

Resistance, Infiltration, and Rapprochement: French Inhabitants in Spanish Upper

Louisiana, 1766-1780

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Abstract

This thesis addresses the question of how the people of Upper Louisiana lived under Spanish imperial authority from 1766 to 1780, and how they reacted to the transition from French to Spanish governance. More specifically, this thesis looks at the direct interactions that inhabitants had with the Spanish colonial officials in St. Louis and New Orleans. To further understand these imperial relationships, it looks at how the French inhabitants from different colonies (Upper Louisiana, Lower Louisiana, and the Illinois Country) interacted with each other, as a way of understanding Spanish authority and its limits. This thesis is interested in the French inhabitants' relationship with the Spanish state. It provides insight into the nature of governance and imperial relationships and examines how colonial peoples accepted and contested imperial regime change. It contends that the French inhabitants of Upper Louisiana went through periods of resistance, infiltration, and rapprochement with the Spanish colonial government.

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Map from the John Carter Brown Library at Brown University.¹

¹ Thomas Hutchins, "A Plan of the several Villages in the Illinois Country, with Part of the River Mississippi &c.," *A topographical description of Virginia, Pennsylvania, Maryland, and North Carolina, comprehending the rivers Ohio Kenhawa, Sioto, Cherokee, Wabash, Illinois, Mississippi*. (London: J. Almon, 1778), 40-41.

Introduction

On August 19, 1769, Spanish general Alejandro O'Reilly invited eleven leading French residents of New Orleans to dine at his residence. The Frenchmen had planned and executed the ousting of Spanish Governor Ulloa in October 1768.² O'Reilly had retaken the city a month earlier at the head of 2,000 Spanish soldiers. Weeks without repercussions had the French conspirators on edge, but they hoped that this meeting was a chance to come to an understanding with the Spanish general. O'Reilly had other plans. Upon their arrival, the French leaders were all arrested and charged with treason against the Spanish Crown. Joseph Petit was sentenced to life in prison, Julien Doucet and Balthasar de Mason received ten years each, and Pierre Poupet and Jean Milhet received six years. Joseph Milhet, Nicolas Chauvin de Lafrenière, Pierre Caresse, Pierre Marquis, and Jean Baptiste de Noyan were all sentenced to death, and Joseph Villeré was killed while resisting arrest. Those given prison sentences were shipped to Havana, the other five were executed by firing squad in October 1769, and the rest of the local population received a general pardon. Imperial Spain had returned to Louisiana.³

The bloodless uprising in New Orleans in 1768 originated from French inhabitants' resistance to imperious policies governing trade with other colonies, and the Spanish officials' lack of knowledge concerning local customs and conventions. Spain responded in force and crushed the initial fervour for the ousting of the Spanish Governor. O'Reilly only punished the immediate leaders of the rebellion, and then set out to improve relations with

² Carl Brasseaux, *Denis-Nicolas Foucault and the New Orleans Rebellion of 1768*. (Ruston, LA: McGinty Publications, 1987), 43; Brasseaux, "Confusion, Conflict, and Currency: An introduction to the Rebellion of 1768." *Louisiana History* 18, no. 2 (Spring 1977): 164.

³ *Ibid.*

local French leaders throughout Louisiana.⁴ While the French inhabitants of Upper Louisiana did not participate in the rebellion, the initial arrival of the Spanish in Louisiana, the rebellion in the south, and the subsequent changes to how Spain governed the region afterwards set the stage for how interactions between the French people and Spanish officials would proceed. French inhabitants of Upper Louisiana and St. Louis responded to Spanish rule by resisting Spanish authority upon their arrival, infiltrating the Spanish administration following the rebellion, and finally working towards a rapprochement with Spanish colonial officials in the face of external threats.

This thesis addresses the question of how the people of Upper Louisiana lived under Spanish imperial authority from 1766 to 1780, and how they reacted to the transition from French to Spanish governance. More specifically, this thesis looks at the direct interactions that inhabitants had with the Spanish colonial officials in St. Louis and New Orleans. To further understand these imperial relationships, it looks at how the French inhabitants from different colonies (Upper Louisiana, Lower Louisiana, and the Illinois Country) interacted with each other, as a way of understanding Spanish authority and its limits. This thesis is interested in the French inhabitants' relationship with the Spanish state.⁵ It provides insight into the nature of governance and imperial relationships and examines how colonial peoples accepted and contested imperial regime change. This analysis helps to understand the limits of imperial authority on the imperial frontier. The three chapters

⁴ Carl J. Ekberg and Sharon K. Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, (Urbana: University of Illinois press, 2015), 73; Patricia Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, (Columbia: University of Missouri Press, 2011), 80.

⁵ This thesis does not look at the Spanish government's perspective due to the author's inability to read Spanish sources.

are arranged chronologically and comparatively to understand the different responses of the French inhabitants to the evolving policies of the Spanish regime.

Chapter one examines how the late 1760s represented an initial clash of different visions of government between Imperial Spain and the French inhabitants of Upper Louisiana. The French inhabitants wished to be left at an arms-length from colonial oversight, and resisted the Spanish officials' hands-on, yet economically frugal approach to governing the colony.⁶ French inhabitants and the Spanish officials clashed over trade policies, Indigenous relations, religious practices, and the prospect of British expansion west of the Mississippi. The chapter examines the French inhabitants' use of petitions to resist the changes that the Spanish were trying to implement. This chapter also examines how the French inhabitants protested Spanish officials' lack of awareness concerning local customs, and as well the incompetence of the first Spanish commander in Upper Louisiana, Francisco R  .

Chapter two examines the aftermath of the Louisiana Rebellion of 1768, and how it affected the French inhabitants of Upper Louisiana. The Spanish response to rebellion allowed the French inhabitants to move away from openly resisting the Spanish regime, and instead took the opportunity to infiltrate the colonial government structure. The French inhabitants of St. Louis, a town founded in 1764 by French merchants from New Orleans, maintained a respect for the rule of Spanish law, but they did not see the early

⁶ Shannon Lee Dawdy, *Building the Devil's Empire: French Colonial New Orleans*, (Chicago: University of Chicago Press, 2008), 228; James Pritchard, *In Search of Empire*, (University of Cambridge Press, 2007), 231; Fred Fausz, *Founding St. Louis: First City of the New West*, (Charleston: The History Press, 2011), 68; Patricia Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 31; William E. Foley, *A History of Missouri, 1763 to 1820 Vol 1*. (University of Missouri, 1989), 29; Jay Gitlin, *The Bourgeois Frontier*, (New Haven: Yale University Press, 2010), 17.

Spanish commanders of the region to be legitimate community leaders. Instead, they continued to look to Louis Groston de Saint-Ange de Bellerive, the former French Commandant of the Illinois Country and Upper Louisiana, and François Vallé, the Captain of the militia in Ste. Genevieve for leadership. St. Ange was seen as the highest level of local authority in the eyes of the French people. The French inhabitants continued to bring their grievances to St. Ange, rather than to the Spanish leaders. Governor Alexander O'Reilly, the Spanish commander, charged with retaking Louisiana after the rebellion, recognized the need for local French expertise. He recruited various French persons into official government positions, and these French leaders in turn used their influence to help guide local policies to the French inhabitants' benefit.

Finally, chapter three looks at how the French inhabitants of St. Louis came to a rapprochement with colonial Spanish officials. While French inhabitants no longer played major roles in the government structure of Upper Louisiana after the passing of St. Ange in 1774, local Spanish officials maintained French traditions and laws. As the tensions between the two sides began to ease, an increase in economic activity and growth gripped the region. This economic boom saw tensions shift to internal trade and property disputes between French inhabitants. In these disputes, the French inhabitants accepted the Spanish Lieutenant-Governor as adjudicator of local custom and law. The lack of conflict eventually fostered outright cooperation, which manifested in the face of a British attack on St. Louis in 1780.

History of Louisiana

Louisiana was established as a colony in the early eighteenth century as an experimental French colony, in which the imperial French bureaucrats in Paris wished to improve upon the problems that had arisen in the older French colonies. Taking an almost utopian view, they hoped that Louisiana would not only build upon the experience of existing colonies, but that it could be a newer, better France. French ministers hoped the colony could eliminate the flaws which they saw as inherent to the social order and economic system in France.⁷ Through the forced emigration of vagabonds and criminals to the new colony, French ministers saw this as an opportunity to help lessen the social burden at home, while also providing these unwanted individuals with a chance for a fresh start and personal reform.⁸ The initial imperial optimism towards Louisiana's colonial potential was evidenced by the large initial investments, none more infamous than John Law's Company of the Indies. Through public and private investment, he hoped to jumpstart the economic potential of the colony. Things quickly went badly, however, when the greatly exaggerated wealth of the colony was reported back in France, which quickly led to wild speculation and the creation of the Mississippi economic bubble. The central French bank did not have the currency to cover all the notes being issued, and an unexpected cash-in by large numbers of investors led to the bubble bursting. Metropolitan

⁷ The French ministers banned seigneurial titles and land practices in Louisiana in the hopes of limiting growth of the noble class. Dawdy, *Building the Devil's Empire: French Colonial New Orleans*, 67; Marcel Giraud, *Histoire de La Louisiane Française vol. IV*. (Paris: Presses Universitaires de France, 1953), 234; Francois Barbe-Marbois, *The History of Louisiana*, Edited by E Lyon, (Baton Rouge: Louisiana State Press: 1977), 110; Charles Gayarré, *History of Louisiana*, vol 4, (New York: 1972), 204; Pierre Heinrich, *La Louisiane sous la Compagnie des Indes, 1717-1731*, (New York: 1970), 47; Pritchard, *In Search of Empire*, xxi.

⁸ Dawdy, *Building the Devil's Empire: French Colonial New Orleans*, 228; Pritchard, *In Search of Empire*, 231; Pierre Heinrich, *La Louisiane sous la Compagnie des Indes, 1717-1731*, 49.

France quickly lost interest in the prospects of the new colony.⁹ This initial failed colonial experiment set the stage for how Louisiana would become a colony left to its own designs. The government of France largely forgot about Louisiana and thus local inhabitants largely managed the colony based on their own self-interests.

Upper and Lower Louisiana, and the Illinois Country (the territory across the Mississippi River from Upper Louisiana) were all linked by trade and familial connections. Pierre Laclède, a French merchant, and his creole stepson Auguste Chouteau from New Orleans, founded St. Louis in Upper Louisiana in 1764. Much of the early population of St. Louis came from the Illinois Country on the eastern side of the Mississippi, which had recently become British territory under the Treaty of Paris of 1763.¹⁰ Since the founding of New Orleans in 1718, regular trade and social relationships had developed between the crescent city and the Illinois Country. A secondary, but necessary focus of this study is the relationships between the French inhabitants of New Orleans in Lower Louisiana, St. Louis in Upper Louisiana, and French speaking inhabitants of British, and later American, Illinois Country. Understanding the interrelationship of French-speaking peoples and regions helps elucidate how the French people reacted to and lived under the Spanish regime on the frontier.

While the Louisiana Rebellion of 1768 will not be the central focus of the thesis, the rebellion in New Orleans and Louis Groston de St. Ange de Bellerive's return as the

⁹ Ibid.

¹⁰ Dawdy, *Building the Devil's Empire: French Colonial New Orleans*, 228; Pritchard, *In Search of Empire*, 231; Fausz, *Founding St. Louis: First City of the New West*, 68; Patricia Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 31; Foley, *A History of Missouri, 1763 to 1820 Vol 1*, 29; Gitlin, *The Bourgeois Frontier*, 17.

commander of St. Louis are important episodes for understanding how French people reacted to the Spanish takeover in Upper Louisiana. Following the end of the Rebellion of 1768 and Pedro Piernas's return to St. Louis in 1770, Spanish leaders governed in St. Louis and New Orleans until 1793.¹¹ Due to this uninterrupted period of Spanish rulers in St. Louis and New Orleans, the rebellion in New Orleans and St. Ange's tenure (1768-70) as a Spanish Lieutenant Governor provides unique opportunities for studying the relationship between French People and the Spanish State.

Background to the Rebellion of 1768

The Treaty of Paris brought an end to the Seven Years' War in 1763, marking the end of the French Empire in mainland North America. Only the Islands of St. Pierre and Miquelon in the North and the islands of the French Antilles remained of the once vast French North-American Empire. Quebec and all the land east of the Mississippi River, except New Orleans, came under British imperial control. In anticipation of this loss, France ceded Louisiana Territory west of the Mississippi and New Orleans to Bourbon Spain through the secret Treaty of Fontainebleau in 1762. France, however, neglected to immediately inform its former subjects in Louisiana. The details of the treaty were not confirmed until 1766 when the Spanish began to exert control over its new possession.¹²

¹¹ Ibid.

¹² Fausz, *Founding St. Louis: First City of the New West*, 68; Patricia Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 31; Foley, *A History of Missouri, 1763 to 1820 Vol 1.*, 29; Gitlin, *The Bourgeois Frontier*, 18.

The secret nature of the transition created a tense relationship between the new Spanish State and the people of Louisiana. The Spanish Governor, Antonio de Ulloa, was greeted in New Orleans with discontentment. Eventually members of the former French administration, with support from merchants and commoners threatened violence. They were upset over enforcement of restrictive Spanish trade policies.¹³ Spanish trade policies reduced economic opportunities for French merchants by limiting trade exclusively to other Spanish colonies. Consequently, inter-colonial trade, which had been the economic lifeblood of the region, was now officially forbidden.¹⁴

In the fall of 1768, French conspirators, led by Denis-Nicolas Foucault, the Commissary for Louisiana under France, and Nicolas Chauvin de Lafrenière, began plotting against Ulloa. They hatched a plan to force the Spanish Governor out and take control of Louisiana. They hoped that France would come to the aid of the abandoned colony.¹⁵ The conspirators gathered support from the surrounding communities, including the colonists from the nearby German Coast, and marched on New Orleans. The rebels overtook the city's armoury, confronted Ulloa, and gave the Governor three days to leave. Governor Ulloa complied and was forced to retreat to Cuba in November of 1768.¹⁶ The Spanish Crown did not back down in the face of resistance in Louisiana. In response, the Spanish sent a two thousand-man force under the command of Alejandro O'Reilly, an Irish-born military

¹³ Reinhart Kondert, "Germans of Louisiana." *Journal of Southern History* 72, (2006): 172.

¹⁴ Ibid.

¹⁵ Brasseaux, *Denis-Nicolas Foucault and the New Orleans Rebellion of 1768*, 43.

¹⁶ Brasseaux, "Confusion, Conflict, and Currency: An introduction to the Rebellion of 1768." 164.

reformer and Captain General for the Spanish Empire. O'Reilly's forces overwhelmed the rebels and restored Spanish control of Louisiana.

