur to maintain the peace "if there [should] be any riot or violence." Augur had no intentions of overstepping his orders: He would not send in his troops until violence had actually occurred. If no violence took place, the Army would remain strictly neutral.

Beginning at dawn on January 9 Fred Ogden's White Leaguers, serving as Nicholls' militia, started assembling in Lafayette Square. David Penn served as Ogden's adjutant. Word of the White League assembly reached the Republican leaders, who desperately dashed off telegrams to

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Grant, telling him that an insurrection was impending and calling on the Federal government for protection. Marshal John Pitkin wired U.S. Attorney General Alonzo Taft, informing him that armed members of the "white League [are] in Lafayette Square. Stores of the city [are] all closing. Prospects of bloodshed [are] imminent within an hour."\(^7\)

Moving with military discipline, the Leaguers left their assembly point and, joined by other Nicholls supporters, soon made up a force of about three thousand men. As a first step, they demanded the surrender of several police stations, and Packard's men withdrew without any show of resistance. Ogden then marched on the Cabildo, where the supreme court chambers were located. Learning what was afoot, Chief Justice John T. Ludeling vacated his office, and the Leaguers installed the Democratic justices without any opposition. By noon the Nicholls militia had occupied most of the city police stations and the state arsenal, incorporating the state cannon into the Washington Artillery, the renowned New Orleans artillery company which had served in the Confederate army. Packard's militia and police fell back on the State House, and the windows of the building bristled with the rifles of the beleaguered Republicans. Without firing a shot, Nicholls had taken control of all of the important state government buildings, with the exception of the capitol.\(^8\)

\(^7\)Stephen B. Packard to Grant, January 9, 1877, in Letters Recd by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 3), RG 60, NA; C. C. Antoine and Michael Hahn to Grant, January 9, 1877, ibid.; J. R. G. Pitkin to Alonzo Taft, January 9, 1877, in AGO File 4788-1876 (Microcopy M-666, reel 300), RG 94, NA.

\(^8\)Ionn, Reconstruction in Louisiana, 482-83; Joe Gray Taylor, Louisiana Reconstructed, 1863-1877 (Baton Rouge, 1974), 496; New Orleans Times, January 10, 1877; New Orleans Republican, January 10, 1877; New Orleans Daily Picayune, January 10, 1877.
Word that the White League was marching was brought to Augur immediately. He alerted Colonel Galusha Pennypacker and his men of the 16th Infantry near the State House, as well as the five companies of the 3rd Regiment in the Orleans Hotel, but he rejected any notions of placing his soldiers in the streets or forming a cordon around the Cabildo and the Jackson Square police station. Specially chosen U.S. Marine signal officers, perched atop the cupola of the State House, used signal flags to keep Augur and his staff at the Custom House informed as to the advance of the Leaguers and the retreat of the Metropolitans. Army officers, holding binoculars to their eyes, lined the balcony of the Orleans Hotel and watched the coup taking place. Violence could have erupted at any time between the rival militias, but the Republicans refused to engage the White League. Kellogg and Packard met with Colonel DeTrobriand, who promised that his troops would be deployed if violence occurred, but since there had been no collision, the troops remained at the Custom House or in the Orleans Hotel.9

Learning of the unsettled conditions in New Orleans, Secretary of War Don Cameron demanded that Augur send a complete report on the situation in the city. Furthermore, Cameron ordered Augur to warn all unauthorized armed groups to disperse or come into "conflict with United States authority sustained by the military power of the Government." However, Cameron cautioned Augur not to recognize "either of the claimants for the Governorship or either Legislature."10


10 J. Don Cameron to Augur, January 9, 1877, in AOO File 4788-1876
Reporting as ordered, Augur explained that the unauthorized armed groups were the "new police and armed posse acting under orders of the Nicholls government." The Nicholls militia had "possession of the city except for the State House." Obviously, it was too late for Augur to prevent a coup. Augur advised Cameron that he had "declined to interfere on either side until there was a violent breach of the peace. My orders simply authorize me to prevent bloodshed. None has yet occurred." In a second message, the general informed Cameron that Nicholls wanted to avoid a "disturbance," and that the Democratic governor had ordered his "armed forces" to "disband." Some of Nicholls' men left the streets, giving credence to his pledge, but the next morning the White League still occupied all of the buildings captured the previous day.11

Louisianians were interested to know how the Federal authorities would react to the Nicholls coup. Responding to questions from reporters, Augur said that the "President is reluctant to proceed further in the recognition of either party in the Louisiana gubernatorial question. . . ." According to his present orders, Augur declared that he "would not furnish troops [to support] the State authorities on either side."12

(Microcopy M-666, reel 300), RG 94, NA.

11Augur to Cameron, January 9, 1877 (two communications), ibid. Augur also informed Sheridan of the day's events: Augur to Sheridan, January 9, 1877, in Dept Gulf, vol. 142/DSL, RG 393, NA. The events are ably summarized by James E. Sefton, The United States Army and Reconstruction (Baton Rouge, 1967), 248-49.

12New Orleans Times, January 10, 1877; New Orleans Daily Picayune, January 11, 1877.
Undeterred by Augur's statements, Marshal Pitkin pressed Attorney General Taft to use his influence on Packard's behalf. Pitkin asked Taft: "should not [the] commanding General be instructed to assist [the Republican] Supreme Judges to reoccupy their seats[?]" Momentarily disregarding Pitkin's plea, Taft and Cameron became concerned when they learned that a mob was threatening the capitol. Cameron ordered Augur not to let the mob molest the Republican legislature—in fact, Augur was to disperse the mob if one had gathered outside the State House. Augur replied that no "mob" threatened the legislature, but that a "larger crowd than usual" had congregated near the capitol. Augur saw no reason to disperse the crowd because members of both parties were allowed to enter and leave the building, and "Packard's police [were] on duty in front of it." Regarding the Cabildo, Augur told Cameron that "Packard [had] applied for troops to assist . . . in regaining possession of [the] Supreme Court room," but, Augur continued, he had declined to provide soldiers for that purpose, saying it was not a legitimate duty for the Army. Cameron concurred with Augur's view of the situation; the Federal authorities allowed the Democrats to remain in control of the Cabildo, and the Army failed to disperse the crowds.  

Nevertheless, a minor disturbance on the afternoon of January 10 provided Packard with another opportunity to receive Federal help. Captain George Russell, Augur's observer at the State House, reported

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13 Pitkin to Taft, January 10, 1877, in Letters Recd by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 3), RG 60, NA; Cameron to Augur, January 10, 1877, in AGO File 4788-1876 (Microcopy M-666, reel 300), RG 94, NA; Augur to Cameron, January 10, 1877, ibid. Capt. G. B. Russell to Augur, January 10, 1877, in Dept Gulf, Letters Recd; Augur to Packard, January 10, 1877, in Dept Gulf, vol. 116/DSL, RG 393, NA.
that there was "Great excitement" in the streets near the capitol. Unknown persons had fired some shots at the State House, and vandals were breaking windows in buildings near Jackson Square. Under similar circumstances, certainly Sheridan and possibly Emory would have sent troops to clear the streets of the French Quarter, or at least sent military messengers to the White League's officers to demand that they order their men to disperse. Lacking orders to march, the colonels held their troops in check. Captain Russell concluded that "the Republican leaders will determine to bring on a row—that is I am afraid they see it as their only resort to bring us [the Army] in." However, only a few shots were fired, and the White Leaguers, demonstrating their discipline, refused to bring on a general engagement.14 Thus passed the last logical opportunity for Augur to commit his troops in direct support of Packard's government.15

The next morning Augur reported to Secretary Cameron that New Orleans was quiet. The general ordered half of his troops to stand down to "ordinary status," leaving the remainder on alert and ready to respond at a "moments notice."16

Still hopeful that he might persuade the military to act on his behalf, Packard arranged a meeting with Captain Russell. The governor asked Russell to help the Republicans reclaim the office of the recorder.