As trouble was brewing in the south, the new Spanish Lieutenant-Governor of Louisiana, stationed in St. Louis, faced growing resentment and insubordination in the north. Pedro Piernas was assigned to take control of the region from Louis Groston de St. Ange de Bellerive, the former French commander of the Illinois Country and Upper Louisiana. No sooner had Piernas begun to take control of the region when word from Ulloa arrived with orders to vacate his post, and return south due to the rebellion in New Orleans.¹⁷ Piernas handed control of Upper Louisiana back to St. Ange. This transfer created an interesting dynamic in which a former French commander was acting under Spanish authority. Back in command, St. Ange could ease the tensions that the people had over their new government. With the end of the rebellion in the south and the return of Piernas to St. Louis in 1770, St. Ange gave back control of Upper Louisiana to the Spanish. Piernas's return ushered in a period of four consecutive Lieutenant-Governors of Spanish descent.¹⁸

Historiography

This research is situated at the important intersection of three different geographically defined literatures: the history of New Orleans and Lower Louisiana; the history of Upper Louisiana and St. Louis; the history of the Illinois Country. Louisiana encompassed the area between the Mississippi River and the Rocky Mountains, rising

¹⁷ Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 103.

¹⁸ In 1793, Zénon Trudeau, a native Frenchman, was appointed as the Spanish Lieutenant Governor of Upper Louisiana.

north from New Orleans to slightly past the 49th parallel north. Upper and Lower Louisiana were divided by the Arkansas River. The Illinois Country encompassed the lands east of the Mississippi claimed by France south of the Great Lakes and north of the mouth of the Ohio River. Most scholarship treats these regions as separate areas of study. This thesis, however, focuses on the relationships that existed between the people in these regions, thereby connecting them.¹⁹ Examining the connections between French people of the regions shows how these relationships influenced and affected interactions between French people of Upper Louisiana and Spanish colonial officials who represented Spanish imperial authority.

Literature on the Illinois Country has centered on official state histories, international diplomacy, or has been concerned with fitting into the American grand narrative of expansion from east to west. Clarence Walworth Alvord's *The Illinois Country 1763-1818*, provides a grand narrative history of the State of Illinois. He was tasked with providing insight into how the State of Illinois fits into the history of the United States.²⁰ Alvord was mostly interested in the diplomatic and political implications of British and American occupation of the Illinois Country. Alvord's research looked at the early dealings of French inhabitants, but when the British and Americans arrived he took a whiggish approach, which favoured ideas of American westward expansion.

¹⁹ Englebert "Merchant Representatives and the French River World, 1763-1803." *Michigan Historical Review* 34, no.1 (2008): 63-82; Carl J. Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*. (The Patrice Press, 1996), 56; Ekberg, *French Roots in the Illinois*, (University of Illinois Press, 2000), 23; Gitlin. *The Bourgeois Frontier*, 17.

²⁰ Clarence Walworth Alvord. *The Illinois Country 1763-1818*. (Chicago: Loyola University Press, 1965), 240.

John Francis Bannon shifted his focus away from the American grand narrative and turned his attention to Spain, but continued with the same type of focus as Alvord on diplomatic and political history. Bannon explained Spanish governance of Louisiana in relations to Spain's broader international imperial struggle against Great Britain. He outlined the rivalries that erupted between the two empires as incoming British and American settlers entered the Illinois Country, and as the Spanish took possession of Louisiana.²¹

In the study of Upper Louisiana, the American grand narrative was picked up again by contemporary scholars, such as Jay Gitlin, while other authors such as Fred Fausz and Patricia Cleary focused on the everyday life and economic activity of St. Louis. Gitlin provides a narrative that highlights the role of French merchants in the westward expansion of the United States. Gitlin argues that French merchants were not bystanders in American expansion, but rather acted as 'middle men', using their relationships with Indigenous groups to negotiate terms for the American advance.²² Fausz's book, *Founding St. Louis: First City of the New West*, argues that St. Louis became an Indigenous-French utopia in which French colonial culture was preserved and expanded after Imperial France had left the continent.²³ Patricia Cleary looks at the diplomatic history of St. Louis, from a localized view. She argues that "St. Louis served as a reminder of the limits to [Spain's] imperial reach and coffers, with inadequate supplies, poor facilities, and an understaffed

²¹ John Francis Bannon. "The Spaniards and the Illinois Country, 1762-1800." *Journal of the Illinois State Historical Society*, 69, no.2 (May 1976): 115.

²² Gitlin, Jay. *The Bourgeois Frontier*, 12.

²³ Fausz, *Founding St. Louis: First City of the New West*, 20.

garrison all exposing the inability of administrators to fulfill the diplomatic and defensive responsibilities of the post."²⁴

Cleary and Fausz's histories of St. Louis contradict each other on how the people of St. Louis viewed and interacted with the Spanish government. Cleary argues that the Spanish Government in St. Louis was in a constant state of paranoia over threat of rebellion from the French inhabitants and attacks from Indigenous peoples. Fausz argues the opposite; St. Louis was an open city where the French, Spanish, and Indigenous peoples all lived in harmony. This thesis differs from both Cleary and Fausz in that it argues that the agency of French inhabitants and merchants meant that they sought to carve out their own political and social space, one that was neither characterized by paranoia nor by some idyllic utopic vision of Euro-Indigenous harmony.

Carl J. Ekberg and Sharon K. Person provide a different perspective on the early years of St. Louis. Ekberg looks at the early period of St. Louis's history through Louis St. Ange de Bellerive, the former French Commandant of the Illinois country, rather than the more common approach, which looks at the founders of St. Louis, Pierre Laclède or Auguste Chouteau. This thesis builds on that work by looking at the importance of community leaders seen in St. Ange and Francois Vallé, and the continuation of French culture under the Spanish. Ekberg's book only looks at the very earliest period of St. Louis, and does not continue after 1775. This study continues after St. Ange's imposing presence had disappeared, and importantly, as the French inhabitants of Upper Louisiana began to work

²⁴ Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 300.

more closely with the Imperial Spanish officials, and began to accept the Spanish as administrators.

Economic interests and administrative corruption are the main characteristics of historiography concerning Lower Louisiana. Beginning with the seminal work, *Histoire de La Louisiane Française vol. V*, Marcel Giraud argued that Louisiana's French colonial government was plagued by managerial abuses and power struggles, which created divisions of loyalty amongst officers and settlers.²⁵ Carl Brasseaux continues in the same vein, looking directly at the political situation before and during the rebellion of 1768. He argues that fiscal instability, official rivalries, and isolation helped lead to rebellion. French administrators picked sides in the interest of political and personal advancement.²⁶ Brasseaux's ideas are an example of how different pre-existing economic and political rivalries between French people in Louisiana affected the ways in which they individually responded to the new Spanish government.

The other major trend in the historiography of Lower Louisiana concerns the economic interests and potential turmoil that the new Spanish regime brought through restrictive trade policies. The study of the regional economic interests has been especially concerned with groups of settlers from different ethnic backgrounds in Lower Louisiana. Brasseaux traces the involvement of Acadian settlers in *The Founding of New Acadia: The Beginnings of Acadian Life in Louisiana, 1765-1803*, while Reinhart Kondert documented the

²⁵ Marcel Giraud, *Histoire de La Louisiane Française vol. V*. (Paris : Presses Universitaires de France, 1953), 114.

²⁶ Brasseaux, *Denis-Nicolas Foucault and the New Orleans Rebellion of 1768*. 43.

involvement of colonists from the area West of New Orleans, known as the German Coast. Kondert argued that it was not the direct actions of the Spanish Governor against the German settlers that caused them to join the revolt, but rather Spain's general policy of restricting colonial trade with France and Great Britain. Trade outside of Spain's colonial sphere was the lifeblood of the German Coast economy.²⁷

Alfred Hero's work has also contributed to the study of Lower Louisiana. Through a comparison of the French settlers' reactions to the end of the Seven Years' War in Louisiana and Quebec, Hero studied how the French populations respectively dealt with the burden of new colonial regimes. Hero argues that the departure of imperial France cut the link between Quebec and Louisiana. The first-hand violence of the Seven Years' War tempered the population in Quebec, while the relatively untouched Louisiana region remained isolated, and the removal of French authority came as an unexpected shock.²⁸ These works provide different examples of how French people in Louisiana reacted to the change in imperial authority, and provide insight into how the individual factors of their new relationship with the state guided their reactions.

Frontiers and Borderlands

The historiography of colonialism, especially centered on theory of how colonized people reacted to foreign imperial powers plays an important role in what questions I

²⁷ Kondert, "Germans of Louisiana," 173.

²⁸ Alfred Hero, *Louisiana and Quebec: bilateral relations and comparative sociopolitical evolution, 1673-1993*. (Lanham: University Press of America, 1995), 126.

asked of my sources. The works of Frederick Cooper, James C. Scott, Christine Daniels and Michael V. Kennedy all provide insight into the theoretical approaches that have been used to analyse colonial populations.²⁹ Frederick Cooper focuses on the theoretical debate about the West's impact on the rest of the world. Cooper's work suggests that scholarship on colonialism has suffered from a lack of originality, largely because of the influence of critical theory.³⁰ Critical theory sees the Enlightenment as an all-encompassing project that forced colonial peoples to submit to its own standards of reason and progress.³¹ Cooper contends that this fails to appreciate the ways that colonial peoples turned such notions to their own purposes for challenging imperial power. Cooper's effort is to avoid euro-centric models, and focus on doing history that empowers people to work against injustice and inequality, and considers the ways in which both the colonizers and colonized influenced each other. As this thesis discusses a population of European origin, aspects of a euro-centric model cannot be avoided. What one can take away from Cooper, however, is to examine history from the perspective of colonized people, rather than relying on the colonizer's generalized observations about the people they governed.

James C. Scott challenges the idea that modern civilization will inevitably lead to state-hood. Through a study of the Zomia peoples of the highlands of Southeast Asia, Scott

²⁹ James C. Scott, *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia*. (New Haven: Yale University Press, 2010); Frederick Cooper. *Colonialism in Question: Theory, Knowledge, History*. (Berkeley: University of California Press, 2005), 4; Christine Daniels, and Michael V. Kennedy. *Negotiated Empires: Centers and Peripheries in the Americas, 1500–1820*. (Routledge, 2013).

³⁰ Critical theory is a philosophical approach to culture and literature that seeks to confront the social, historical, and ideological forces and structure that produce and constrain it. Max Horkheimer. *Critical Theory*. (New York: Continuum Publishers, 1982), 244.

³¹ Cooper. *Colonialism in Question: Theory, Knowledge, History*. 2005, 4.

contends that they remain stateless by choice. The Zomia peoples have not ‘missed’ modern civilization, but rather actively avoided it.³² Scott’s work helps to understand the ways in which colonized people sought to avoid the imperial system, and their motivations and methods of doing so. Scott’s work informs questions regarding why colonized peoples decided to accept imperial systems of power and governance. It also challenges notions of progress and modern civilization, important factors in how imperial powers interacted with their colonies.

Negotiated Empires: Centres and Peripheries in the Americas, 1500-1820 is an anthology, which focuses on the interdependence of colonial centers and peripheries, and power negotiations in early modern empires. Leslie Choquette’s piece on French North America shows that French settlers in North America and the Caribbean defended their own interests despite their king’s notion of absolute power. Choquette treated French colonies as both a centre and a periphery, which is particularly useful for this study. St. Louis was for European imperial empires at the periphery, but it represented an important regional centre for colonists and fur trading activities. The need for the French colonists to interact and negotiate with Indigenous peoples is shown as example of center encompassing the periphery and vice versa.³³ Choquette’s piece helps to understand the complex relationship that existed between the French crown and its colonies, including to what extent the colonies resented or relied on interference by the crown.

³² Scott, *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia*. 63.

³³ Leslie Choquette, “Center and Periphery in French North America” in *Negotiated Empires: Centers and Peripheries in the Americas, 1500–1820*. Edited by Christine Daniels and Michael V. Kennedy. (New York: Routledge, 2002), 194.

Kathleen DuVal's *The Native Ground*, helps to explain the greater reliance of the French inhabitants on the Indigenous peoples in Upper Louisiana than in Canada. Her refutation of Richard White's middle ground theory argues that in the heart of North America, Indigenous peoples shaped the region's economics and politics far more than the Spanish, French, and British. The native ground theory explores how Indigenous people along the Arkansas River drew European empires into local patterns of land and resource allocation, sustenance, goods exchange, gender relations, diplomacy, and warfare. DuVal argues that European settlers adapted to the region's Indigenous peoples, countering the idea of both sides coming together and creating new forms of interaction as documented by White in the Great Lakes region.³⁴

The Indigenous peoples in Louisiana maintained demographic superiority as compared to the sparsely populated European outposts and villages in the region. The French inhabitants of Upper Louisiana relied on the local Indigenous groups for economic survival from trading, and for physical protection from other unfriendly Indigenous groups. The local Indigenous groups, such as the Osage maintained the upper hand in negotiations with the French settlers, and frequently used this power dynamic imbalance to their advantage.³⁵

³⁴ Kathleen DuVal, *The Native Ground: Indians and Colonists in the Heart of the Continent*, (Philadelphia: University of Pennsylvania Press, 2006), 32.

³⁵ Ibid; Gilbert Din and Abraham P. Nasatir, *The imperial Osages: Spanish-Indian diplomacy in the Mississippi Valley*, (Norman: University of Oklahoma Press, 1983), 362.

Sources and Methods

This thesis examines sources from both published primary source collections and archival manuscript documents. The Chouteau Collection in the *Papers of the St. Louis Fur Trade*, available on microfilm through the University of Saskatchewan's Murray Library, is a record of the business life of the Chouteau family, its financial partners, and its business associates. The Chouteau collection also serves as a social record for the city of St. Louis and the smaller communities where the Chouteau family lived and traded. Additional materials from the Missouri History Museum in St. Louis, Missouri were also used. Collections, such as the St. Louis Archives, 1766-1804, the St. Louis History Collection, the Litigation Collection, and the Governors Collection, were instrumental in this study. The Litigation Collection provides the basis for chapter three, through court documents. These documents show how the French inhabitants of Upper Louisiana interacted with the Spanish led courts to resolve disputes.

Personal records from the St. Louis History collection, such as correspondence, provide commentary on how French people viewed the government, and as well insight into how social interactions with other French people affected their individual dealings with the state. Economic activity through merchants and creditors provides insight into how business people interact and what types of goods people are buying, as well as the taxes being imposed on them. These sources speak to how the Spanish laws were being followed and enforced. Estate inventories are a demonstration of how wealth was inherited through families and shows connections to other regions. Legal records demonstrate how

disputes were resolved. When researching the larger collections, a list of core individuals who were more prominently mentioned was formed, as they have more documentation of their activities. Using this list was useful to navigate the collections and begin to understand how the relationships between French people functioned during this period.

Other material used from the Missouri History Museum included the *Price Compilation*, a group of selected translations from the *Papeles Procedentes de Cuba*. The *Papeles Procedentes de Cuba* is a collection of official Spanish colonial documents, of which the original documents are held at the Archivo General de Indias in Seville, Spain.³⁶ The *Papeles Procedentes de Cuba* is a collection of documents that form part of the Spanish colonial bureaucracy, such as correspondence between Governors and the Crown, military personnel, censuses, and include treasury records. Most of the papers were written in Spanish; however, twenty-five percent of the documents are in French, which made them useful sources for understanding the French inhabitants' perspectives. As well, the ability to pair the original French documents with the translated Spanish documents of the *Price Compilation* helps to provide coverage of material from all sources. To study the interactions between the French inhabitants and the Spanish state this study looked for official decrees or laws issued by the governments. Specific correspondence between the Spanish governments in St. Louis and New Orleans with French inhabitants was also of importance.

³⁶ Microfilm copies are located at the Missouri History Museum in St. Louis, Missouri.

Conclusion

The French inhabitants of Upper Louisiana resisted, infiltrated and ultimately cooperated with the new Spanish officials to protect their culture, customs, and economic interests. Recognizing the shift in international diplomacy happening around them, the French inhabitants successfully carved out a niche within the Spanish system being forced on them. Due to the remote nature of the Upper Louisiana frontier from the metropole, and even New Orleans, the Spanish officials had no choice but to allow the French inhabitants to negotiate this space on their terms. This thesis highlights the importance of French joint-ideals and local customs, the importance of local institutions, and the community leaders they looked to for guidance. This thesis demonstrates that not only were the French inhabitants of Upper Louisiana able to maintain their cultural and economic standing in the face of a new regime, but that they displayed remarkable agency to negotiate and improve their political futures from 1766 to 1780.

Chapter 1: Spanish Incompetence and French Resistance

The conclusion of the Seven Years' War had destroyed the dream of a vast French empire on the North American continent. The Treaty of Paris in 1763 saw the British take hold of New France and the Illinois country, while the Treaty of Fontainebleau in 1762 had secretly passed control of Louisiana to Spain.³⁷ In the aftermath, French inhabitants on either side of the Mississippi suddenly found themselves subjects of two competing empires. While the news of the imperial transfer to Spain took 2 years to reach the frontier of Louisiana, changes to the status quo were already underway. The imperial transition of the Illinois Country east of the Mississippi to British, saw the former French leaders of the region emigrate to St. Louis, recently founded in 1764. Following the French leaders were many French inhabitants looking to avoid British rule. These migrations showed the evolving relations between people on different sides of the river, and signalled a change to the region's role in imperial politics.³⁸

The arrival of the Spanish in Louisiana brought a markedly different approach to the operation of the colony within the imperial sphere. The Spanish brought stricter economic policies, limited trade to only Spanish territories, and enforced more rigid Catholic

³⁷ The Treaty of Paris required that France cede control of New France and the Illinois Country east of the Mississippi to Great Britain. The remainder of the Illinois Country west of the Mississippi, including New Orleans, was known as Louisiana. Louisiana was given to Spain to compensate for the loss of Florida to Great Britain. The French Crown was keen on keeping Bourbon Spain as an ally in the aftermath of the Seven Year's War. Fausz, *Founding St. Louis: First City of the New West*, 68; Patricia Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 31; Colin G. Calloway, *The Scratch of a Pen: 1763 and the Transformation of North America*. (New York: Oxford University Press, 2006), 8; Helen Dewar, "Canada or Guadeloupe?: French and British Perceptions of Empire, 1760–1783," *Canadian Historical Review*. 91, no.4 (December 2010): 637–660; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*, 51, 52; Gitlin, *The Bourgeois Frontier*, 2,16; Alvord, *The Illinois Country 1673-1818*, 262.

³⁸ Gitlin, *The Bourgeois Frontier*, 2010, 2,16; Frederick A. Hodes, *Beyond the Frontier: A history of St. Louis to 1821* (St. Louis: the Patrice Press, 2004), 45; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*, 52; Alvord, *The Illinois Country*, 262.

influence in the social realm. Spain's imperial rivalry with Britain also saw the enactment of stringent security policies, which limited the traditional movement and trading practices of people within the colony, as well as those wishing to enter it.³⁹ Spanish colonial administrators wanted to conduct the imperial business of Louisiana on their terms. They failed, however, to understand the intricacies and importance of the local economic situation that had developed under the markedly more relaxed French regime.

The French inhabitants resisted and appealed against many of the new economic, social, and security policies. Limiting trade to only Spanish colonies, stricter adherence to Catholic norms, and a more involved governing style upset the ruling merchant class of New Orleans, whose trading practices and travels to other French colonies had fueled the economic growth of the region. In 1768, the French residents of New Orleans rebelled against the Spanish colonial government, while those of Upper Louisiana peacefully resisted against the local Spanish Commandant.⁴⁰ The resistance in Upper Louisiana was driven by the colony's continued dependence on the trading activities of the local French merchants. Trade was the lifeblood of the colony. French merchants settled St. Louis in 1764, for the development of the fur trade west of the Mississippi along the Missouri River.⁴¹ The French merchants were not aligned with the short-term goals of a far-off

³⁹ While traditional movement and trade was officially limited, French traders and merchants continued to cross the newly constructed international boundaries in what Robert Englebert has termed a "French River World". *Instructions issued to Riu for leading the expedition to the Illinois*, March 14, 1767, AGI-PC, 2357-172, Missouri History Museum Library and Research Centre microfilm; Robert Englebert "Merchant Representatives and the French River World, 1763-1803." *Michigan Historical Review* 34, no.1 (2008): 63-82; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*, 56; Gitlin, *The Bourgeois Frontier*, 17.

⁴⁰ Upper Louisiana was the section of the territory west of the Mississippi, and north of the Arkansas Rivers.

⁴¹ The community was settled by Pierre Laclède, a native Frenchman, and Auguste Chouteau, his creole stepson, who had both previously lived in New Orleans. Foley. *A History of Missouri, 1763 to 1820 Vol 1*, 30; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 33; Fausz, *Founding St. Louis: First City of the New West*, 2011, 67; Gitlin, *The Bourgeois Frontier*, 16.

imperial government, but rather were motivated to increase their own wealth and fortunes in the region. The arrival of the Spanish in Upper Louisiana represented an initial clash of different understandings of governance. The French merchants did not like the new bureaucratic restriction placed upon their traditional trading practices. The French inhabitants also resented the lack of Spanish economic support and the lack Spanish military presence in the region.⁴²

French Louisiana had failed to meet its potential as a prosperous colony and it was not surprising then that France secretly gave away the colony to Spain as a “gift” in the 1762 Treaty of Fontainebleau.⁴³ The Spanish accepted it as consolation for losing Florida to the British with the understanding that they could return it to the French in the future. In the meantime, the Spanish felt it could serve as a buffer between Mexico and the advancing British.⁴⁴

Correspondence between Spanish officials demonstrates the stricter policies they planned to institute in Louisiana. In a letter dated March 14, 1767, Antonio Ulloa, the first Spanish Governor of Louisiana instructed Captain Ríu, the first Spanish Commandant, to travel to and establish a presence in Upper Louisiana. Ríu was to construct a fort at the confluence of the Missouri and Mississippi rivers, and to maintain proper and timely communication with the Governor in New Orleans, and consequently maintain a tight link

⁴² Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 83.

⁴³ Dawdy, *Building the Devil's Empire: French Colonial New Orleans*. 67; Fausz, *Founding St. Louis: First City of the New West*, 68; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 31; Robert Michael Morrissey, *Empire by Collaboration*, (Philadelphia: University of Pennsylvania Press, 2015), 169.

⁴⁴ Fausz, *Founding St. Louis: First City of the New West*, 68; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 31; Foley, *A History of Missouri, 1763 to 1820 Vol 1*, 30; Gitlin, *The Bourgeois Frontier*, 17.

with the imperial metropole.⁴⁵ The Spanish were not going to leave the colony to its own vices. Ulloa also wished to avoid potential English Protestant incursions from the east and therefore sought to maintain the colony as a proper Catholic colony. He pushed for stricter adherence to Catholic values, such as limits on drinking alcohol, proper Church-sanctioned marital relations, and regular attendance of mass for French inhabitants, Spanish officials, and Spanish soldiers alike.⁴⁶

While the French inhabitants of St. Louis were Catholic, the Church had not had a major role in governing the social culture of the inhabitants as was seen in other Catholic colonies. A prime example was the general acceptance of Pierre Laclède's spousal situation with his partner Marie-Thérèse Bourgeois Chouteau.⁴⁷ Madame Chouteau's husband, René Auguste Chouteau, had abandoned her and their children when he returned to France. Laclède and Madame Chouteau subsequently had four children together, but because divorce was prohibited under the Roman Catholic Church and by law in France, these children were baptized as the children of Madame Chouteau's legal husband and carried the Chouteau name.⁴⁸ The community of St. Louis accepted the union and the offspring, something that would have been unthinkable if the church had had a stronger presence in the region.

⁴⁵ *Instructions issued to Ríu for leading the expedition to the Illinois*, March 14, 1767, AGI-PC, 2357-172, Missouri History Museum Library and Research Centre microfilm.

⁴⁶ *Ibid.*

⁴⁷ Most people in St. Louis came from the Illinois Country, and Kaskaskia and Cahokia had been founded as mission communities to convert Indigenous peoples. After 1763 there were not many priests remaining, due in part to the recall and banishment of Jesuits from North America. Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 83; Daniel Hechenberger, "The Jesuits: History and Impact: From Their Origins Prior to the Baroque Crisis to Their Role in the Illinois Country," *Journal of the Illinois State Historical Society* 100 no. 2 (Summer: 2007): 93, 96-97.

⁴⁸ Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 30; Fausz, *Founding St. Louis: First City of the New West*, 68; Gitlin, *The Bourgeois Frontier*, 19.

Governor Ulloa's instructions to Ríu indicated that the Spanish wished to maintain the relationships that had existed in the region under the French, but he did not know what to expect in Upper Louisiana⁴⁹ He tasked Ríu, an inexperienced officer, with formally taking possession of the region on behalf of the Spanish Crown. This decision was detrimental to Spanish goals in the region, and the Captain soon demonstrated that he did not have the necessary leadership and political skills to maintain good relations with his own men, let alone the local inhabitants.⁵⁰ Ríu was clearly not prepared for the intricacies of dealing with the Indigenous groups or the local French populace. As the region had been left without much imperial oversight under the French, only the regional administration of the fur trade generated anything in terms of governance and oversight, and even that was mainly organised by the oligarchic Superior Council in New Orleans for their or their friends' personal benefits.⁵¹

In 1767, the French inhabitants of St. Louis grudgingly accepted the arrival of the Spanish Commandant, Captain Francisco Ríu. They seemed willing to work with Ríu if he did not interfere with the economic and social workings of the colony. However, trouble began soon after his arrival as the twenty men he brought with him to protect the colony and enforce the Governor's policies did not respect Ríu and stopped following his orders.⁵²

⁴⁹ Ibid.

⁵⁰ *Instructions issued to Ríu for leading the expedition to the Illinois*, March 14, 1767, AGI-PC, 2357-172, Missouri History Museum Library and Research Centre microfilm.

⁵¹ Dawdy, *Building the Devil's Empire: French Colonial New Orleans*, 221; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 32; Brasseaux, *Denis-Nicolas Foucault and the New Orleans Rebellion of 1768*, 43; Brasseaux, "Confusion, Conflict, and Currency: An introduction to the Rebellion of 1768." 164; Giraud. *Histoire de La Louisiane Française vol. V*, 168.

⁵² Fed up with Ríu's strict rules regarding alcohol and prayer, coupled with his lack of leadership skills, the Spanish contingent instead chose to follow the command of the sergeant of the expedition, who forced Ríu to remain in St. Louis rather than continuing further upriver to build a fort at the confluence of the Missouri and Mississippi Rivers. Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*. 83; Fausz, *Founding St. Louis: First City of the New West*, 68; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*. 52.

Río lacked the soldiers to implement new policies by force, and yet he naively attempted to implement new decrees based on the weight of imperial power alone.

Spanish attempts to set limits on trade and the inexperience of Captain Río, especially in dealing with visiting Indigenous groups, began to interfere with the way the French inhabitants had managed their affairs in Upper Louisiana. French inhabitants openly resisted the new Spanish regime through public petitions delivered directly to the local Spanish Commandant. French inhabitants throughout the former French empire in North America used petitions to raise concerns regarding the policies of new colonial governments.⁵³ Catherine Cangany documents the use of petitions in early post-French Detroit. The French residents wanted to create a local arbitration system, rather than having to travel to courts in Montreal.⁵⁴ Prior to the Louisiana Rebellion of 1768, local New Orleans inhabitants who were upset with the new Spanish trade policies similarly brought forward petitions to the Louisiana Superior Council. The petition asked for the Superior Council to confront the new Spanish Governor for them.⁵⁵

The French inhabitants of St. Louis delivered one such petition on May 8, 1768, which called for a ban on the sale of alcohol to Indigenous people within the settlement of St. Louis. While Governor Ulloa did not want alcohol in the colony at all, Commandant Río had run out of more practical items to use as gifts for the Indigenous peoples who visited

⁵³ Peter Moogk, "Notables, Rank, and Patronage: The Social Order of Early Eighteenth Century Canada," *Proceedings of the Meeting of the French Colonial Historical Society* 13/14 (1990): 78; Bronwyn M. Craig, *French Speakers, American Citizens: Government, Community, and Survival in the American Illinois Country, 1778-1787*. (Masters Thesis, University of Saskatchewan, 2016), 31.

⁵⁴ Catherine Cangany, *Frontier Seaport*, (Chicago: University of Chicago Press, 2014), 117.

⁵⁵ The greater importance of the rebellion in New Orleans is discussed further in chapter two. However, the use of petitions at such an important event for the residents shows the weight with which they were deemed to have held in the community. Dawdy, *Building the Devil's Empire: French Colonial New Orleans*. 221.