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15 Taylor, Louisiana Reconstructed, 497.
16 Augur to Cameron, January 11, 1877, in AGO File 4788-1876 (Microcopy M-666, reel 300), RG 94, NA; AAG, Dept Gulf to Cols. John Brooke and Pennypacker, January 11, 1877, in Dept Gulf, vol. 116/DSL, RG 393, NA.
of mortgages, located in the Cabildo. Russell replied that Augur's orders specified "that if there was a fight" the military would "leave the 'ins' in & the 'outs' out." Disgruntled, Packard "then suggested that under [the] notification [from Secretary Cameron] to unauthorized . . . men to 'cease' [disperse] you might order [the] Nicholls force to go away." Russell responded "that if Packard had an armed force there [in the Cabildo], they would probably also be ordered to 'cease.'"

During the meeting one of Packard's aides threatened to order the Republican militia to "seize any of the captured places," but Russell correctly assumed that the man was bluffing. Toward the end of the meeting Packard informed Russell that he had telegraphed President Grant asking him to order the Army to "protect officers holding Kellogg commissions." Russell sent a report of the conference to Augur.  

While Grant considered Packard's latest request for help, the governor's authority continued to erode. Isolated in the capitol, Packard was having difficulty operating the state government. Money to pay the legislators their per diem was lacking. Consequently, on January 12 and 13 several Republican legislators left the State House and began attending sessions at the Democratic legislature. The Democrats held virtually all of the state agencies and office buildings in the city, and Nicholls' appointees, or Conservatives who claimed to have been elected in November, had taken office in several outlying parishes. Packard was becoming a governor without a government. Then, suddenly, Packard's claim to office temporarily took on new life.  

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17Russell to Augur, January 12, 1877, in Dept Gulf, Letters Recd, RG 393, NA.  
18On the legislature see New Orleans Times, January 12 and 13,
On January 14 President Grant sent an important telegram to Augur, telling him that until now the administration had tried to remain neutral in the Louisiana dispute, "but it is not proper to sit quietly by and see the State government gradually taken possession of by one of the claimants for gubernatorial honors by illegal means." Grant admonished Augur that "[t]he Supreme Court set up by Mr. Nicholls can receive no more recognition than any other equal number of lawyers convened on the call of any other citizen of the State." But the President stopped well short of directing the general to disperse the court; Nicholls' appointees could continue to sit as if they were the supreme court without being formally recognized. The President concluded his message with a surprisingly firm declaration: The Returning Board had "declared Mr. Packard Governor. . . . Should there be a necessity for the recognition of either, it must be Packard. You may furnish a copy of this dispatch to Packard and Nicholls." The New Orleans newspapers obtained and printed Grant's telegram, which naturally disconcerted Louisiana's Democrats.  

Believing that his administration was now official, Packard issued a proclamation "To the White Leaguers and their attendant Usurpers, The Supreme Court Cabal, etc.," ordering them to disperse. The Nicholls

1877; and the very good summary in Lonn, Reconstruction in Louisiana, 488-92. For an example of Democrats taking office see O. A. Foreman to Kellogg, January 16, 1877, in William Pitt Kellogg Papers (Department of Archives and Manuscripts, Louisiana State University Library, Baton Rouge). See also Taylor, Louisiana Reconstructed, 497.

19 Grant to Augur, January 14, 1877, in Letters Recd by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 3); New Orleans Times, January 15, 1877; New Orleans Daily Picayune, January 15, 1877; New Orleans Republican, January 16, 1877; Lonn, Reconstruction in Louisiana, 487.
forces ignored the proclamation. Augur again refused to order his
troops to clear the offending Democrats from the Cabildo. At this
rebuff, Packard's optimism began to evaporate. In a pathetic attempt to
obtain Grant's help, he advised the President that the White League
could be "crushed by the federal government" if it acted promptly.20

On January 16 Secretary Cameron, acting on behalf of the President,
attempted to clarify Grant's position. Cameron directed Augur to
preserve "the present status throughout the state . . . until the
Congressional committees now in Louisiana return [to Washington]."21
Therefore, Augur was to maintain the status quo, and considering the
fact that the Democrats already held most of the state buildings and
offices, the order favored the Democrats. In the coming weeks Augur
adhered strictly to this order and was loathe to extend even the
slightest help to the Republicans.

For example, Augur categorically denied Packard's request "to
secure the surrender" of "state arms and munitions of War" which the
Nicholls' forces had obtained when they captured the state arsenals.
Augur denied the request despite the fact that Packard simply wanted the
Army to hold the weapons until a new state government was recognized.
(Of course, if the Army secured the guns, they would be out of the
Democrats' hands.) Lecturing the governor as if he were a schoolboy,

20. New Orleans Daily Picayune, January 16, 1877; Lonn,
Reconstruction in Louisiana, 487; Augur to Packard, January 15, 1877, in
AGO File 4788-1876 (Microcopy M-666, reel 300), RG 94, NA; Packard to
Grant, January 15, 1877, in Letters Recd by the U.S. Justice Dept from
Louisiana (Microcopy M-940, reel 3), RG 60, NA.

21. Cameron to Augur, January 16, 1877, in AGO File 4788-1876
(Microcopy M-666, reel 300), RG 94, NA. This letter was featured in the
New Orleans Times, January 17, 1877, and the New Orleans Daily Picayune,
January 17, 1877.
the general explained that Secretary Cameron's order required that the status quo be maintained. "[T]he surrender, without resistance [sic] of the Supreme Court room, the Arsenal, and all of the police stations" had taken place before the secretary's order, and therefore the Army was not going to make the Democrats give them (or their contents) back to the Republicans. Moreover, it was public knowledge that Packard wanted to reoccupy all of the state buildings, and the governor's own threats had "furnished an excuse for the Nicholls party to keep a force in readiness to resist. . . ." Augur stipulated that no changes would be made in the status quo until the President decided to recognize one of the two claimants. Crestfallen, Packard told Marshal Pitkin that further "delay will place the [Republican] State government in jeopardy. . . ."  

Augur's strict interpretation of his orders pleased the Democratic press. "Oh, that Phil Sheridan were here!" was Packard's agonized cry when he discovered that Gen. Augur combined the qualities of an army officer with those of a gentleman," wrote the gleeful editor of the Shreveport Times. The Picayune concluded that Augur's reply to Packard was "entirely consistent with the sound judgment and professional propriety which has marked the attitude of that officer . . . [who occupied such a] delicate and responsible position. . . ."  

On the Republican side, the New York Times alertly pointed out that Augur "seems a little disposed . . . to give the Democratic claimant,  

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22 Packard to Augur, January 17, 1877, in Dept Gulf, Letters Recd; Augur to Packard, January 17, 1877, in Dept Gulf, vol. 116/DSL, RG 393, NA. Packard to Pitkin, January 22, 1877, in Letters Recd by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 3), RG 60, NA.  

23 Shreveport Times, January 19, 1877; New Orleans Daily Picayune, January 18, 1877. See also New Orleans Times, January 18, 1877.
Nicholls, the benefit of the doubt... Going further, the Times accused Augur of favoritism toward Nicholls by allowing him to maintain possession of the state offices. The newspaper concluded that the fiction of two governors in Louisiana must be ended soon, and implied that Packard should be recognized. 24

To the obvious disappointment of many Northern Republicans, dual governments continued to exist in Louisiana. In fact, Nicholls took every opportunity to improve his position. For example, on January 19 Nicholls appointed a Democrat to the position of state librarian. A party of White Leaguers escorted the appointee to his office, where he displaced the Republican librarian. Furthermore, Nicholls constantly encouraged Democrats to take office in parishes outside of New Orleans. Packard complained about these usurpations to both Augur and Grant. In view of Grant's order to maintain the status quo, the governor was on firm ground, and he stingingly criticized Nicholls for violating the status quo. Caught red-handed, Nicholls recalled his librarian and "staff," permitting the Republican to resume his position. 25

The controversy over officeholders broke out afresh when Packard accused Nicholls of seating judges and other local officials in Natchitoches and Ouachita parishes. An investigation revealed that the Democrats had indeed taken office after Cameron's status quo order on January 16. Perhaps revealing a pro-Democratic bias, Augur refused to


25 Packard to President Grant, January 19, 1877, in Letters Recd by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 3), RG 60, NA. Packard to Augur, January 19, 1877, in Dept Gulf, Letters Recd; Francis T. Nicholls to Augur, January 19, 1877, ibid., RG 393, NA.
remove the Conservatives, although it was well within his powers and responsibilities. Instead, he described the circumstances to the authorities in Washington and left the decisions to them. Considering the cases in question, Nicholls claimed that the parish judge, recorder, clerk of court and police jurors in Ouachita and a judge in Natchitoches all had assumed office before January 16. Eventually President Grant demanded that the Democratic judge in Natchitoches step down from the bench and surrender his position to a Republican, but he allowed all of the Democrats in Ouachita to remain in office. Patiently biding his time, Nicholls saw to it that the President's rulings were obeyed.26

In Packard's opinion, Augur's inaction during these negotiations was intolerable, and he wanted the general replaced. Remaining aloof and studiously avoiding any involvement, Augur indirectly helped Nicholls, who counted on the fact that Augur would refuse to remove Democrats from office even if they had violated the status quo. Consequently, Packard and Marshal Pitkin wanted a new commander who would take a pro-Republican viewpoint.27

Packard and Pitkin failed in their efforts to have Augur removed, in large measure because General William T. Sherman supported Augur and endorsed his posture of noninvolvement. Describing Augur with such

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26 Packard to Augur, January 22, 23, 25, 1877, in Dept Gulf, Letters Rec'd; Nicholls to Augur, January 25, 26, 28, 1877, ibid.; Augur to Packard, January 23, 1877, in Dept Gulf, vol. 116/DSL; Augur to AGO, January 29, 1877, in Dept Gulf, vol. 142/DSL, RG 393, NA. Packard to Grant, January 25, 1877, in Letters Rec'd by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 3), RG 60, NA; Augur to AGO, January 26, 1877, ibid.; Cameron to Augur, January 26, 1877, ibid. Summary in Lonn, Reconstruction in Louisiana, 497-98.

27 Packard's efforts to have Augur removed were reported in New Orleans Times, January 24, 1877, and New Orleans Daily Picayune, January 21 and 22, 1877.
glowing adjectives as "brave, intelligent, just and conscientious," Sherman believed that whatever actions the Louisiana commander took would "be in the interest of peace and good order." Sherman wrote to Augur, telling him that he "had interpreted . . . [Secretary Cameron's] orders Exactly as he intended them. If any one [sic] has tried to undermine your influence he has utterly failed." Suspecting that Augur might still have some dangerous times ahead, Sherman gave him some advice and support: "Keep perfectly cool and always depend on me as far as my influence goes to Sustain You in the Right." Turning his attention to the disputed presidential election, Sherman predicted that the "debates this week will be intensely interesting" when Congress considered "the Bill . . . for 'ascertaining and declaring the vote.'" Sherman hoped the outcome of the debate and the election "result[ed] in a general understanding."  

On January 29 Grant signed into law the bill passed by Congress creating an Electoral Commission which would pass judgment on the disputed electoral votes from the contested states. Two days later the Congress and the Electoral Commission began opening, examining, and counting the electoral votes of the 1876 election.  


29 Sherman to Augur, January 22, 1877, in Christopher C. Augur Papers (Illinois State Historical Library).  

30 James G. Randall and David H. Donald, The Civil War and Reconstruction (2nd ed., rev.; Lexington, Mass., 1969), 697-98. The Electoral Commission included three Republican senators and two Democratic senators; three Democratic congressmen and two Republican congressmen; and five justices of the U.S. Supreme Court, three of whom were Republicans and two of whom were Democrats, giving the Republicans a majority of one.
On February 9, after refusing "to go behind the returns," the Electoral Commission accepted the Republican certificates from Florida as legitimate and counted the first contested state for Hayes. Democrats feared that this decision by the Commission foretold the outcome of the election: Hayes would win if he received all of the disputed votes. Consequently, Nicholls' official and unofficial emissaries in Washington began meeting with important Republicans. Representing Nicholls were Edward A. Burke, railroad entrepreneur and the general's former campaign manager, and E. John Ellis, former White League adjutant who was presently serving as a U.S. congressman from Louisiana. The Bayou State Democrats busily conferred with officials of the Grant administration, friends of Rutherford Hayes, and with President Grant himself, stressing that although Louisiana's electoral votes might be given to Hayes, the new President could still recognize the Nicholls government. Simultaneously, other Democrats and railroad executives were in almost daily contact with the Hayes camp, trying to reach a compromise which would give Hayes the presidency in exchange for Federal favors to the railroad companies.

In the meantime, Grant and his advisors were worried that if the Electoral Commission awarded Louisiana's votes to Hayes, "the friends of Nicholls [were going] to seize, by force, the State House immediately on the declaration of an adverse decision." Adjutant General Edward

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31Ibid., 699; Taylor, Louisiana Reconstructed, 485, 495, 502; Lonn, Reconstruction in Louisiana, 500-501; Robert C. Tucker, "The Life and Public Services of E. John Ellis," Louisiana Historical Quarterly, XXIX (July 1946), 714-16.

32C. Vann Woodward, Reunion and Reaction: The Compromise of 1877 and the End of Reconstruction (Boston, 1966), passim.
Townsend advised Augur that the President was "loth [sic] to believe that murder and assassination can be resorted to for such a purpose, but deems it his duty to call your attention to these rumors in order that you may . . . prepare an effectual prevention [of such occurrences]."  

The worries of Grant and Townsend appeared to be justified when, on February 15, a would-be assassin tried to murder Packard on the streets of New Orleans. The assassination attempt failed; Packard was slightly wounded, and the police captured his assailant. But the shooting temporarily caused much excitement in New Orleans. Augur reported the incident to Sheridan and Townsend.  

The excitement over the attempt on Packard's life died down within a few hours, but interest remained high in state politics and decisions in Washington which might affect Louisiana. Proceeding alphabetically, the electoral count in Congress had reached Louisiana, and the state's multiple sets of returns had been given to the Electoral Commission. Although many Louisianians were concerned whether the state would be decided for Hayes or for Tilden, Augur learned that most of the political discussions in the Crescent City concentrated on the governorship, not the presidency. Augur reported that "Packard's opponents are numerous, united and aggressive, his friends, few, unorganized and furnish no moral or material support." Significantly, Augur observed, "I do not understand that they care so much who is President."  

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33 Townsend to Augur, February 14, 1877, in ACO File 4788-1876 (Microcopy M-666, reel 300), RG 94, NA.  

34 New Orleans Times, February 16, 1877; New Orleans Daily Picayune, February 16, 1877; Augur to Sheridan and AGO, February 15, 1877, in Dept Gulf, vol. 142/DSL, RG 393, NA.  

35 Augur to AGO, February 15, 1877, in ACO File 4788-1876 (Microcopy M-666, reel 300), RG 94, NA.
On February 16 the Electoral Commission awarded Louisiana's electoral votes to Hayes, prompting Adjutant General Townsend to warn Augur about rumors that had been circulating in Washington predicting violence in New Orleans. He advised Augur to take all necessary precautions to prevent disturbances in the Gulf Department. "Should there be no communications with you tomorrow the greatest apprehension will be felt here," Townsend concluded.  

Augur acknowledged Townsend's telegram, replying that "[t]here is a great deal of excitement here but no indications of immediate trouble." In fact, some Louisiana Republicans, overjoyed because Hayes had received the state's electoral votes, believed (or hoped) that the crisis was nearly over and that Packard's ultimate recognition was assured. The New Orleans Republican supported these hopes printing news stories under the headlines "Governor Packard's Title Perfect" and "Packard's Recognition Sure." Believing that the outcome was uncertain, Augur and his troops closely watched the rival governments, and despite Townsend's concern, reported that New Orleans remained peaceful.  

Meanwhile, in Washington Nicholls' representatives had continued to meet with members of Grant's cabinet and friends of Hayes, who by all odds soon would be president-elect if the electoral count proceeded on schedule. The Louisiana press printed articles about these meetings, keeping Army officers and politicians informed about the negotiations, which were only imperfectly understood. Unconfirmed press accounts  

36 Townsend to Augur, February 16, 1877, ibid.; Woodward, Reunion and Reaction, 193.  

37 Augur to AGO, February 16 and 17, 1877, in AGO File 4788-1876 (Microcopy M-666, reel 300), RG 94, NA; New Orleans Republican, February 17, 1877.
claimed General Sherman had said that within a short time the Army would be glad to let Southerners take care of their own political affairs. Other news articles indicated that Grant had decided not to disturb Louisiana's precarious political balance, leaving the decision to recognize either Nicholls or Packard to his successor. By now Augur was aware of Grant's reluctance to make such a decision, and he continued to hold the Army in its neutral position.  