St. Louis, and had turned to placating them with alcohol. The petition presented four reasons why the ban was needed: “disruption of trade and commerce; breakdown of public order and tranquility; threats to the safety of all citizens of the area, especially children; and the jeopardizing of religious practices, constituting an affront to morality and decency.”⁵⁶ While the arguments put forward in the petition give insight into the regard with which the French held their Indigenous visitors, they clearly represent the interests of the French community. The potential for economic disruption in the region points to their priority of protecting the peace between themselves and their Indigenous trading partners, as well as the security of the settlement itself. In the late 1760s, St. Louis relied on Indigenous trading partners not only for economic survival, but also for physical protection. There was a fear among French inhabitants that alcohol fueled violence could spiral out of control, leading to a breakdown of local French-Indigenous relations, possibly ending in violent conflict.⁵⁷

Captain Ríu eventually agreed to the terms of the petition. However, St. Louis did not have adequate military personnel to enforce the alcohol ban, let alone effectively protect the settlement. The French inhabitants were aware of the lack of soldiers, and proposed in the petition that they would form a militia for enforcing the ban.⁵⁸ Violators would be fined 500 *livres*, and have their liquor confiscated. The petition was signed or marked by 88 residents, representing a large portion of the population of St. Louis at the time.⁵⁹ The

⁵⁶ "Transcript of a 1768 petition to prohibit sale of alcohol to Indians in Illinois country," *American Indian Histories and Cultures*. Vault Box Ayer MS 714, Newberry Library.

⁵⁷ Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 94.

⁵⁸ Militias were common place throughout New France, but one had not yet been established in St. Louis prior to the arrival of the Spanish.

⁵⁹ In the 1772 the population of St. Louis was 597 people, but would have been less in 1768. "Transcript of a 1768 petition to prohibit sale of alcohol to Indians in Illinois country," *American Indian Histories and Cultures*. Vault Box

French inhabitants knew there were risks involved with upsetting the economic and social balance of the settlement. The French inhabitants saw the protection and order of the settlement to be a community responsibility, rather than being left to an inexperienced foreign commander. The success of the petition demonstrated to the French inhabitants that they had some power to influence Spanish colonial governance in the region.

At the end of May 1768, Antonio de Ulloa, the Spanish Governor in New Orleans, wished to impose Spanish administrative control over trade in Upper Louisiana. He ordered Captain Ríu to issue a decree that anyone wishing to trade along the Missouri River basin had to first travel to New Orleans, and visit Ulloa personally to receive a trading license.⁶⁰ The St. Louis merchants were outraged at the idea of having to make such an arduous journey simply to acquire permission to trade in a region where they had been successfully operating for years. In response to the decree, French merchants presented another petition to Captain Ríu, describing the dangers of disrupting of trade with their Indigenous partners.⁶¹

This second petition highlighted the threat that discontented Indigenous groups posed. The French merchants employed menacing language, referring to “the murmurings of the savages of the district of the Misuri and their evil intentions because of the lack of traders and merchandise of which they were deprived by the orders of the Spanish

Ayer MS 714, Newberry Library; Louis Houck, *The Spanish Regime in Missouri, Vol 1*, “First Spanish Detailed Statistical Report of Ste. Genevieve and St. Louis,” dated 1772 (Chicago: R. R. Donnelly and Sons, 1909), 53.

⁶⁰ Foley, *Genesis of Missouri*, 33; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 93; Fausz, *Founding St. Louis: First City of the New West*, 67.

⁶¹ A journey between New Orleans and St. Louis took on average 3-5 weeks, depending on the weather and direction. Ibid.

Governor.”⁶² The merchants claimed that “they [the Indigenous peoples] were on the point of executing their threats and the mischief which they were hatching against us [St. Louis].”⁶³ The merchants also stated that the Indigenous peoples “had no other object than the destruction of all the French, if the sending of traders to them was postponed,” and that this had led to “the inhabitants [of St. Louis] already not cultivating their fields without terror.”⁶⁴ The merchants were likely exaggerating the imminent threat that Indigenous peoples posed, and it is more likely that such hyperbolic language was meant to sway Ríu, whom the merchants deemed ignorant of French-Indigenous relations and fur trading activities.

To appeal to Spanish imperial interests, the petition also played on the fears of an increase in British influence in the region. The document stated that “already were our neighbours [the British] rejoicing over a tragedy which they imagined as certain, and were counting those tribes among their allies, since some of the villages have already accepted their banner.”⁶⁵ The petition was signed and marked by the most prominent merchants in St. Louis, including Pierre Laclède, the founder of St. Louis, and notarized by Joseph Labuxière, the former French attorney-general of the region.⁶⁶

This second petition again showed French resistance to Spanish policies, a resistance that was determined by the interests of the French St. Louis community and based upon notions of economic and physical survival. Their resistance was peaceful,

⁶² Houck, *The Spanish Regime in Missouri, Vol 1*, “Petition of the Merchants of St. Louis to Captain Ríu to be allowed to Trade on the Missouri, January 1769,” 37.

⁶³ Ibid.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Ibid, 38.

organized, and utilized their superior knowledge of the intricacies of the region to prove their point to the Spanish Commandant. The organized nature of their resistance was highlighted by the leadership and participation of prominent members of the community, such as Laclède and Labuxière. Ideals of local leadership and the goal of protecting their community governed the actions of French merchants and their approach to resisting the Spanish policies.⁶⁷

Louis Saint Ange de Bellerive, the former French Commandant of Upper Louisiana, made efforts to appeal directly to Governor Ulloa in New Orleans. As the former Commandant of Illinois Country, St. Ange had been in regular contact with former French administrators in New Orleans concerning issues of Governance. Under the Spanish, he maintained contact with Ulloa in an unofficial role, commenting on Captain Ríu's progress and conduct. That the former French Commandant was encouraged to maintain contact directly with the Governor of Louisiana demonstrates the lack of confidence in Captain Ríu.

In a letter to Governor Ulloa, St. Ange explained that the refusal of the French inhabitants to provide supplies to the Spanish was due to the new Spanish policy of limiting trade on the Missouri river by requiring merchants to apply for a trading license in New Orleans.⁶⁸ St. Ange addressed how the new licensing policy would create trade disruptions that would directly affect the economic fortunes of local French merchants and undermine

⁶⁷ Morrissey, *Empire by Collaboration*, University of Pennsylvania Press, 197.

⁶⁸ It was probably of great importance for St. Ange to maintain connections with Ulloa and the territorial government in the south, so as not to let the instability further interfere with the growth of the region's economy, or its relations with Indigenous groups. On the other hand, Ríu's lack of control and experience probably also gave St. Ange and other influential inhabitants of St. Louis the opportunity to exploit the insecurity of Spanish control for their own personal gain. While the addressee is unknown, it is highly likely that it was sent to Ulloa, or a French official close to Ulloa, with whom St. Ange had regular correspondence, as he was likely the only one able to officially change the new policy. *St. Ange to Unknown*, AGI-PC 187A-397, Price Compilation, Missouri History Museum Library and Research Centre.

Spanish governance and authority in Upper Louisiana.⁶⁹ Even if Ulloa was not sympathetic to the needs of the French merchants, St. Ange believed he would understand the necessity of providing ample supplies to the troops he had sent to secure Upper Louisiana⁷⁰

Following the French merchants' refusal to continue supplying the Spanish Troops, the efforts of French petitioners and St. Ange were rewarded and Captain Ríu agreed to a compromise without approval from his superiors in New Orleans.⁷¹ Ríu changed the decree so that merchants were required visit him in St. Louis instead of travelling to New Orleans.⁷² While the situation did not totally favour the demands of the merchants, it allowed them to maintain their crucial trading relationships, and also allowed Ríu to adapt imperial policy to local needs and defuse a potentially volatile situation.

The petitions show a community based approach for addressing local grievances regarding colonial policies. Prominent members of the community crafted the petitions, which in turn were signed by a large portion of the local population.⁷³ French inhabitants took advantage of their superior numbers as the majority of the population, and used their knowledge of Indigenous trade and alliance to undermine Spanish policies. The French inhabitants influenced Spanish colonial policies through economic and community actions,

⁶⁹ *St. Ange to Unknown*, AGI-PC 187A-397, Price Compilation, Missouri History Museum Library and Research Centre.

⁷⁰ The letter also shows the lack of understanding that the Spanish had for the local economy of the region through St. Ange's discussion over the use of paper currency by the Spanish. By using a form of currency which was not fully respected locally (paper did not hold its value as well as coins, and was not accepted by all vendors) to pay for the crucial services of the local population, they unknowingly gambled with creating further discontent and potentially losing access to those services. *Ibid.*

⁷¹ Following the unilateral decision to compromise with the French merchants, Ríu was later able to explain the situation to Ulloa and gain formal acceptance.

⁷² Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 99; Foley, *Genesis of Missouri*, 33; Fausz, *Founding St. Louis: First City of the New West*, 67.

⁷³ Most of the signees were illiterate and did not actually sign their names. Most made their mark (X) after having had the document read aloud to them.

as opposed to using violence or not engaging with the Spanish system of governance. This was not a struggle for empire or enlightenment ideals, but rather a means of allowing their tight-knit French community to prosper in the face of a changing imperial landscape.⁷⁴

The North American French colonies had relied on relationships with Indigenous peoples for economic prosperity and military protection. The practice was rooted in the traditional system of French/Native relations developed in Canada. This system was developed as a joint creation of French officials and traders and Indigenous peoples of the Great Lakes region, in what Richard White termed the “Middle Ground.” The middle ground depended on the inability of both sides to gain their ends through force, and therefore “involved a process of mutual invention.”⁷⁵ This process enabled both parties to abide, prosper, and attempt to understand each other following Iroquois Wars of the seventeenth century. The French representative of the monarchy in North America assumed the role and title of father, while Indigenous groups assumed the role of children. The titular roles assumed by both sides encompassed the very notion of the middle ground, in that the French saw the father role as being patriarchal and authoritative, while the Indigenous groups saw the father as a benevolent provider who acted as a mediator between his children. As a member of the family, French had obligations to his children. A father could not do simply as he pleased, nor did he rule over the rest of his family. He had to provide for the family and convince them through discussion at council.⁷⁶

⁷⁴ Cooper, *Colonialism in Question: Theory, Knowledge, History*, 4.

⁷⁵ Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*, (New York: Cambridge University Press, 1991), 50.

⁷⁶ White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*, 52; W.J. Eccles, *The French in North America, 1500-1783*, (Markham: Fitzhenry & Whiteside, 1998), 40; Michael Witgen

The traditional father-child model of the relationship between the French colonists and Indigenous groups in Canada was extended to the development of the colony of Louisiana. However, in contrast to the Canadian experience, the French inhabitants of Upper Louisiana were even more dependent on local Indigenous groups, as they relied on the Indigenous groups for economic and physical security. DuVal terms this imbalanced power dynamic in favour of the Indigenous groups as the "Native Ground."⁷⁷ Notions of French-Indigenous alliance building travelled through the interior because of the flow of French inhabitants, merchants and goods between Louisiana, the Illinois Country and Canada, through a French river world.⁷⁸ In 1766, after Louis Groston de Saint-Ange de Bellerive, the former French Commandant of the Illinois Country and Upper Louisiana, had been informed of the Spanish takeover of Louisiana, he documented the initial reaction of the local Indigenous trading partners to the news of the transition to the Spanish. In his first correspondence to the Spanish Governor Ulloa in New Orleans, St. Ange explained that he had presented the news of the change, and that Indigenous peoples, while having already been subject to British attempts to engage them, remained inclined towards the Spanish. St. Ange explained that he had persuaded Indigenous groups to see the Spanish as successors to the French, and that the King of Spain would simply supplant the King of France as their benevolent father.⁷⁹

"The Rituals of Possession: Native Identity and the Invention of empire in Seventeenth-Century Western North America." *Ethnohistory* 54, no.4 (2007): 641.

⁷⁷ Duval, *The Native Ground: Indians and Colonists in the Heart of the Continent*. 32.

⁷⁸ Robert Englebert, "Merchant Representatives and the French River World, 1763-1803." 63-82; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*. 56; Gitlin, *The Bourgeois Frontier*. 17.

⁷⁹ *Letter written by St. Ange to Ulloa and Aubry, June 16th, 1766*, AGI-PC, 2357-14, Missouri History Museum Library and Research Centre microfilm.

St. Ange's speedy acknowledgement of the Spanish take-over of Upper Louisiana probably demonstrates that he was willing to work with the Spanish, while at the same time demonstrating his importance in dealing with the Indigenous peoples such as the Osages, Kanza, and Pawnee. It could also have been St. Ange's attempt to show the Spanish that the region was worth investing in and protecting, as the Indigenous peoples were already willing trade partners, and had not been swayed by English advances. His letter also highlights that the Spanish had little prior knowledge of French-Indigenous relations or British influence in the region. The Spanish would have had little understanding of how the symbolic kinship relationship between Indigenous peoples and the French had functioned, and had a very different historical relationship with Indigenous peoples in New Spain.⁸⁰ Thus, the Spanish did not immediately see the need to seek out a middle ground, let alone understand that the French settlements in Upper Louisiana were in fact highly dependent on trade with Indigenous peoples. In many of Spain's other colonies, they had relied on coercion as the main tool for social control. As Louisiana was a mature colony with "a unique mix of non-Hispanic Euromericans, Indians, and people of African descent, the Spanish had to be flexible and conciliatory in adapting traditional Spanish institutions."⁸¹

In St. Louis in particular, the French inhabitants relied on the local Indigenous groups such as the Osage for trade, but also as a means of security in the face of the

⁸⁰ Jesus F de la Teja and Ross Frank. *Choice, Persuasion, and Coercion: Social Control on Spain's North American Frontiers*. (Albuquerque: University of New Mexico Press, 2005), xii; Ward Stavig, "Ambiguous Visions: Nature, Law, and Culture in Indigenous-Spanish Relations in Colonial Peru." *Hispanic American Historical Review* 80, no. 1 (2000): 77; Yanna Yannakis. *The Art of Being In-Between: Native Intermediaries, Indian Identity, and Local Rule in Colonial Oaxaca*. (Durham: Duke University Press Books, 2008), 19.

⁸¹ De la Teja and Frank. *Choice, Persuasion, and Coercion: Social Control on Spain's North American Frontiers*, xii.

encroaching British and other less friendly Indigenous groups.⁸² The French, and later the Spanish, were forced to bend to many of the demands of the local Indigenous groups, as the threat of them simply shifting their trading habits to the British would be enough to severely limit the physical and economic growth of the settlement and region. Prior to the arrival of the Spanish in Upper Louisiana, the French inhabitants were required to provide gifts to their Indigenous trading partners to show the importance of the relationship. French traders would travel between the various groups acquiring and trading goods, and then periodically throughout the year, each of the different groups expected to meet the local Governor or Commandant to receive gifts.⁸³

The Spanish brought stricter trade policies and did not understand the traditional system of trade and alliance that the French had developed with Indigenous groups. This was especially true of trade intricacies, which developed over generations. While Ulloa gave instructions to the first Spanish contingent to reach Upper Louisiana on how they were supposed to deal with their new Indigenous partners, they were not told how to deal with complex issues of Native-Newcomer relations other than to follow the successful procedures that the French had established. Under the French, the Indigenous groups were received in council at a pre-arranged time, at which point they would receive gifts. While waiting, some of the Indigenous groups were permitted to trade furs with the local traders. Sometimes Indigenous groups presented scalps as gifts to the council, but the Commandant

⁸² Din and Nasatir note various reasons that the Spanish Indigenous policy in Upper Louisiana failed: Insufficient manpower, shortage of supplies, poor coordination and communication between Spanish posts, and fear of alienating the Osages. Din and Nasatir, *The imperial Osages: Spanish-Indian diplomacy in the Mississippi Valley*, 362.