On February 23 the Electoral Commission assigned Oregon's disputed electoral vote to Hayes, making it more important than ever for the Democrats to reach some accommodation with him. Several disgruntled Northern Democrats, supported by some Southerners, began filibustering in an attempt to block the electoral count. But the New Orleans Times, apparently fed on a steady diet of information from Nicholls, reported that Hayes was willing to let the South handle its own affairs and complimented him on his "New Departure" policy. After all, during the campaign Hayes had hinted that eventually "the general government [would support] the efforts of the people of those states [Florida, South Carolina, and Louisiana] to obtain for themselves the blessings of honest and capable local government." In fact, he had promised that, if elected, he would "consider it not only my duty, but it will be my ardent desire, to labor for the attainment of this end." "The Small Fry Republicans Stand Astounded," the New Orleans Times concluded.  

38New Orleans Times, February 19, 20, 22, 1877; Sefton, Army and Reconstruction, 250.

39Woodward, Reunion and Reaction, 194; Hayes' speech quoted in Polokoff, Politics of Inertia, 105; New Orleans Times, February 24 and 25, 1877.
After a meeting with Grant on February 26, Edward Burke informed Nicholls that the President believed northern public opinion was "clearly opposed to the further use of troops in upholding a State government." That night Burke, John Ellis, and several other Democrats met with James A. Garfield, John Sherman, and other Hayes Republicans at the old Wormley Hotel in Washington. The Wormley conference capped weeks of negotiations between Southern Democrats, railroad executives, newspapermen, and representatives of the Hayes camp. Burke obtained the Republicans' assurances that if Nicholls promised to protect the rights of Louisiana's Republicans, Hayes would recognize Nicholls and withdraw the troops, "thus allowing the Packard government to melt away," as the New Orleans Times cleverly described the arrangement. (A similar arrangement was made in regard to the government of South Carolina; in Florida the Democratic governor had already taken office.) Furthermore, the Times reported that Nicholls intended to have the state legislature elect a moderate Republican to one of Louisiana's two vacant seats in the U.S. Senate. In exchange, the Democrats promised not to obstruct the electoral count, meaning that Hayes was the next President. Given the fact that Republicans controlled the presidency, the Supreme Court, the Army, and the Senate (the Democrats held a majority in the House), Burke and his fellows apparently believed that they had made a good bargain. Louisiana Republicans were unable to refute the reports of the "Wormley bargain," and on March 1 the New Orleans Times jubilantly predicted that Packard would be out of the State House "within 48 hours." 40

Undoubtedly the hoary tale of the Wormley House conference cannot stand alone as the only factor in the Compromise of 1877. C. Vann Woodward has authoritatively presented the complex machinations of speculators, entrepreneurs, and state and national politicians, showing that economic considerations, particularly the pressure by several influential men for Federal aid to railroads and other internal improvements, played an important part in eventually reaching a compromise. However, if Nicholls and Ellis serve as examples, many Louisianians were primarily concerned about the recognition of Nicholls and the withdrawal of the troops; such matters as a proposed Southern railway, the appointment of a Southerner to Hayes' cabinet, and the arrangement to make Garfield speaker of the House were of secondary importance. 41

In his study Woodward perhaps depreciated the symbolic necessity of Hayes' promise to withdraw the troops. Woodward indicated that Hayes might have entered into the negotiations for a compromise without a full deck of cards. In February 1877 the House and the Senate, after considerable debate, failed to reach a compromise on an Army appropriations bill for fiscal year 1877-1878. The Democrats seemed to believe that if the Army went unpaid, Hayes would not be able to use troops to

prop up Republican regimes in South Carolina and Louisiana. Considering this to be a valid argument, historian Joe Gray Taylor has asserted that this "would have forced the removal of the military anyway."

Furthermore, Woodward claimed that this tactic "had been devised to insure the removal of the troops in case Hayes forgot his promises or was unable to carry them out." However, military appropriations were available for the first four months of Hayes' administration (through June 1877), and as historians Randall and Donald have cogently pointed out, Woodward's "line of reasoning ignores the fact that failure to pay the troops did not mean disbanding the army; [in fact] Hayes used unpaid troops to break [labor] strikes in the summer of 1877." There were no mass desertions from the Army while it went unpaid, and the regiments obeyed the President's orders.

Perhaps the arguments over appropriations and troops were merely academic, but in the early days of March 1877, before Hayes was inaugurated, there was still some uncertainty about the presidential succession. A few Democrats threatened to block the final tabulation of the electoral votes. In Louisiana rumors predicted that Grant would no longer require Augur to maintain the status quo. In fact, the President had told Edward Burke that when Hayes was inaugurated, the troops would be withdrawn. This information gave Louisiana Democrats reason to believe that all of their patient negotiations were about to pay off. Meanwhile, the Democrats abandoned the filibuster, the count proceeded, and Hayes was elected by one electoral vote. The Republicans

42 Woodward, Reunion and Reaction, 8, 203; Taylor, Louisiana Reconstructed, 502; Randall and Donald, Civil War and Reconstruction, 696note.
immediately prepared to inaugurate Hayes secretly over the weekend because inauguration day (March 4) fell on a Sunday in 1877. In case there was a disruption of the public inauguration on Monday, March 5, Hayes technically would be President already.  

During all of these developments Augur had been careful to keep clear of any involvement in state politics. Despite the predictions in the press that Hayes would recognize Nicholls, Augur had avoided any sort of unofficial recognition of his own.

From his office in the State House, Stephen Packard now made a desperate attempt to salvage his governorship, which apparently had been negotiated away in the Compromise of 1877. Begging Grant to recognize him as Louisiana's governor, Packard predicted that if the troops were withdrawn the Nicholls forces would attack the capitol and carry the last remaining Republican stronghold by main force.

Packard's desperate tone and menacing prediction had no effect on Grant. Disdaining a personal reply, Grant directed one of his secretaries, Culver C. Sniffen, to draft a telegram to Packard. "In answer to your dispatch," Sniffen began, "... the President directs me to say that he feels it his duty to state frankly that he does not believe public opinion will longer support the maintenance of State government in Louisiana by the use of the military and that he must concur in this manifest feeling." Sniffen continued:

The troops will hereafter as in the past protect life and property from mob violence when the State authorities fail,

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43 New Orleans Times, March 2, 1877; New Orleans Democrat, March 2, 1877; Woodward, Reunion and Reaction, 200-201.

44 Packard to Grant, March 1, 1877, in Grant Papers (Manuscript Division, Library of Congress).
but under the remaining days of his official life they will not be used to establish or to pull down either claimant for control of the State. It is not his purpose to recognize either claimant.

The Sniffen telegram devastated Packard's hopes. His only chance to continue his political career lay in convincing Hayes to recognize his claim to the governorship.45

General Sherman sent a copy of the Sniffen telegram to Augur for his information. After considering the message, Augur replied he understood "that the troops are no longer to be used in maintaining the status quo here but are simply to be used to protect property & life."

It appeared to Sherman that Augur might have misunderstood the President's intentions. The commanding general tried to clarify matters for Augur:46

I cannot undertake to interpret the President's [Sniffen's] letter to Mr. Packard—of course you will keep the peace if possible, and . . . I believe you can prevent any material changes in the attitude of the contending parties till the new [national] administration can be fairly installed, and give the subject mature reflection. The question of the attitude of the State of Louisiana to the National Government is too important to be hastily decided. Every citizen is interested that this question be settled right.

Following the publication of Sniffen's telegram, conflicting rumors circulated concerning the status of the troops which still maintained the status quo, thereby allowing Packard's government to exist. There was considerable speculation about the intention of the Army and what

45C. C. Sniffen to Packard, March 1, 1877, ibid. The substance of Sniffen's message is found in Lonn, Reconstruction in Louisiana, 514-16.

46Sherman to Augur, March 2, 1877, in ACO File 4788-1876 (Microcopy M-666, reel 300), RG 94, NA; Augur to Sherman, March 2, 1877, ibid.; Sherman to Augur, March 3, 1877, ibid.
its orders actually were. Forlornly maintaining a brave front, the New Orleans Republican predicted that as long as the troops remained at their posts, they would uphold the status quo. In contrast, the Natchitoches People's Vindicator declared that "Nicholls' recognition [was] assured," and that soon the troops would be "ordered to other quarters and the people permitted to settle, without interferance [sic] the matter for themselves." 47

On March 5 Hayes was formally inaugurated, after surreptitiously taking the oath of office two days before. No disruptions marred the ceremony. Speaking in conciliatory tones in his inaugural address, Hayes said that some Southern states were not enjoying "wise, honest, and peaceful self-government." He encouraged Southerners to be patient, indicating that important announcements regarding the status of the unredeemed state governments would be forthcoming "when the administration gets fairly to work." 48

The language of Hayes' inaugural speech prompted the New Orleans Times to predict that the President would "issue general orders to all commanding officers in the South to withdraw their troops to government reservations," thereby "relieving the Federal troops" of their "peculiar civil and political" duties. The Times and other Democratic newspapers undoubtedly were disappointed when Hayes announced that he was not going to decide between Nicholls and Packard immediately. Instead, the President planned to send a special committee to investigate the


48 Barnard, Hayes, 404, 408; New Orleans Times, March 5, 1877.
political situation in Louisiana, and he would not recognize either man until after the committee had made its report. In the meantime, Sherman informed Sheridan that "General Augur's duty will be to . . . prevent violence and keep the peace." 49

The prospect of having to endure the status quo was distasteful to Louisiana's Democratic newspaper editors, who were impatient with Hayes' policy. Clutching at straws, the Conservatives printed every rumor pertaining to the possibility of troop withdrawal. One rumor, which was widely believed, predicted that Hayes definitely would remove the troops from the Crescent City on March 19, but that day passed without any military movements. The New Orleans Times angrily asked, "Is the New Departure a Fraud?" 50

In contrast to the Democrats, Packard was encouraged by Hayes' policy. Displaying a never-say-die attitude, Packard informed the President that the Louisiana legislature had adopted a resolution calling "for aid in suppressing domestic violence," making it plain that the state's Republicans were still hoping for Federal aid and protection. Hayes replied that Secretary of War George W. McCrary had ordered Augur to maintain the status quo until the special presidential

49 New Orleans Times, March 7 and 8, 1877. (See also New Orleans Democrat, March 6 and 8, 1877; New Orleans Daily Picayune, March 7 and 8, 1877; Shreveport Times, March 8, 1877.) Hayes made his decision after a meeting with Grant's old cabinet. The meeting is described in Nevins, Hamilton Fish, 858-59. Sherman to Sheridan, March 7, 1877, in AGO File 4788-1876 (Microcopy M-666, reel 300), RG 94, NA.

50 New Orleans Democrat, March 15, 1877; New Iberia Louisiana Sugar Bowl, March 15, 1877; New Orleans Times, March 17, 18, 21, 22, 1877.
commission arrived. Additionally, Augur was to report any changes that had taken place in the state governments since Hayes' inauguration.  

To assure himself that Augur's report would be complete, Packard provided him with a list of the large number of changes and appointments Nicholls had made since March 5. Packard listed changes in almost every parish and judicial district, including the Natchitoches judge whom Grant had refused to recognize, but who recently had reoccupied the seat over the objections of the Republican judge.  

Basing his report partly on Packard's list, Augur stated that since March 5 each claimant for the governorship had attempted "to strengthen his government as best he could. . . ." Although Augur specifically acknowledged that Nicholls had "removed certain officers and appointed others," he tried to soften the impact of this information, saying that the new appointees had "entered upon their duties . . . without violence." Since the inauguration Augur reported that his troops had remained neutral in the political struggle "except 'to protect life and property.'" Secretary of War McCrary passed a copy of Augur's report to Hayes, noting that no reply was necessary. The Army would not be ordered to oust Nicholls' officials and replace them with Republicans.  

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51 Packard to Hayes, March 21, 1877, in Letters Recd by the U.S. Justice Dept from Louisiana (Microcopy M-940, reel 3), RG 60, NA; Hayes to Packard, March 26, 1877, in New Orleans Times, March 27, 1877; George W. McCrary to Augur, March 26, 1877, in AGO File 4788-1876 (Microcopy M-666, reel 300), RG 94, NA.  

52 Packard to Augur, March 26, 1877, in Dept Gulf, Letters Recd, RG 393, NA.  

53 Augur to McCrary, March 27, 1877, in Dept Gulf, vol. 116/DSL, RG 393, NA; McCrary to Hayes, March 27, 1877, in Hayes Papers.
Nevertheless, the implications of McCrary's inquiries about changes in the status quo disturbed Nicholls. He wrote to Louisiana Congressman Randall L. Gibson in Washington, explaining that McCrary's questions had "alarmed the community [and] elated our opponents. . . ." Moreover, Nicholls claimed that these inquiries had damaged his "hold upon the conservatism of the State & worst [sic] than all shaken for the first time my confidence in the assurances given by you and others from the President himself & his confidential freinds [sic] as to [the] purposes of the Administration. . . ." Nicholls wanted Gibson, who had been present during some of the negotiations leading to the Compromise of 1877, to provide him with some "definite information" about Hayes' intentions. "Matters can not remain in the uncertain state that they are. . . . If confidence is lost here either in me or the President, the consequences may be most serious," Nicholls concluded. 54

But Nicholls was worrying needlessly, for on April 5 the special presidential commission arrived in New Orleans, and soon it was evident that its members intended to help the Democrat confirm his claim to office. Apparently Hayes had decided that the smoothest way to establish Nicholls' legitimacy was to encourage representatives and senators to leave the Packard legislature, thus giving the Democrats control of the official state legislature. The state Returning Board had authenticated the election of a large number of Democrats, but several seats were still disputed. If the Republicans who transferred to the Nicholls legislature cooperated with the Conservatives, they

54 Nicholls to Randall L. Gibson, March 26, 1877, in Francis T. Nicholls Letterbook (Department of Archives and Manuscripts, Louisiana State University Library).
could elect Democrats to the vacant seats and subsequently control the legislature. During the next two weeks several of Packard's legislators deserted the State House, apparently bribed by the Democrats using funds provided by the Louisiana Lottery Company. However, the Republicans had practical political and economic motives for shifting their loyalties. Packard was running out of money to pay their salaries, and if they did not join Nicholls' legislature, Democrats might claim their seats.\(^{55}\)

Consequently, Packard lost most of his legislators, and each day he counted fewer adherents who supported his crumbling administration. For example, on April 7 the Democratic superintendent of public education displaced the Republican who had held that office in New Orleans, and a Democrat moved into the office of Rapides Parish tax collector in Alexandria. Complaining about Democratic violations of the status quo, Packard asked Augur to see that the Conservatives returned the offices to the Republicans who had held them. Feeling the prevailing political wind, Augur replied that he did not regard himself as an "authority to interfere in any way in the civil affairs of this State. . . ." The situation prompted the Picayune to remark that "[t]he followers of Mr. Packard now masticate their hard tack [sic] without the savor of hope. . . ."\(^{56}\)

\(^{55}\) Lonn, Reconstruction in Louisiana, 522-23; New Orleans Times, April 7 and 9, 1877; Taylor, Louisiana Reconstructed, 504; Woodward, Reunion and Reaction, 220; Hilda M. McDaniel, "Francis Tillou Nicholls and the End of Reconstruction," Louisiana Historical Quarterly, XXXII (April, 1949), 433-34; Barnard, Hayes, 428-30.

\(^{56}\) Packard to Augur, April 7, 1877, in Dept Gulf, Letters Recd; Augur to Packard, April 7, 1877, in Dept Gulf, vol. 116/GSL, RG 393, NA. New Orleans Daily Picayune, April 6, 1877.
In mid-April Packard's last flickers of hope died. Hayes ordered that on April 10 the troops protecting the capitol in Columbia, South Carolina, be withdrawn to their barracks outside the city. Desperately, Packard sent Hayes one last plea for recognition, but it fell on deaf ears; the President declined even to send a reply.  