⁸³ Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 99; Fred Fausz, *Founding St. Louis: First City of the New West*, 112; Foley, *Genesis of Missouri*, 34.

would only accept scalps of warriors whose nations were at war with the French. The Commandant had to do his utmost to try to establish peace among the warring Indigenous groups allied with the French.⁸⁴ While the Spanish newcomers were not familiar with these protocols, imperial instructions were very clear that Spanish officials and soldiers were not to berate or anger visiting Indigenous groups.⁸⁵ This approach called for greater cooperation between the French inhabitants and the new Spanish Commandant. However, there remained a lot of ambiguity as to how the Spanish Commandant Ríu was to deal with the challenges of Native-Newcomer encounters. Governor Ulloa's letter lists only the hypothetical prospect of a chief against whom charges had been brought, not being allowed to trade in St. Louis or receive any further gifts.⁸⁶ Ríu was not a skilled leader and relied heavily on the help of the leading French inhabitants. In fact, he was so reliant on the French that one could argue that Commandant held only nominal power, and simply acted as the mouthpiece for Governor Ulloa.

The Spanish wished to continue the traditional trading practices established by the French, however, they had trouble understanding the more nuanced details and specificity of the trade. Ríu noted in a letter to Governor Ulloa, that French merchants had informed him that Indigenous groups were used to getting their rum in smaller sized barrels, like those the French made, rather than the larger ones, which the Spanish provided. Ríu requested that a cooper trained in the French style of barrel making be sent to St. Louis. The closest cooper who could make the French sized barrels lived on the east side of the

⁸⁴ Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 99.

⁸⁵ *Ulloa to Ríu, Instructions for talking to the Indians and how Indians are to receive gifts at the post*. March 9th, 1768, AGI-PC, 2357-196, Missouri History Museum Library and Research Centre microfilm.

⁸⁶ *Ibid.*

Mississippi, and to have him make them was too costly. The smallest barrels at four and a half *pots* costs six French *livres*, which he stated amounted to robbery.⁸⁷ Ríu also asked that they be sent more rum and trade goods to use as gifts for Indigenous groups who would begin to converge on St. Louis in early March 1768. Ríu had no rum left in the storehouse, and he noted that shipping the rum north from New Orleans would be much cheaper than acquiring it locally in Upper Louisiana for 100 pesos per barrel.

Ríu catered to the demands of the French merchants, who in turn catered to the Indigenous groups who travelled to St. Louis for gifts. Ríu was adamant that he was trying to reduce the costs of the gift giving process, as per Ulloa's initial instructions. Ríu's efforts to streamline the efficiency of the gift giving process showed the pressure he was under to meet the Spanish colonial goal of reducing the costs of maintaining good relations with Indigenous groups and the French inhabitants of Upper Louisiana. While Ríu asked Governor Ulloa for more rum and goods may have demonstrated the logistical trials of communicating and sending trade goods along the Mississippi for the Spanish, it also showed Ríu's incompetence as a leader. It also points to Ulloa's lack of foresight involved in initially choosing him to command in St. Louis. It is interesting to note that Ríu asked a cooper to be sent to St. Louis to make the local barrel sizes, and as well that buying local rum was not an option. While it is possible that this could have simply been the local market price, the price could also have reflected French merchants trying to exploit the unorganized Spanish newcomers. Locals may have been demanding exaggerated prices

⁸⁷ *Letter from Ríu to Ulloa*. November 11th, 1767, AGI-PC, 109-1041, Missouri History Museum Library and Research Centre microfilm

because they knew the Spanish did not have the means to locally acquire them on their own without factoring in the costs and efforts of shipping from the south.

The French inhabitants were unhappy with the lack of imperial support St. Louis was receiving from the Spanish, especially the regular shortfall of supplies and gifts for maintaining good relations with Indigenous peoples. While French inhabitants in Upper Louisiana had been generally left to their own devices under the French regime, they had enjoyed material support regarding gifts for visiting Indigenous groups. They wished for this practice to continue under the Spanish, but they still wanted to be left on their own politically. The French inhabitants also believed that the Spanish were not helping enough with protecting their trade interests from encroaching British traders. Prior to the end of the Seven Years' War, the east side of the Mississippi had also belonged to the French. The arrival of ethnically French traders from the new British Illinois Country was a new development.⁸⁸ The Spanish had to deal with this new phenomenon. Ríu recounted to Ulloa how French merchants had told him that a Peoria chief was unhappy with the gifts the Spanish provided, and that they were inferior to those of the British.⁸⁹ While French merchants may have exaggerated the claims of the Peoria, the weight of the message clearly resonated with Ríu. It is possible that the chief could have been looking to play imperial rivals against each other for his people's own benefit. Regardless, Ríu's reported the concerns to Ulloa. These concerns illustrated the fears of the French merchants that the Spanish would not adhere to the usual standard of gifts. There was a legitimate fear that

⁸⁸ Robert Englebert, 2010. *Beyond Borders: Mental Mapping and the French River World in North America, 1763-1805*. PhD dissertation, (Ottawa: University of Ottawa, 2010), 155; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*, 56.

⁸⁹ *Letter from Ríu to Ulloa*. November 12, 1767, AGI-PC, 109-989, Missouri History Museum Library and Research Centre microfilm.

British trade would erode not only the economic relationship that was the life blood of the settlement, but could also compromise its security, due to their reliance on trade to keep their Indigenous allies satisfied. French merchants feared increased English influence west of the Mississippi, and Ríu and Ulloa shared those concerns.

Just as fear of British encroachment on trade played into the perceptions of how the French inhabitants of St. Louis viewed the new policies of the incoming Spanish, so too did instances in which the physical security of individuals and the settlement were threatened. The French reacted especially strong to the events of July 2nd, 1767, when a British officer named Ancrevum journeyed across the river with a contingent of soldiers to steal black slaves. In the middle of the heist, the British soldiers fired upon local French residents. Ancrevum was the English commanding officer at Kaskaskia, a settlement on the east side of the Mississippi, and therefore would have been somewhat aware of the delicate nature of border politics.⁹⁰ Ancrevum's detachment of troops hid while he called to Sieur Thelier, a French merchant with whom he had arranged a meeting. Thelier thought he had come to purchase salt, and sent 3 other men to conduct business: 2 black slaves, and an English *volontaire* who was an employee. Upon Ancrevum's arrival at the spot where the French inhabitants and the slaves were situated, the 2 slaves and the English worker were arrested, to be taken under escort to Kaskaskia. Ancrevum was not finished, however, and called again to Thelier. Thelier worried that something had happened to the first group of men, so he sent one of his relatives, Mr. Pages, and a black slave belonging to Mr. Datcherut. The two men were also arrested, although Pages managed to free himself and fled.

⁹⁰ *Letter from St. Ange to Ulloa, July 2nd, 1767, AGI-PC, 109-989, Missouri History Museum Library and Research Centre microfilm.*

Ancrevum's group of British soldiers fired upon him as he ran, but Pages survived the encounter.

The entire incident had a profound impact. French merchants' faith in the security of the region was shaken, as Ancrevum had come across the Mississippi under the pretence of looking for 'English deserters.' St. Ange took the issue up and sent Picote de Belestre to ask for justice from the British commander at Fort Chartres, Lieutenant-Colonel John Reed. St. Ange received little response beyond being told that Ancrevum had followed Reed's orders, and the British would continue to use all strategies available to them to capture deserters in Spanish territory.⁹¹ St. Ange commented in his correspondence with Governor Ulloa that it was not the French or Spanish who were the cause of the desertions, and that fault lay with the British and the widespread mistreatment of their own troops. St. Ange stated that more soldiers were needed to act as a deterrent to future English incursions.⁹² The letter illustrates that the English were not afraid of crossing the Mississippi into Spanish territory. St. Ange was clearly worried about this development and saw the need for the arrival of more men to help protect the border. As the Spanish had not yet sent more soldiers, their priorities did not lie with preventing British incursions before they had begun. The local inhabitants viewed this as the Spanish shirking their responsibilities to protect the well-being of the locals and prevent British aggression. While the Spanish were more concerned about the economic challenges of the new territory, the dissent with which the French inhabitants responded to the outside threats of British incursions and discontented Indigenous allies also caused to the Spanish to begin to see the potential for

⁹¹ Ibid.

⁹² Ibid.

internal threats within the St. Louis settlement.⁹³ Fauz has argued that a harmonious three-way relationship was maintained between the French inhabitants, the Spanish, and the local Indigenous groups in early St. Louis.⁹⁴ While the Spanish had so far been able to maintain a general peace amongst the various groups who lived and frequented St. Louis, it was not so much a result of their own efforts, but rather due to the interventions of the local French inhabitants. The lack of local knowledge demonstrated by the Spanish created tensions with local French Inhabitants. Incursions by marauding British troops and merchants to the west side of the Mississippi undermined the idea that the three-way relationship always remained solid and stable.

The French inhabitants of St. Louis and Upper Louisiana were not used to the hands-on approach that the Spanish authorities took to colonial governance. Spanish imperial authorities were not prepared for unique local situation that they encountered in Louisiana. The French inhabitants were used to a system of self-governance, overseen by local trusted elders and statesmen, and so peacefully resisted the changes which the Spanish tried to impose on them, using petitions. The petitions allowed locals to voice their concerns without resorting to open rebellion in the face of changes that they did not agree with. The French inhabitants were also concerned with the lack of knowledge the Spanish leaders possessed and practiced when it came to deal with the Indigenous groups with whom the locals traded, and as well with the encroachment of British traders from the east. The Spanish seemed oblivious to traditional ways of trading that the French had developed over generations. The French inhabitants worried these lapses in security would lead to

⁹³ Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 31.

⁹⁴ Fauz, *Founding St. Louis: First City of the New West*, 68.

outright violence or defections from the Indigenous groups. The French inhabitants believed that if the Spanish were going to govern the region properly, then they needed to provide more protection and assurances regarding the advancing British. While the French did not agree with the Spanish, they used knowledge, and the power of a united community to help change the direction of Spanish imperial policy in the region.

Chapter 2: Infiltration: Reaction to the Louisiana Rebellion of 1768

The French inhabitants of Upper Louisiana did not have the same level of resentment towards Spanish rule as the people of Lower Louisiana. There was no northern equivalent to the New Orleans Rebellion of 1768. The inhabitants of Upper Louisiana maintained a certain respect for the rule of Spanish law, but they did not see the early Spanish commanders of the region to be legitimate local leaders. Instead, they looked to former French colonial officials and local leaders for direction.

While the Spanish Empire took control of Upper Louisiana in 1766, the nature of its location on the North American imperial frontier made it difficult for the Spanish to exert any meaningful cultural or political influence over the French inhabitants who lived there. Under the French regime, traders and bureaucrats had established distinctly French institutions and culture, which remained relatively intact through the early introduction of Spanish rule.⁹⁵ The best example of this lack of transformation was the role of former French Commandant of the Illinois Country, Louis Groston de Saint-Ange de Bellerive. The French inhabitants continued to bring their grievances to St. Ange, rather than the new Spanish leaders.⁹⁶ With St. Ange acting as arbiter for local French grievances and disputes, the French assert their interest and maintain some of the traditional customs of governance that had existed in French Illinois for decades. Eventually the Spanish colonial officials realized the importance of local leaders and agreed to integrate them into the new

⁹⁵ Robert Englebert, "Beyond Borders: Mental Mapping and the French River World in North America, 1763-1805," 156; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*. 56.

⁹⁶ Fausz, *Founding St. Louis: First City of the New West*, 68; Cleary. *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 32; Foley. *A History of Missouri, 1763 to 1820 Vol 1*. 30; Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 73.

regime. The trust and respect between the French people and St. Ange enabled a more stable transition of imperial power. By St. Ange's death in 1774, local French leaders had helped the Spanish to establish a functional and respected government and garrison in Upper Louisiana.⁹⁷

Born in Canada in 1700 to a French officer and his wife, St. Ange continued in the family tradition of serving in the imperial French military.⁹⁸ He worked his way through the ranks of the military, having spent time on trade and diplomatic expeditions up the Missouri and into the trans-Mississippi West. St. Ange was eventually promoted to Lieutenant and given command of the trading post at Vincennes. Having proved adept at managing relations between Indigenous groups while on expeditions and as commander at Vincennes, he was promoted to what would become the last French Commandant of the French Illinois Country at Fort de Chartres.⁹⁹ With the transfer of French lands east of the Mississippi to the British in 1763, St. Ange was ordered to relocate his garrison and any willing French inhabitants to the newly founded settlement of St. Louis on the west side of the River. St. Ange was to remain in his post as Commandant until the Spanish came to take possession of the region and relieve him of duty.¹⁰⁰

Throughout this early period of Spanish rule, St. Ange remained the political leader of the French inhabitants at St. Louis. The French inhabitants saw St. Ange as the

⁹⁷ Gitlin, *The Bourgeois Frontier*, 17; Fausz, *Founding St. Louis: First City of the New West*, 69; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 31; Foley, *A History of Missouri, 1763 to 1820 Vol 1*, 29.

⁹⁸ Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 2015, 73.

⁹⁹ St. Ange served as commander of Fort d'Orleans on the Missouri from 1727 to 1736. He served there during the Fox war, when the Foxes, an Indigenous group opposed to French expansion, conflicted with some of France's Indigenous allies. Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 2015, 25, 26.

¹⁰⁰ Fausz, *Founding St. Louis: First City of the New West*, 70; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 30; Foley, *A History of Missouri, 1763 to 1820 Vol 1*, 30.

embodiment of imperial authority in the region, even after the official Spanish takeover of the region. This was especially evident with the arrival of Spanish commander, Francisco Ríu in 1766, who tried to impose trade limits and failed to grasp the intricacies of managing relations with local Indigenous groups. Early in Captain Ríu's tenure in St. Louis, the French inhabitants brought forth the petitions mentioned in the previous chapter. These petitions highlighted the leadership role St. Ange maintained, as the petitions were addressed to St. Ange, who then brought up the issues and conflicts with Ríu and Governor Ulloa.¹⁰¹ The French inhabitants' reluctance to acknowledge the leadership of Ríu may not have been altogether due to his role as a Spanish official, but also because of his lack of leadership skills. Prior to his arrival in St. Louis, Ríu had lost the respect of his own men, who mostly ignored Ríu and answered instead to the company sergeant.¹⁰² The Spanish soldiers left Ríu in St. Louis with St. Ange, and did not allow him to accompany them to build the fort on the mouth of the Missouri.¹⁰³ Ríu's incompetence left a power vacuum for local imperial leadership, a role which St. Ange had trained for his whole life and had previously filled under the French regime.

Not only did St. Ange act as the leader of the French inhabitants, but he also tried to help counsel Ríu, Ulloa, and later Lieutenant Governor Pedro Piernas on the local intricacies to which they were not accustomed. He explained the necessity of gift giving to

¹⁰¹ "Transcript of a 1768 petition to prohibit sale of alcohol to Indians in Illinois country," *American Indian Histories and Cultures*. Vault Box Ayer MS 714, Newberry Library. Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 30; Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 2015, 73.

¹⁰² The presence of French inhabitants from New Orleans in the company provides an interesting look into the already changing dynamics of the Spanish and their reliance on the French, but then also shows one of the earliest forms of defiance through them joining the mutiny against Ríu.

¹⁰³ Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 73; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 80.

Captain Ríu to maintain relations with the Indigenous groups people who visited St. Louis. Once per year, various Indigenous peoples would descend upon St. Louis to receive gifts from imperial officials. The local officials were acting as the intermediary for the ruling monarch, whom the Indigenous groups saw as their father, a fictive kin relationship with mutual responsibilities.¹⁰⁴ This was a vital practice to maintaining good relations with the local Indigenous groups upon who St. Louis relied on for economic and military support. St. Ange's helped to temper Captain Ríu's administrative incompetence. It was left to St. Ange to maintain good relations with the local Indigenous groups as Ríu had a hard time managing the gift giving process. He lacked the necessary goods for gifts, resorting to providing only bread and corn, and was annoyed that "there can be no fixed rule in the method of making presents to them, as they are given according to circumstances, which mediate among them."¹⁰⁵ St. Ange's value was seen not only by the local French inhabitants as their way to voice their needs to the Spanish, but also by the Spanish as they began to understand the local customs of the region.

St. Ange's role as an intermediary between the French inhabitants of St. Louis and the Spanish administrators of the region began almost immediately upon the arrival of Ríu in Upper Louisiana. Ríu and his contingent of Spanish soldiers arrived in Ste. Genevieve first before making their way further north to St. Louis. François Vallé, the Captain of the militia and judge, and Phillipe-Rastel de Rochblave, the Commandant of Ste. Genevieve,

¹⁰⁴ *St. Ange to Ríu*, June 27, 1767, AGI-PC 187A-391, Missouri History Museum Library and Research Centre microfilm.

¹⁰⁵ Ríu later reports to the Spanish Governor of Louisiana about how helpful St. Ange was in securing the region. Houck, "Report of Captain Ríu to his Excellency Conde De O'Reilly, Concerning the Settlements of Illinois, and the Manner and Custom of Giving Presents to and Receiving the Indians," 62.

immediately recognized the discord that existed between Ríu and his men.¹⁰⁶ Vallé sent word to St. Ange in St. Louis and warned him of the conflict and near mutiny that had occurred. St. Ange was thus able to prepare for Ríu's arrival in St. Louis. Vallé's warning to St. Ange enabled him to receive Ríu with a degree of dignity by welcoming him properly as a Spanish official. St. Ange understood the need to let Ríu remain in St. Louis, arranging for him to stay at Pierre Laclède's house.¹⁰⁷

St. Ange also had an important role in diffusing tensions brought about by the day-to-day activities of the local inhabitants and the Spanish soldiers. One such incident occurred on March 1, 1768, when St. Ange petitioned Captain Ríu on behalf of a French farmer whose cattle had been taken by a group of unruly Spanish soldiers. The soldiers were using the cattle for races and games and had threatened the farmer with violence.¹⁰⁸ St. Ange's efforts, along with what little authority Ríu still held in the eyes of his men, proved enough to resolve the conflict. The cattle were returned to the French owner and the soldiers were sent back to their posting at the fort on the Missouri.¹⁰⁹ This incident helped to confirm the local French inhabitants' decision to trust St. Ange to advocate on their behalf for the betterment of the settlement.

Another pragmatic local French leader in the region was François Vallé, the Captain of the militia at Ste. Genevieve. French colonists from Canada and the Illinois Country founded Ste. Genevieve in 1735; it was one of the first organized European settlements

¹⁰⁶ Ekberg, *François Vallé and his world: Upper Louisiana before Lewis and Clark*. Columbia, (Missouri: University of Missouri Press, 2002), 100; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*. 54.

¹⁰⁷ Ibid.

¹⁰⁸ *St. Ange to Ríu*, March 1, 1768, AGI-PC 109-1104, Missouri History Museum Library and Research Centre microfilm.

¹⁰⁹ Ibid.

west of the Mississippi River in North America. The Spanish decided to make St. Louis the capital of Upper Louisiana, because proximity to the mouth of the Missouri River. Ste. Genevieve, however, had a much larger population during the first few years of Spanish rule. Ste. Genevieve also had a prosperous agricultural industry, something which St. Louis lacked during its early years.¹¹⁰ While St. Louis would eventually grow to eclipse its neighbouring town to the south, St. Genevieve's early growth and prosperity meant that it maintained a position of great importance in the management of the region. Vallé, as Captain of the militia and a respected local leader, therefore maintained great influence and favour with the Spanish Governors.¹¹¹

François Vallé, a Canadian by birth, moved to the Illinois country in the early 1740s. Having started out as a simple labourer, he expanded his activities into agriculture, mining, and trade with Indigenous groups. By the mid-1760s he had become the wealthiest person in Upper Louisiana. Because of his respected position in Ste. Genevieve, as well as his wealth, he was able to influence the incoming Spanish administration. The nature of the frontier meant that the Spanish troops in the region frequently lacked the necessary goods and money to enforce their will, and so the local Spanish officials regularly required loans and

¹¹⁰ St. Louis gained the nickname of *Paincourt*, meaning short on bread in French, as the majority residents of early St. Louis were more interested in trading than farming, and constantly required to import flour from Ste. Genevieve, New Orleans, and the east side of the Mississippi. Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 31; Fausz, *Founding St. Louis: First City of the New West*, 69; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*. 54.

¹¹¹ Houck, "First Spanish Detailed Statistical Report of Ste. Genevieve and St. Louis, 1772," 53; Houck, "Census of Piernas for 1773," 61; Houck, "Second Spanish Detailed Statistical Report of Products of Ste. Genevieve and St. Louis for 1773," January 1, 1774, 86; Houck, "Third Spanish Detailed Statistical Report of the Products of Ste. Genevieve and St. Louis for 1774," 92; Houck, "Fourth Spanish Detailed Statistical Report of the Products of Ste. Genevieve and St. Louis for 1775," 100; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*. 52; Ekberg, *François Vallé and his world: Upper Louisiana before Lewis and Clark*, 101.

goods from Vallé.¹¹² Vallé managed to convince local French inhabitants to provide a hospitable welcome for arriving Spanish troops, and even arranged for Ríu to stay in his own house, before the Spaniard moved on to St. Louis.¹¹³ In a letter to Ulloa in 1767, Ríu commented on the welcome reception he had received in St. Genevieve from the whole town, and singled out Vallé as a being an upstanding host.¹¹⁴ The gesture and efforts shown by Vallé ingratiated the militia Captain to Ulloa and helped secure future official roles in the new administration.

In the months leading up to the rebellion in New Orleans in 1768, Governor Ulloa recognized the growing tensions between Ríu and French inhabitants throughout Upper Louisiana. Such tensions, combined with Ríu's own requests to be relieved, convinced Ulloa of the need for a more astute administrator, and the Governor decided to appoint Don Pedro Piernas to replace Ríu as Commandant at St. Louis.¹¹⁵ Piernas made the journey from New Orleans to Upper Louisiana, stopping in Ste. Genevieve, where he received much the same warm welcome from Vallé as accorded Ríu three years earlier. Upon his arrival in St. Louis, Piernas set about taking command from Ríu. His initial report to Ulloa confirmed Ríu's incompetence. He found the council of the settlement wishing "to lay an embargo on the effects of the king" on behalf of four private traders.¹¹⁶ These traders were owed debts incurred by the former Spanish storekeeper to furnish and sustain the fort. The

¹¹² Ekberg, *François Vallé and his world: Upper Louisiana before Lewis and Clark*, 20.

¹¹³ *Ibid*, 98.

¹¹⁴ *Ríu to Ulloa*, Nov. 12, 1767, AGI. PC 109. Missouri History Museum Library and Research Centre microfilm; *Ríu to Vallé*, December 1767, AGI. PC 110. Missouri History Museum Library and Research Centre microfilm.

¹¹⁵ Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 73; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 80.

¹¹⁶ Houck, "Report of Don Pedro Piernas to Gov. O'Reilly Describing the Spanish Illinois Country, October 31, 1769," 66.

storekeeper had fled before repaying them. The traders therefore wished for their payments to be seized from the royal stores without official permission. Piernas found the situation to be a “novelty”, as the debt had occurred under Ríu’s command, but Ríu claimed to have no knowledge of the situation. Piernas was amazed by Ríu’s incompetence, and the boldness of the French council.¹¹⁷ The council was ready to penalize Ríu personally and sell goods belonging to the Spanish crown to pay the debts, and Ríu was ready to accept this. Piernas refused to allow Ríu to accept the punishment and asked St. Ange “as first judge of the council and military superior to protect our right, sustain the right of the Spanish nation, and have the respect due the interests of the monarch guarded, of which I made him responsible.”¹¹⁸ St. Ange agreed to suspend the recommendation and end the embargo, in exchange for a guarantee that the debts would be paid in the future.

Piernas’ first actions in St. Louis proved him to be a better colonial official than Ríu had been over the previous two years. Piernas must have recognized that St. Ange remained the local authority and had the acumen to appeal to him directly as a loyal imperial servant. St. Ange’s decision to end the embargo may not have been in the immediate interest of the French merchants, but he probably realized that Piernas was a more experienced official, and that this was not an issue worth provoking the Spanish over. St. Ange’s decision to appease Piernas would prove to be a shrewd maneuver, as events would conspire to force Piernas and St. Ange to work together again in the future.

Piernas had barely settled in St. Louis when orders arrived from the south for him to hand control of the region back to St. Ange, and for him and his fellow Spaniards to return

¹¹⁷ *Ibid*, 68.

¹¹⁸ *Ibid*.

to New Orleans. The French inhabitants of New Orleans had rebelled against the Spanish and forced Governor Ulloa to flee to Cuba.¹¹⁹ While Piernas' arrival in St. Louis was overshadowed by the uprising in New Orleans, his appointment as Lieutenant-Governor and return to St. Louis following the reestablishment Spanish rule in Louisiana marked a turning point in the relations between Imperial Spain and local French inhabitants of Upper Louisiana. Armed with a new strategy to work with the French inhabitants, Piernas replaced Ríu's incompetence with more judicious authority.

Following the rebellion, Alejandro O'Reilly was briefly appointed as Governor of Louisiana. His appointment began a process of working with and officially incorporating local French inhabitants into the administrative structure of the colony. Through the more effective leadership of O'Reilly, Piernas, and later Governor Luis Unzaga, the Spanish changed how they addressed the local population in Louisiana. They spent considerable time and resources to reassure the French inhabitants of their commitment to govern differently. To preserve the peace that had followed the abrupt end of the rebellion, and to account for increased tensions in the future, the Spanish began to take into consideration local customs. Compromise and education became the key themes of how the Spanish administrators were to proceed.

By royal decree, O'Reilly created the office of Lieutenant-Governor of Upper Louisiana and appointed Pedro Piernas to the position, effectively and officially ending St. Ange's role as Commandant. This sent a strong message about Spanish intentions in Upper

¹¹⁹ Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 73; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 80.

Louisiana.¹²⁰ However, in the spirit of compromise, recognition of his experience and the stabilizing role he fulfilled, O'Reilly also created the post of special advisor for St. Ange. The new position allowed St. Ange to remain officially involved in the workings of the regional government. O'Reilly made a point of including this as an item in the general list of instructions he decreed for St. Louis and St. Genevieve following the rebellion:

The Lieutenant-Governor shall preserve the best of relations with Monsieur de Santo Ange, whose practical knowledge of the Indians will be very useful to him. He shall do whatever he can to gain his friendship and confidence, shall listen to his opinion attentively on all matters, and shall condescend to him so far as possible without prejudice to the service.¹²¹

O'Reilly wrote to thank St. Ange for his service, and to inform him that he was to receive extra recompense for his efforts.¹²² In a separate letter to Piernas, O'Reilly ordered Piernas to work with St. Ange. After their first meeting Piernas was not impressed with St. Ange and the attempt of the council to secure the debts from Ríu. Piernas saw St. Ange as having tried to take advantage of an incompetent and weak Ríu, as the expense of the crown. Consequently, O'Reilly ordered Piernas to respect St. Ange's knowledge and advice in dealing with the local French populations and Indigenous groups.¹²³ St. Ange's acceptance of his post as special advisor marked the end of an era. Here was a former French Commandant accepting a role within the government of a foreign empire. The St. Ange family had served the French crown for generations and Louis St. Ange had himself

¹²⁰ Houck, "Office of Lieutenant-Governor for Ste. Genevieve, St. Louis, the District of Missouri and Illinois, established by O'Reilly in 1770 and His Order Approved by Royal Cedula in 1772," 108.

¹²¹ Houck, "General Instructions of O'Reilly to the Lieutenant-Governor of the Villages of Ste. Genevieve, St. Louis St. Louis, etc., February 17, 1770," 83.

¹²² *Letter from O'Reilly to St. Ange*, February 18th, 1770, AGI-PC 134a-1055.

¹²³ Houck, "Appointment of Piernas Confirmed to Salary of Lieutenant-Governor Fixed and his Jurisdiction Defined, August 1772," 110.

spent most of his life in service to that crown. He now shifted allegiance and adapted to the changes in imperial geo-politics.

One of O'Reilly's first actions after re-appointing Piernas was to issue a thirty-point code of general instructions by which colonial officials at St. Louis and Ste. Genevieve were to abide.¹²⁴ The first point of the code showed the dramatic shift in Spanish priorities in Upper Louisiana following the unrest in New Orleans. The code stated the primary objectives were for "the dominion and government of His Majesty be loved and respected; justice be administered promptly, impartially, and according to the laws; and that commerce be protected and increased as much as possible."¹²⁵ The first point's focus, that "the King greatly desires the happiness of his vassals" shows the importance O'Reilly placed on keeping the peace with the local inhabitants, and that their tolerance for the new regime needed to be addressed.¹²⁶ The inclusion of commerce is also telling, as not only did the Spanish wish Louisiana to be profitable, but they now also recognized the importance of French merchants in securing the stability of the region.