Obeying Hayes' orders, Secretary of State William M. Evarts informed the members of the presidential commission that the President intended "to remove the soldiers from the State-house [in New Orleans] to their barracks, and he desires that the time, circumstances, and preparation for such removal should give every reasonable security against its becoming the occasion or opportunity of any outbreak of violence. . . ." Evarts explained that Hayes "desire[d] to put an end to even an apparent military interference in the domestic controversies in the State of Louisiana . . . [and that his desires would] not be thwarted by the action of any part of its people."  

After Evarts' message became public, the New Orleans Times reported that "The Troops May Now be Withdrawn Shortly." Subsequently, in an editorial, the Times described the "feeling of relief" in New Orleans now that Packard was literally a man without a government. The editorial continued:

Some seem to be waiting for the 'withdrawal of the troops' to complete the transformation, but this strikes us as the mere echo of an issue which has now ceased to be vital. So long as it is known that the troops are not to be used as a

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57 Packard to Hayes, April 16, 1877, in New Orleans Daily Picayune, April 17, 1877; Barnard, Hayes, 430.


59 New Orleans Times, April 17 and 21, 1877.
political engine, it will make no difference whether they remain in garrison, . . . or whether they are removed entirely.

On April 20 Hayes directed Secretary of War McCrary to order the troops near the state capitol in New Orleans to be relocated to Jackson Barracks outside the city. Hayes picked April 24 for the limited withdrawal, for only the soldiers stationed in the Orleans Hotel adjacent to the State House were being relocated. It was, therefore, a symbolic "withdrawal." McCrary issued the necessary orders to the military commanders, and Augur prepared to carry them out.  

Several important Louisiana newspapers printed stories about the planned withdrawal, and some included verbatim copies of the military telegrams revealing the Army's plans. No delay or postponement was expected. The New Orleans Democrat reported that Packard had announced he planned "to gracefully retire."  

During the next two days Augur and his subordinates worked busily, preparing for the ceremony that would signal the end of the Army's involvement in Louisiana politics. Enlisted men packed trunks and lashed them to wagons. The musicians of the 3rd Infantry band polished their instruments and uniform brass for the occasion. Colonels Brooke, Floyd-Jones, and DeTrobroian closely supervised the last details of the transfer, while the quartermaster and his assistants arranged for the arrival of the additional soldiers at Jackson Barracks. On orders from

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60 Hayes to McCrary, April 20, 1877, in AGO File 4788-1876 (Microcopy M-666, reel 300); McCrary to Sherman, April 20, 1877, ibid.; Sherman to Sheridan, April 21, 1877, ibid.; Augur to Sherman, April 20, 1877, ibid.

61 New Orleans Times, April 22, 1877; New Orleans Democrat, April 22, 1877; Shreveport Times, April 22, 1877; New Orleans Daily Picayune, April 21 and 22, 1877.
General Augur, the troops dusted off their best uniforms and buffed their shoes, bringing out lustrous shines. Fittingly, it was to be a full dress parade.62

April 24 dawned gloomily, and a light drizzle fell throughout most of the morning. The Orleans Hotel, which had been serving as a barracks for five companies of the 3rd Infantry, bustled with activity. At 11:30 a.m. the band gathered at its assigned assembly point within the building, lining up to lead the day’s momentous event. Twenty minutes later, responding to the shouts of their sergeants, five companies of infantrymen formed ranks on the stairways and in the hallways of the old hotel. Disregarding the rain, hundreds of persons turned out to watch the ceremony. According to the Picayune, "Royal and Chartres streets were absolutely jammed with a living mass of humanity, surging toward the point where the troops . . . were stationed." The Democrat reported that St. Louis Street was "lined with spectators" and the "throng was dense." The crowd waited expectantly.

At 12:00 noon sharp the band struck up a marching tune and began filing out of the Orleans Hotel. Led by Colonel Brooke, the troops came into the street. Catching the cadence provided by the drummers, the soldiers marched down St. Louis Street toward the levee. Scattered applause broke out from the crowd; a rebel yell split the air; then as the soldiers passed by, there were many cheers, and finally the throng was "cheering continually." Individual expressions of delight were lost in the roar of hundreds of voices. A Picayune reporter noticed that "[t]he balconies of the houses on St. Louis street were crowded with

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62 AAG, Dept Gulf to Col. DeTrobiand, April 22, 1877, in Dept Gulf, vol. 116/DSL, RG 393, NA; New Orleans Times, April 24, 1877.
ladies, who manifested their joy by waving their handkerchiefs and smiling at the troops passing beneath them.

Black smoke curling from its funnels, the steamer Palace waited at the levee to take the soldiers to Jackson Barracks. The infantry companies halted and then, on orders from their officers, filed aboard the steamer. The lines were cast off, and the boat "left the moorings amid deafening cheers" from hundreds of spectators. The Palace moved out into the river, catching the current and getting up steam. The boat made its way down the Mississippi, and eventually it was lost to the sight of the onlookers.63

The Army's long ordeal in Louisiana Reconstruction had ended. It had not been the Army's responsibility to guarantee the success of Reconstruction, only to carry out the policy, which changed from year to year, with the tools and men at its disposal. Despite their lack of experience in military government, most of the Army's officers carefully administered the military Reconstruction Acts, and a few of them, notably Sheridan and Mower, took a genuine interest in enforcing the requirements of the acts. Actually the Army did a remarkable job, despite its inexperience, in administering an essentially hostile state, and then remaining on to offer some protection to what probably was, despite its faults, the most democratic government Louisiana had had until that time.

63 New Orleans Daily Picayune, April 25, 1877; New Orleans Democrat, April 25, 1877; Augur to AAG, MilDivMo, April 24, 1877, in Dept Gulf, vol. 142/DSL, RG 393, NA.
Actually, as Clarence Clendenen has pointed out, the troops were not "withdrawn" from Louisiana.\(^1\) For that matter, the Picayune reminded its readers that "the order issued by the President referred only to those troops stationed in the Orleans Hotel, as they were considered the guard of Packard. . . ." The Picayune expected that the remaining soldiers (more than 330 officers and men) would be ordered to leave the city "within a few days."\(^2\)

The troops remained quartered in New Orleans until the end of May, and soldiers occupied posts near four other towns. But practically the result was the same as if they had left the city and the state. The Army had ceased to be a factor in politics.\(^3\)

Newspaper editorials and reports reflected the emotions and feelings of most white Louisianians toward the symbolic withdrawal of the troops. The Shreveport Times called April 24 "evacuation day" and promised that it "will ever be remembered as one of the brightest and most glorious in the history of our long oppressed State." The

\(^1\)Clarence C. Clendenen, "President Hayes' 'Withdrawal' of the Troops—An Enduring Myth," South Carolina Historical Magazine, LXX (October, 1969), 240-50. Clendenen points out that the "withdrawals" in South Carolina and Louisiana were symbolic.

\(^2\)New Orleans Daily Picayune, April 25, 1877.

\(^3\)Dept Gulf, Journal of Events, p. 126; Augur to AAG, MilDivAtlantic, May 5, 1877, in Dept Gulf, vol. 116/DSL, RG 393, NA. Post Returns, Post of New Orleans, April and May 1877, in Records of the AGO (Microcopy M-617, reel 844), RG 94, NA.
Alexandria Louisiana Democrat declared that the state was "Free At Last!" The Baton Rouge Weekly Advocate and the Opelousas Courier trumpeted similar notes, proclaiming that "Louisiana is Free." The Bossier Banner unfurled a dramatic headline—"Thank God!," and announced that "[t]he long night is over; day has dawned at last. . . . [T]he people of Louisiana are once more free and independent of carpetbag, scalawag and BAYONET rule." The Picayune proclaimed that the troops were "GONE!," and asked state officials to select "a day for a general thanksgiving to Almighty God for our deliverance from worse than Egyptian bondage." The Natchitoches People's Vindicator correctly presumed that relocating the troops meant "Radicalism is dead in Louisiana." The editorial writer for the Thibodaux Sentinel believed that the air of late April was "perfumed with the odor of roses" and something even more heady—freedom.  