The code was also a directive by which the traders of Upper Louisiana had to abide. For example, the instructions included placing an embargo on, and prosecuting any trader who ventured to the east side of the Mississippi to trade. No trader shall be permitted to enter the villages of Indians who inhabit His Majesty's territory, "unless the commandant has good reports concerning his conduct; but the Commandant shall not refuse his license

¹²⁴ Houck, "General Instructions of O'Reilly to the Lieutenant-Governor of the Villages of Ste. Genevieve, St. Louis, 1770," 76.

¹²⁵ *Instructions issued to Piernas for the Illinois*, February 23rd, 1770, AGI-PC 134a-105. Missouri History Museum Library and Research Centre microfilm.

¹²⁶ Houck, "General Instructions of O'Reilly to the Lieutenant-Governor of the Villages of Ste. Genevieve, St. Louis, 1770," 76.

to anyone who shall be recognized as an honest man.”¹²⁷ This code was a means by which French traders and the Imperial Governors could understand each other’s needs and positions. The instructions provided a clear list of Spanish regulations, but more than before, it accounted for and respected the local trade customs. The list also outlined the processes and mechanisms which would be followed should any issues arise with the regulations. The result was that French merchants could be assured that they would have a means by which to raise grievances and appeal rulings, and that the rulings would be fair and consistent.

O’Reilly’s tenure as Governor also acknowledged preserving other local customs in Upper Louisiana. There was a compromise on the issue of religion. Originally, Ulloa’s vision for Louisiana was a very strict interpretation of Louisiana as a Catholic colony and regulations to enforce religious adherence. This included limiting alcohol consumption, emphasizing the importance of the church, and regular attendance of local inhabitants at mass.¹²⁸ O’Reilly recognized the status quo that had existed under the French regime, whereby:

The King of France, left the province in complete and absolute liberty, subject to nothing but the laws, manifesting its allegiance in no other way than by accepting the king's appointment of the judges, and controlled by no other customs than those of Paris. So long as a settler was, diligent, and laborious, he was inconvenienced by no exactions. Religious opinions were tolerated in order that disputes on such topics might not embarrass the development and progress of the settlement of the country.¹²⁹

¹²⁷ Ibid.

¹²⁸ Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 73; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 80.

¹²⁹ The French Crown and colonial officials were less strict about enforcing Catholicism at the edge of empire, perhaps recognizing the challenges of doing so. Houck, “Religious Condition of Louisiana, 1772,” 114.

O'Reilly decided to allow the less strict Catholic practices of the colony to continue, although he still upheld an early Spanish order to expel Jews and Protestants from the colony.¹³⁰ As the Spanish quickly discovered, strict adherence to Catholic dogma was not necessary for the prosperity and peace of the colony.

The resolve of O'Reilly's successor, Governor Luis de Unzaga Y Amezaga, to adjudicate religious issues was soon tested. The French inhabitants of Ste. Genevieve sent a petition to Piernas who then sought advice from Unzaga. The petitioners took issue with the actions of Father Hillaire, the local priest. The inhabitants were upset that Father Hillaire attempted to unilaterally increase tithes upon them. The petition argued that the increase was too large and would bankrupt some of the parishioners. Moreover, it stated that it was scandalous for a religious person who had only been in the village for a few years, and who had "given no instruction to the children or preached a sermon, or given an exhortation to his parishioners" would now be attempting to impose hardship upon them.¹³¹ Father Hillaire then testified that he needed the increased funds to maintain his ministry, and that he should also be given a slave to help with upkeep.¹³² Unzaga stood by O'Reilly's policy for religious tolerance and looked to local precedence in regards to tithes. The Lieutenant-Governor sided with the petitioners against the priest, forbidding Father Hillaire from increasing the tithes.¹³³

In the same spirit of cooperation and compromise, O'Reilly directly addressed merchant fears regarding the previously imposed restrictive trade policies in Upper

¹³⁰ Ibid.

¹³¹ Houck, "The Habitants of Ste. Genevieve Remonstrate against the Innovation of Tithes by Father Hillaire — His Complaints," 121.

¹³² Ibid.

¹³³ Ibid.

Louisiana. O'Reilly wrote a public letter to the merchants in which he reassured them that his duty was to increase economic activity, not to halt it. He stated that he had conferred the same orders to the commanders of the various posts, and that he would only send people of good conduct to administer the posts. He concluded the letter by wishing that good faith be established between both sides.¹³⁴ O'Reilly's overtures to the merchants recognized their importance to the prosperity of the region. O'Reilly confirmed his promise to appoint commanders of good conduct.¹³⁵ St. Ange was to remain in an advisory position in St. Louis. Jean François Allain II was appointed commander of Point Coupée.¹³⁶ A respected former French Colonel, he was awarded a sword of honour for bravery at the Battle of Fontenoy in 1745, during the War of Austrian Succession. Allain had finished his career as Commandant of the Attakapas Post and subsequently established himself as a planter in Pointe Coupée.¹³⁷ Former French Captain Francois Desmazellières was appointed commander of the Arkansas post.¹³⁸ As the post's Commandant under the French, he had had success in managing relations between the Quapaw and Osage in the region.¹³⁹ François Vallé was made special Lieutenant of Ste. Genevieve.¹⁴⁰ The three latter

¹³⁴ *Letter from O'Reilly to the Negociants and Commercants of Louisiana*, February 23rd, 1770, AGI-PC 134a-1055 Missouri History Museum Library and Research Centre microfilm.

¹³⁵ O'Reilly's promise to appoint commanders of good conduct must have been about the inexperienced Riu, and the tensions that he helped foster in Upper Louisiana.

¹³⁶ *Letter from O'Reilly to Allain*, February 18th, 1770, AGI-PC 134a-1055. Missouri History Museum Library and Research Centre microfilm.

¹³⁷ Stanley C Arthur and George C De Kernion, *Old Families of Louisiana*. (Clearfield Co, 2009), 35.

¹³⁸ *Letter from O'Reilly to Desmazellières*, February 23rd, 1770, AGI-PC 134a-1055. Missouri History Museum Library and Research Centre microfilm.

¹³⁹ DuVal, *The Native Ground: Indians and Colonists in the Heart of the Continent*, 87; Morris Arnold, "Barthélémy Dit Charlot, a Colonial Arkansas Métis and Voyageur." *Arkansas Historical Quarterly* 74 (Spring 2015): 15.

¹⁴⁰ Vallé had made special efforts to court Spanish favour ever since Riu's first arrival in Louisiana. His colleague and former Commandant of St. Genevieve had not, and eventually took up a post in Kaskaskia under the British in 1772. *Letter from O'Reilly to Vallé*, February 18th, 1770, AGI-PC 134a-1055 Missouri History Museum Library and Research Centre microfilm; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*, 54; *Letter from O'Reilly to Allain*, February 18th, 1770, AGI-PC 134a-1055 Missouri History Museum Library and Research Centre microfilm.

appointments were also given the authority to act as the word of justice in their jurisdiction. The appointment all four of these men of French ethnicity shows how O'Reilly was serious about appointing locally respected leaders. O'Reilly was willing to bring former French officers into the Spanish colonial government structure for the sake of peace and in recognition of their local expertise.

The appointment of French officials, the promotion of economic local activities, and less Spanish involvement in religious matters led the French inhabitants to see Spanish authority as more legitimate, and in line with their own sense of justice. Meanwhile, the French inhabitants began to share concerns over the security of the colony from threats from the British, which included threats from French inhabitants living in British imperial territory. Relations among French inhabitants changed as people picked imperial sides, causing the social connections which had extended across the river began to weaken, and in some cases fracture.

Debruisseau, the King's former storekeeper in St. Louis from 1766 to 1770, who had fled at the time of Piernas' arrival in St. Louis, thought that he would be arrested on charges of embezzlement of money and goods from the imperial storehouse.¹⁴¹ Sources differ on whether Debruisseau had actually stolen from the storehouse, or if Piernas was in fact going to arrest him on his arrival. What the sources do provide is insight into how law and order in St. Louis transitioned from the authority of St. Ange and Labuxière to Piernas, and the process that unfolded in their combined efforts to find Debruisseau and uncover his motive for fleeing.

¹⁴¹ Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 170.

On May 14, 1770, Debruisseau was reported to have fled, and St. Ange and Labuxière investigated the situation. They went to Debruisseau's home to find that he had taken most of his personal goods, but they did their due diligence in taking an inventory of all that remained in the storehouse. They then posted seals on the doors and left guards to watch the building should he attempt to return.¹⁴² The two elder officials then set about gathering testimony from the last person to have had an interaction with Debruisseau. In their interview with Joseph Segond, they learned that a few days earlier a merchant named Blouin from the British side of the river had come to get Debruisseau to pay for six oxen, four cows, and two heifers which Blouin had sold him. Debruisseau could not pay and so Blouin took possession of the animals. However, Blouin could not get the animals back across the river and so he proposed selling them to Segond. Segond did not purchase them, but agreed to take care of them as if they were his own until Blouin could retrieve them.¹⁴³ Segond did not explain how exactly Blouin's repossession of farm animals was connected to Debruisseau's disappearance. The next source to expand on Debruisseau's disappearance is a letter from Blouin to Debruisseau dated June 24, more than a month after he fled. Blouin informed Debruisseau that his disappearance caused a lot of gossip, and that a detachment of soldiers had been sent after him. Debruisseau was told that he was fortunate not to have been caught. Blouin informed the former royal storekeeper that all his goods were confiscated, even the animals which he was to return to Blouin. Blouin urged him to get

¹⁴² *Report on actions and testimonies in the affair of Desbruisseau*, May 14th, 1770, AGI-PC 188a-1-i/1-10. Missouri History Museum Library and Research Centre microfilm.

¹⁴³ *Ibid.*

further away as soon as he could. When things had quieted down, he would send Debruisseau some goods he had asked for, but not before autumn.¹⁴⁴

The real reason Debruisseau fled, as well as how Blouin was involved remained a mystery, until January 7, 1771, when Debruisseau, having returned to St. Louis, testified about the whole ordeal. Piernas had taken command of the region by this point and Debruisseau was captured and made prisoner. Debruisseau confessed that he had fled because of Piernas' impending arrival in St. Louis. He believed Piernas was coming to arrest him because letters of exchange he had issued were being protested in New Orleans. Debruisseau explained that Robert, a *habitant* from the east side of the river, had provided this information in the form of an unsigned letter. The letter instructed Debruisseau to go to an Indigenous village outside of St. Louis the next day, where the letter's author would meet him and give him another letter.¹⁴⁵ Debruisseau stated that he was told to bring paper, pen, ink, and tools needed to make a fire. He was told that it was important he attended, as he was in danger, but that it was possible for him to avert disaster. The next day he went to the village, where he was met by Blouin. Blouin gave him a letter from Placie, a *habitant* of Kaskaskia. Placie learned that Piernas was coming bearing orders to put him in irons and send him to New Orleans.¹⁴⁶

Blouin explained that he had a way to help Debruisseau. Debruisseau would write a note saying he had not yet paid Blouin for the animals, even though he had. Blouin would then go to St. Louis and get St. Ange or Labuxière to issue a statement that DeBruisseau

¹⁴⁴ *Letter from Blouin to Debruisseau*, June 24th, 1770 AGI-PC 188b-453. Missouri History Museum Library and Research Centre microfilm.

¹⁴⁵ *Testimony of Debruisseau before Piernas*, January 7th, 1771 AGI-PC 188b-455. Missouri History Museum Library and Research Centre microfilm.

¹⁴⁶ *Ibid.*

must pay him or return the cattle. Blouin would sell the animals and give Debruisseau the money. Together they drew up the fake notes, and even rubbed dirt on them to make them look older. They successfully followed through on their plan. Afterwards, Debruisseau fled to Kaskaskia on the east side of the Mississippi, and made his way north to Michilimackinac. Blouin, however, never sent Debruisseau any goods or money from the ruse, and Debruisseau became desperate as he was on the run without money or goods. Realizing that he had been tricked, Debruisseau returned to St. Louis to settle his accounts. He presented letters as evidence of the trickery, which Blouin had told him to burn. However, the letters did not include Blouin's signature, who by then had returned to the east side of the river.¹⁴⁷

Debruisseau's case is important because two different authorities investigated it, St. Ange and Labuxière began the investigation, and then it was handed off to Piernas. The case also shows how French inhabitants from both Upper Louisiana and the Illinois Country used the Mississippi to avoid prosecution in either jurisdiction. The case highlights how Debruisseau felt he could trust a fellow Frenchman from across the river rather than face justice from the arriving Spanish Lieutenant-Governor. Blouin tricked Debruisseau in the end, while avoiding prosecution by remaining across the river in a neighbouring jurisdiction. This investigation highlights the complicated relations that now existed between French inhabitants from both sides of the Mississippi, who had previously all lived under the same regime, but were now separated by an imperial border. By returning to St. Louis, Debruisseau signalled that he was so desperate and needed to return and take his

¹⁴⁷ *Ibid.*

chances, but it also showed how loyalties in the region had changed. Realizing that Blouin had tricked him and left him destitute, but knowing he was innocent, he return and hope for leniency and being taken in as a Spanish subject.

An incident in 1772 involving Jean- Marie Ducharme also highlights the shifting loyalties and priorities of the French inhabitants in Upper Louisiana. While Piernas was more competent than Ríu, he still had to learn to manage the relationships with the region's Indigenous groups.¹⁴⁸ However, Piernas could be an hard man to work with, and at times very heavy handed.¹⁴⁹ In 1772, the Little Osages and their Missouri allies grew tired of dealing with Piernas, and turned their attention towards attracting the British traders from the east, who were more than willing to encroach on Spanish territory. Piernas in turn, with Governor Unzaga's approval, embargoed any trade with the Little Osages and Missouri "until they gave evidence of peacefulness and submission."¹⁵⁰ Piernas' declaration lasted until the following winter. Then, an alert was raised that Jean-Marie Ducharme, a French trader from the Great Lakes region operating on a British license, had slipped past the Spanish fort on the Missouri, and was trading with the Little Osages and the Missouri.¹⁵¹ A call to arms was raised, and a militia of volunteer French inhabitants set out to stop him. Those who joined the expedition were to be payed from Ducharme's confiscated furs. The founder of St. Louis, Pierre Laclède, was given command of the volunteers. The militia managed to surprise Ducharme's group, and captured his furs and crew. Ducharme himself

¹⁴⁸ Hence, O'Reilly's decision to keep St. Ange on in an advisory role.

¹⁴⁹ James Neal Primm, *Lion of the Valley: St. Louis, Missouri, 1764-1980*. (Missouri History Museum Press, 1998), 26.