Francis Nicholls took office as undisputed governor on April 26. The next day General Augur and his staff acknowledged the fact, making a formal call on the governor at the State House.

Within the next three months the War Department virtually dismantled the Department of the Gulf. By the end of May Augur had closed the Army posts at Monroe, Clinton, St. Martinville, and Pineville. Responding to the need for more troops on the frontier, the

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4 Shreveport Times, April 24, 1877; Alexandria Louisiana Democrat, April 25, 1877; Baton Rouge Weekly Advocate, April 27, 1877; Opelousas Courier, April 28, 1877; Bossier Banner, April 26, 1877 (emphasis in the original); New Orleans Daily Picayune, April 25, 1877; Natchitoches People's Vindicator, April 28, 1877; Thibodaux Sentinel, April 28, 1877. See also New Orleans Times, April 28, 1877.

5 AAG, Dept Gulf to Francis T. Nicholls, April 27, 1877, in Dept Gulf, vol. 116/DSL, RG 393, NA.
16th Infantry left Augur's department for duty at Fort Leavenworth, Kansas. During May and June the 3rd Infantry was reassigned to posts in Alabama. \(^6\)

The most important removals from the Gulf Department came during July. Acting on the orders of President Hayes, Secretary of War McCrary directed that Army units from all over the nation be sent to the East and Mid-West to put down the massive strikes which occurred in the summer of 1877. Once the troops were removed they were not sent back. By the end of 1877 only thirty-five soldiers were serving in the New Orleans vicinity. The only sizeable military garrison in Louisiana was located at Lake Charles, where two companies of the 13th Infantry were assisting U.S. Marshal John Pitkin in the investigation and apprehension of persons accused of illegal lumbering operations on Federal lands in Calcasieu Parish. \(^7\)

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Late in his career Phil Sheridan became commanding general of the U.S. Army in 1884 upon the retirement of his friend William T. Sherman.

\(^6\)Dept Gulf, Journal of Events, pp. 121-27; Augur to William T. Sherman, May 4, 1877, in Dept Gulf, vol. 142/DSL; SO No. 84, Dept Gulf, May 24, 1877, in Dept Gulf, SO; RG 393, NA.

Following his retirement from the Army in 1876, William H. Emory resided in Washington, D.C., observing politics, both civil and military, well into Grover Cleveland's first administration.

After leaving the governor's office William Pitt Kellogg was elected U.S. Senator by the Packard legislature. There was some dispute over the legitimacy of his election, but the Senate finally approved his credentials over those of a Democrat who had been elected by the Nicholls legislature. Kellogg was the last Republican to serve in Congress from Louisiana until the election of David Treen to the House of Representatives in 1972.

Nominated by the Democrats, Winfield Scott Hancock ran for the presidency in 1880. He was narrowly defeated by James A. Garfield. (Voting with the rest of the "Solid South," Louisiana gave its electoral votes to Hancock.) General Hancock remained in the Army until 1886.

Failing to secure the Louisiana governorship, Stephen B. Packard applied to the Hayes administration for a job. The President appointed him U.S. consul in Liverpool, England.

Immediately following Reconstruction, Christopher C. Augur served as commander of the Department of the South, comprising eight Southern states, including Louisiana. Subsequently, he commanded the Department of Texas, and later he was in charge of the enlarged Department of the Missouri, which included Kansas, Indian Territory, New Mexico Territory, and Colorado, as well as Texas. Augur retired from the Army in 1885.

John R. Brooke, Lieutenant Colonel, 3rd Infantry, was promoted successively to colonel, brigadier general, and finally, major general in 1897. During the Spanish American War he participated in the Puerto
Rican campaign under General Nelson A. Miles. After the war, Brooke served as military governor of Cuba. He retired from the Army in 1902.

After Reconstruction, Henry Clay Warmoth settled in Louisiana, purchasing a sugar plantation in Plaquemines Parish. He ran for governor again in 1888, losing to Francis T. Nicholls. Many years later a modern power artist named Huey P. Long studied how Warmoth had governed the state during the postwar years. Warmoth was still living in Louisiana when Long was elected governor in 1928.
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General Orders, 1865-1866
Telegrams Sent, 1865-1866

Military Division of the Gulf and Department of the Gulf
Letters Sent, 1866, 1867

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Letters Sent, 1865
Special Orders, 1865

Department of the Gulf and Fifth Military District
General and Special Orders, 1865-1866, 1868-1870
Telegrams Sent, 1866-1868

Fifth Military District
Letters and Telegrams Sent, 1867-1868
Letters Received, 1867-1868
Letters Received, Civil Affairs, 1867-1868
Letters Sent, Civil Affairs, 1868
Telegrams Received, Civil Affairs, 1867-1868
Telegrams Sent, Civil Affairs, 1867-1868
Telegrams Received, 1867-1870
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General Orders and Circulars, 1874-1877
Journal of Events, 1873-1877
Letters Received, 1873-1877
Letters Sent, 1871-1877
Monthly Returns, 1865-1877
Special Orders, 1873-1877
Telegrams Received, 1865-1867, 1871-1877
Telegrams Sent, 1871-1877

Department of Louisiana
General Orders, 1865-1870
Letters Received, 1868-1870
Letters Sent, 1865-1866

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General Orders, 1865-1866

Department of Texas
Letters Received, 1870-1871
Letters Sent, 1870-1871
Miscellaneous Letters, 1870-1871

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Letters and Telegrams Sent and Received, 1876

District of Eastern Louisiana
General Orders, 1865
Letters Sent, 1865

District of LaFourche
Letters Received, 1864-1865

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Letters Received, 1866-1869
Letters Sent, 1866-1869
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Senate Exec. Doc. No. 27, Serial 1238 (Freedmen's Bureau in Louisiana)
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House Exec. Doc. No. 342, Serial 1346 (Military orders, 1867)
House Misc. Doc. No. 43, Serial 1349 (Hancock's removal)

40 Congress, 3 Session
Senate Exec. Doc. No. 15, Serial 1360 (Disturbances in Louisiana, 1868)
House Exec. Doc. No. 1, Serial 1367 (Report of the Secretary of War, 1868-1869)
House Report No. 33, Serial 1388 (Organization of the Army)

41 Congress, 2 Session
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House Exec. Doc. No. 1, Serial 1412 (Report of the Secretary of War, 1869-1870)
House Misc. Doc. No. 154, Serial 1435 (Louisiana Elections, 1869)

41 Congress, 3 Session
Senate Exec. Doc. No. 16, Parts 1 & 2, Serial 1440 (Outrages by disloyal persons)
House Exec. Doc. No. 1, Serial 1446 (Report of the Secretary of War, 1870-1871)
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House Report No. 92, Serial 1543 (Use of the Army in Louisiana)

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43 Congress, 1 Session
House Exec. Doc. No. 1, Serial 1597 (Report of the Secretary of War, 1873-1874)
House Exec. Doc. No. 229, Serial 1614 (Telegrams relating to the Brooks-Baxter Controversy)
House Report No. 384, Serial 1624 (The Military Establishment)

43 Congress, 2 Session
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Senate Exec. Doc. No. 17, Serial 1629 (Military telegrams)
Senate Misc. Doc. No. 45, Serial 1630 (Affairs in Louisiana)
Senate Misc. Doc. No. 46, Serial 1630 (Communication of Michael Hahn)
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Senate Report No. 626, Serial 1632 (Credentials of Pinchback)
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House Report No. 101, Parts 1 & 2, Serial 1657 (Affairs in Louisiana)
House Report No. 261, Parts 1 & 2, Serial 1660 (Election Investigations)

44 Congress, 1 Session
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House Misc. Doc. No. 181, Serial 1706 (Disposition of U.S. Army troops)
House Report No. 816, Serial 1716 (Report on Federal Officers)

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House Exec. Doc. No. 97, Serial 1809 (Election Investigations)

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APPENDIX I

POSTWAR DEPARTMENTAL CHANGES PERTAINING TO LOUISIANA DURING RECONSTRUCTION, 1862-1877

<table>
<thead>
<tr>
<th>Date</th>
<th>Department Established</th>
<th>Departmental Designation and Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 1, 1862</td>
<td>Department of the Gulf [consisted of the occupied parts of Louisiana, Texas, Florida, Mississippi]</td>
<td></td>
</tr>
<tr>
<td>May 7, 1864</td>
<td>Military Division of West Mississippi [occupied parts of Arkansas, Texas, Louisiana, Mississippi]</td>
<td></td>
</tr>
<tr>
<td>May 17, 1865</td>
<td>Department of the Gulf [Louisiana, Mississippi, Alabama, Florida]</td>
<td></td>
</tr>
<tr>
<td>May 29, 1865</td>
<td>Military Division of the Southwest [parts of Louisiana and Arkansas, Texas, Indian Territory]</td>
<td></td>
</tr>
<tr>
<td>July 17, 1865</td>
<td>Military Division of the Gulf [Louisiana, Mississippi, Florida, Texas, Arkansas, Indian Territory]</td>
<td></td>
</tr>
<tr>
<td>August 6, 1866</td>
<td>Department of the Gulf [Louisiana, Texas, Florida]</td>
<td></td>
</tr>
<tr>
<td>March 2, 1867</td>
<td>5th Military District [Louisiana, Texas]</td>
<td></td>
</tr>
<tr>
<td>July 28, 1868</td>
<td>Department of Louisiana [Louisiana, Arkansas]</td>
<td></td>
</tr>
<tr>
<td>March 31, 1870</td>
<td>Department of Texas [Louisiana, Texas]</td>
<td></td>
</tr>
<tr>
<td>November 1, 1871</td>
<td>Department of the Gulf [Louisiana, Arkansas, Mississippi, and Florida forts]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>[January 4, 1875, Dept Gulf added to Military Division of the Missouri]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>[June 26, 1876, Alabama and part of Tennessee added to Dept Gulf]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>May 1, 1877, Dept Gulf transferred from Military Division of the Missouri to Military Division of the Atlantic</td>
<td></td>
</tr>
<tr>
<td></td>
<td>[June 21, 1878, Dept Gulf merged with Dept South, C. C. Augur commanding]</td>
<td></td>
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</table>
## APPENDIX II
### RECONSTRUCTION COMMANDERS OF LOUISIANA, 1862-1877

<table>
<thead>
<tr>
<th>Department Commander</th>
<th>Dates of Command</th>
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<tbody>
<tr>
<td>Benjamin F. Butler</td>
<td>May 1, 1862–December 17, 1862</td>
</tr>
<tr>
<td>Nathaniel P. Banks</td>
<td>December 17, 1862–June 9, 1864</td>
</tr>
<tr>
<td>Edward R. S. Canby</td>
<td>June 9, 1864–July 17, 1865</td>
</tr>
<tr>
<td>[Stephen A. Hurlbut]</td>
<td>[September 23, 1864–April 22, 1865]</td>
</tr>
<tr>
<td>[Nathaniel P. Banks]</td>
<td>[April 22, 1865–May 17, 1865]</td>
</tr>
<tr>
<td>Philip H. Sheridan</td>
<td>May 17, 1865–September 5, 1867</td>
</tr>
<tr>
<td>[E. R. S. Canby]</td>
<td>[July 17, 1865–May 28, 1866]</td>
</tr>
<tr>
<td>Charles Griffin</td>
<td>September 6, 1867–September 13, 1867</td>
</tr>
<tr>
<td>Joseph A. Mower</td>
<td>September 16, 1867–November 29, 1867</td>
</tr>
<tr>
<td>Winfield S. Hancock</td>
<td>November 29, 1867–March 18, 1867</td>
</tr>
<tr>
<td>Joseph J. Reynolds</td>
<td>March 18, 1867–March 25, 1867</td>
</tr>
<tr>
<td>Robert C. Buchanan</td>
<td>March 25, 1867–September 15, 1868</td>
</tr>
<tr>
<td>Lovell H. Rousseau</td>
<td>September 15, 1868–January 7, 1869</td>
</tr>
<tr>
<td>Robert C. Buchanan</td>
<td>January 11, 1869–March 31, 1869</td>
</tr>
<tr>
<td>Joseph A. Mower</td>
<td>March 31, 1869–January 6, 1870</td>
</tr>
<tr>
<td>Charles H. Smith</td>
<td>January 7, 1870–April 16, 1870</td>
</tr>
<tr>
<td>Joseph J. Reynolds</td>
<td>April 16, 1870–November 28, 1871</td>
</tr>
<tr>
<td>[Charles H. Smith]</td>
<td>[April 16, 1870–November 28, 1871]</td>
</tr>
<tr>
<td>William H. Emory</td>
<td>November 28, 1871–March 27, 1875</td>
</tr>
<tr>
<td>Christopher C. Augur</td>
<td>March 27, 1875–June 21, 1878</td>
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APPENDIX III

APPROXIMATE TROOP TOTALS IN LOUISIANA
DURING RECONSTRUCTION, 1865-1877

<table>
<thead>
<tr>
<th>Month</th>
<th>Year</th>
<th># Troops</th>
<th># Posts</th>
</tr>
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<tbody>
<tr>
<td>June</td>
<td>1865</td>
<td>25,800</td>
<td>-</td>
</tr>
<tr>
<td>September</td>
<td>1865</td>
<td>23,747</td>
<td>-</td>
</tr>
<tr>
<td>January</td>
<td>1866</td>
<td>9,772</td>
<td>11</td>
</tr>
<tr>
<td>October</td>
<td>1866</td>
<td>5,124</td>
<td>10</td>
</tr>
<tr>
<td>October</td>
<td>1867</td>
<td>2,434</td>
<td>6</td>
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<tr>
<td>October</td>
<td>1868</td>
<td>2,254</td>
<td>12</td>
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<tr>
<td>October</td>
<td>1869</td>
<td>953</td>
<td>6</td>
</tr>
<tr>
<td>October</td>
<td>1870</td>
<td>598</td>
<td>5</td>
</tr>
<tr>
<td>October</td>
<td>1871</td>
<td>616</td>
<td>2</td>
</tr>
<tr>
<td>October</td>
<td>1872</td>
<td>427</td>
<td>14</td>
</tr>
<tr>
<td>November</td>
<td>1873</td>
<td>643</td>
<td>5</td>
</tr>
<tr>
<td>August</td>
<td>1874</td>
<td>130</td>
<td>3</td>
</tr>
<tr>
<td>September</td>
<td>1874</td>
<td>1,182</td>
<td>8</td>
</tr>
<tr>
<td>November</td>
<td>1874</td>
<td>1,998</td>
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<tr>
<td>November</td>
<td>1875</td>
<td>921</td>
<td>8</td>
</tr>
<tr>
<td>October</td>
<td>1876</td>
<td>529</td>
<td>9</td>
</tr>
<tr>
<td>November*</td>
<td>1876</td>
<td>800</td>
<td>21</td>
</tr>
<tr>
<td>November+</td>
<td>1876</td>
<td>1,390</td>
<td>4</td>
</tr>
<tr>
<td>April</td>
<td>1877</td>
<td>731</td>
<td>4</td>
</tr>
</tbody>
</table>

*before election  +after election

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V I T A

Joseph Green Dawson, III, was born on September 22, 1945, in Bedford, Ohio. He attended public schools in North Carolina, Florida, and Louisiana, graduating from Robert E. Lee High School, Baton Rouge, Louisiana in May 1963. Beginning his college education at Louisiana State University, Baton Rouge, in the fall of 1963, he graduated in May 1967 with a Bachelor of Arts in history. In September 1967 he enrolled in the Graduate School of Louisiana State University and received his Master of Arts in history in January 1970. Following two years of active service in the U.S. Army, he resumed graduate studies at L.S.U. in January 1972. He has held the posts of graduate assistant and teaching assistant in the Department of History, and instructor in the Division of Continuing Education.
EXAMINATION AND THESIS REPORT

Candidate: Joseph Green Dawson, III

Major Field: History

Title of Thesis: THE LONG ORDEAL: ARMY GENERALS AND RECONSTRUCTION IN LOUISIANA, 1862-1877

Approved:

[Signatures]

Major Professor and Chairman

Dean of the Graduate School

EXAMINING COMMITTEE:

[Signatures]

EXAMINATION REPORT:

Date of Examination:

December 19, 1977