¹⁵⁰ Ibid.

¹⁵¹ Fausz, *Founding St. Louis: First City of the New West*, 68; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 125; Primm, *Lion of the Valley: St. Louis, Missouri, 1764-1980*, 26; Michael Dickey, *The People of the River's Mouth: In search of the Missourias Indians*, (University of Missouri Press, 2011), 94.

managed to escape. The show of force by the French volunteers surprised the Little Osages and Missouris, who apologized for the indiscretion, and promised to remain peaceful.¹⁵² Such promises were commonplace however, as the Osages were powerful and often acted in their own interests as an empire.¹⁵³

While the efforts of the militia from St. Louis showed the lengths to which they went to protect the security of their trade routes, it also showed how commercial and local interests grew in importance compared to older cultural connections. While Ducharme operated under a British license, he was ethnically a French Canadian. His cultural background seemed not to matter and the expedition was formed as vigorously as if Ducharme had been of British stock.¹⁵⁴ The incident also showed the ways in which the Spanish hierarchy had adapted to local intricacies. Laclède's appointment to lead the expedition gave local credibility to achieving the Spanish goals of influencing the Little Osages and the Missouris, and securing the region from British incursions, as Laclède had traded with the Osages for years.

While Ducharme's excursion provides an interesting case of the growing importance of local economic interests versus cultural affinity, it is hard to point to these instances as being the rule. It was still quite common for French traders from the east side of the Mississippi to cross over to the west side of the river. The lone Spanish fort at the mouth of the Missouri could not have managed to stop all of the small groups of traders without a

¹⁵² Ibid.

¹⁵³ These potentially empty promises are examples of how the Europeans in Louisiana relied on the goodwill of Indigenous groups. Din, and Nasatir, *The imperial Osages: Spanish-Indian diplomacy in the Mississippi Valley*, 362; DuVal, *The Native Ground: Indians and Colonists in the Heart of the Continent*, 32.

¹⁵⁴ Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 125.

Spanish license. Connections and movement of French traders and families from Louisiana to the Illinois country and Canada continued through this period and beyond, and these connections were later cultivated to increase the economic scope of the Louisiana fur trade.¹⁵⁵

The strong leadership of Louis Groston de Saint-Ange de Bellerive and François Vallé kept order and peace in Upper Louisiana, and at the same time allowed the local French inhabitants to peacefully resist the uninformed and inappropriate decisions of imperial Spanish leaders. The rebellion in New Orleans, along with the reaction of the local French inhabitants in Upper Louisiana helped new Spanish leadership to form more effective and locally inspired policies.¹⁵⁶ Spanish officials put a lot of effort into reassuring the locals that positive change would occur, and partly achieved that commitment by maintaining and promoting local French leaders, such as Vallé and St. Ange. The increasingly effective Spanish leadership created opportunities for the local French inhabitants to continue to accept St. Ange and Vallé as legitimate leaders. Local legal and economic interests began to trump some of the cultural ties that existed across the imperial boundary of the Mississippi River. While some of these changes may not have been the actual trend, it does point how much the French inhabitants were willing to bend under shifting imperial landscapes. The Mississippi River border may have been somewhat porous and they could not prosecute all who crossed the river without a license, but there

¹⁵⁵ Robert Englebert. "Beyond Borders: Mental Mapping and the French River World in North America, 1763-1805," 156; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*, 56.

¹⁵⁶ *Instructions issued to Piernas for the Illinois*, February 23rd, 1770, AGI-PC 134a-1055 Missouri History Museum Library and Research Centre microfilm; Houck, "General Instructions of O'Reilly to the Lieutenant-Governor of the Villages of Ste. Genevieve, St. Louis," 76.

were limits as to what they were willing to accept. Capturing Ducharme's men and making an example of them was a way to show where the line was set, what they would and would not allow, irrespective of ethnicity.

Chapter 3: Rapprochement: Unwritten Norms and the Battle of St. Louis

The Spanish takeover of Louisiana in the late 1760s was marked by turbulent unrest, culminating in the Louisiana Rebellion of 1768 in New Orleans. The early 1770s, however, marked a shift towards mending relations between the French inhabitants of Upper Louisiana and the Spanish colonial government. Spanish leaders made a greater effort to follow local conventions. This compromise, along with the incorporation of leading French figures into official positions of power, led to greater cooperation and less hostility. During the second half of the 1770s, French inhabitants of St. Louis moved towards more amicable relations with Spain. This was in stark contrast to the east side of the Mississippi, where tensions between the British Crown and the Thirteen Colonies had turned into a revolution, and threatened to spill over into the Illinois Country.¹⁵⁷ The French inhabitants on the east side of the river, who had lived in relative peace with the British as compared to the west side French with the Spanish, were suddenly forced to deal with American conquests, most notably George Rogers Clark's capture of Kaskaskia and Vincennes in 1778 and 1779, respectively.¹⁵⁸

The death of Louis Groston St. Ange de Bellerive in 1774 marked a turning point in which French inhabitants no longer played major roles in the government structure of Upper Louisiana. The government, however, still maintained French traditions and laws. As Stuart Bannon argues, legal proceedings in St. Louis happened “with little formality, with

¹⁵⁷ Craig, *French Speakers, American Citizens: Government, Community, and Survival in the American Illinois Country, 1778-1787*. 31.

¹⁵⁸Fausz, *Founding St. Louis: First City of the New West*, 68; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 33; Foley, *A History of Missouri, 1763 to 1820 Vol 1*, 31; Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 73; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*, 59.

barely any reference to written law, and with almost no resort to any authority beyond the articulated norms of the community.”¹⁵⁹ The Spanish governors agreed to maintain legal conventions. They saw this as a worthy compromise, as many French legal traditions closely resembled contemporary Spanish laws.¹⁶⁰ This gesture in turn gave the French population a continued sense of power in the direction of the colony, even as leading French figures were phased out of the government structure after the death of St. Ange.

As conflict between the Spanish officials and French inhabitants began to subside, the region experienced increased economic activity and growth. Minor internal friction between French inhabitants existed, but it mainly centered around economic disputes. Spanish and French officials were more concerned about maintaining the delicate peace in the region. As the lack of internal colonial conflict continued, in 1780, both the French inhabitants and Spanish officials eventually pushed for outright cooperation. As the American revolution spilled over to the west side of the Mississippi, the Spanish colonial government and French inhabitants fostered a successful partnership in preparing the defence of St. Louis in the face of a British invasion.¹⁶¹ While French inhabitants were initially wary of taking direct military orders from the Lieutenant-Governor, both sides eventually put distrust aside and collectively built fortifications and formed militias for the colony’s defence. The French and Spanish were forced cooperate, but in many ways the defence of St. Louis crystallized the rapprochement that had been occurring since the end

¹⁵⁹ Banner, “Written Law and Unwritten Norms in Colonial St. Louis,” *Law and History Review*, 38.

¹⁶⁰ Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 2015, 73; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 29.

¹⁶¹ Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 180; Primm, *Lion of the Valley: St. Louis, Missouri, 1764–1980*, 40; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*, 58.

of the rebellion in 1769.¹⁶² This rapprochement was so successful, that the Spanish eventually had the confidence to appoint Zénon Trudeau, a local French Creole, as Lieutenant-Governor in 1792.

The period between 1775 and 1780 is notable for its relative lack of official correspondence pertaining to discontent and social unrest between the Spanish and French inhabitants. This marked a major turning point in the colonial relations at St. Louis. The lack of internal colonial conflict ushered in a period of significant growth in the colony and the creation of a large body of documents concerning trade, property, and labour disputes. As the settlement matured and economic activity increased, the attention of both the imperial government and the local inhabitants turned away from battles over imperial policies and local conventions. Both the Spanish government officials and French inhabitants worked together to end the conflicts for the greater good and peace of the colony.

The legal framework of Upper Louisiana existed at an intersection of written Franco-Spanish law and local traditions. Banner notes that written laws and rules were regularly trumped by unwritten norms.¹⁶³ While Spanish codes enacted in Spain or New Orleans theoretically governed the towns of Upper Louisiana, they had almost no real effect. The Spanish codes were rarely referenced in any of the surviving legal documentation, and the French *Code Noir* (Slave Legal Code) was also consulted very

¹⁶² Ibid.

¹⁶³ Stuart Banner, "Written Law and Unwritten Norms in Colonial St. Louis," *Law and History Review*, 14, No. 1 (1996), 39.

infrequently and laxly enforced.¹⁶⁴ Familiarity with local customs was of a much greater importance for the Lieutenant-Governor and other Spanish officials, than knowledge of formal law.¹⁶⁵ Bannon notes that “cases were decided according to an intuitive sense of justice shared by the majority of the community.”¹⁶⁶ Law in Upper Louisiana was therefore formulated through the everyday routines of the local French inhabitants, rather than created and imposed on them by Spanish officials. The French inhabitants ensured these cultural norms influenced the Lieutenant-Governors’ decisions, and the Lieutenant-Governors accepted these unwritten norms as law to help keep peace in the region.

In March of 1779, the Lieutenant-Governor De Leyba presided over a land dispute between two neighbours in St. Louis. Silvestre Labadie accused Alexis Marié of encroaching on his property, and tearing out his fruit trees. The property line had recently been redrawn and part of the land that Marié thought he had bought from the previous owner now belonged to Labadie. Labadie attested that Marié had torn out the trees even after the new dividing fence had been planted out of spite.¹⁶⁷ Marié responded to the accusation that he had believed the land was his as the previous owners of Labadie’s land had never pursued a claim. He had agreed to redraw the property line either way. He testified that he removed the trees prior to the new fence being put up, and that Labadie had in fact asked him to remove the trees.¹⁶⁸ Depositions from Jean Marie Peppin *dit* Lachance, the previous

¹⁶⁴ The *Code Noir* was a Royal French decree issued in 1685 to govern the condition of Slavery in the French colonies. The Spanish kept the code in effect in Louisiana. The exception to these trends were marriage contracts, in which the *Recopilacion* of Castile and the *Coutume de Paris* were regularly referenced. Ibid, 47; Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 149.

¹⁶⁵ Ibid, 51.

¹⁶⁶ Ibid, 53.

¹⁶⁷ “Petition by Labadie to Francisco de Leyba presenting charges against Marié. March 6, 1779,” *Litigation Collection Translations*, 35.

¹⁶⁸ “Response by Marié, March 8, 1779,” *Litigation Collection Translations*, 36.

owner of Labadie's land, backed up Marié's claim that he had never sought ownership of the land in question.¹⁶⁹ While testimony from Louis Chandelier corroborated Marié's story that Labadie had said that the trees "are not good for anything, and you [Marié] can keep them and do whatever you want with them."¹⁷⁰

Ultimately, De Leyba concluded that Labadie's accusations against Marie were unfounded and "there was no basis for a trial between the two parties."¹⁷¹ De Leyba found the depositions of Lachance and Chandelier to be credible, and that Labadie's request "only comes from a spirit of chicanery and stubbornness, contrary to the union which should rule between neighbors."¹⁷² De Leyba condemned Labadie to cover the expenses of the trial for wasting the court's time.¹⁷³ De Leyba based his decision on an unwritten norm in Upper Louisiana. The rule between neighbours was not a written law laid out in any code, but rather an ideal or convention agreed upon within the community to compromise and be amiable in dealing with others. That De Leyba used this as the basis of his ruling shows how Spanish officials were using unwritten norms of the community to help interpret and adjudicate law in the colony, and that the French inhabitants accepted rulings based on these conventions.

Further evidence of local customs holding precedence, and a decline in conflict between the French inhabitants and Spanish officials occurred in December 1778, when Louis Mahas, an Indigenous trader of the Maha nation, returned to St. Louis. Louis Mahas

¹⁶⁹ "Deposition by Jean Marie Pepin, dit Lachance, March 8, 1779," *Litigation Collection Translations*, 37.

¹⁷⁰ "Deposition of Louis Chancelier, March 8, 1779," *Litigation Collection Translations*, 37

¹⁷¹ "Resolution of the case by De Leyba, March 10, 1779," *Litigation Collection Translations*, 39

¹⁷² *Ibid.*

¹⁷³ *Ibid.*

was a former slave from Canada, who having been sold to an English master east of the Mississippi, killed his master and escaped to the west side of the Mississippi.¹⁷⁴ Mahas semi-regularly visited St. Louis, and had a penchant for causing trouble.¹⁷⁵ Joseph Labuxière, Silvestre Labadie, and François Bonrozier brought a petition on behalf of the other inhabitants of St. Louis to De Leyba, and asked that Mahas be banished from the settlement forever. The petition accused Mahas “as a trouble maker of the public peace and having already committed there several disorders and evil spells and armed robberies in addition to the fear of other greater unfortunate happenings that could result.”¹⁷⁶ The petition also stated that Mahas was guilty of “robbery, debauching slaves with drink, insulting inhabitants, and having even wanted to kill with a gun and taking to all sorts of violence and excesses until threatening that he wanted to scalp Spanish and French heads.”¹⁷⁷ De Leyba responded that in accordance with protocol, he would need “attestations of persons worthy of faith, residing in this.”¹⁷⁸ Noel Langlois, a trader, Joseph Mainville Dechesnes, a farmer, Angel Ixquierdo, a member of the Spanish garrison, and François Villet St. Cloux, a hunter, provided testimony and the resulting trial explored the many affronts that Mahas had made to the inhabitants of St. Louis.¹⁷⁹

¹⁷⁴ It is unknown why the Spanish tolerated Mahas’ presence in Upper Louisiana after killing his master, but it may have been because the master was English, and Spain had decreed that Indigenous slavery was no longer allowed in Louisiana after 1766. “Petition by Joseph Labunière, Silvestre Labbadie [Labadie], and François Bonrozier to Fernando de Leyba, December 30, 1778.” *Litigation Collection Translations*, 12.

¹⁷⁵ “Testimony of Langlois about Mahas, 1779,” *Litigation Collection Translations*, 13.

¹⁷⁶ “Petition by Joseph Labunière, Silvestre Labbadie [Labadie], and François Bonrozier to Fernando de Leyba, December 30, 1778.” *Litigation Collection Translations*, 12.

¹⁷⁷ *Ibid.*

¹⁷⁸ “De Leyba’s reply to the petition, 1779, *Litigation Collection Translations*, 17.

¹⁷⁹ Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 211.

When Mahas had first wandered into St. Louis unannounced in 1775, he had shot a cow that belonged to Joseph Mainville Dechesnes, narrowly missing a black slave woman standing behind it.¹⁸⁰ When Mahas was asked to explain his actions, he merely stated that he had done it for his own pleasure. Lieutenant-Governor Piernas ordered Mahas to pay reparations to Dechesnes. Mahas did not have the necessary funds and he fled St. Louis soon thereafter without paying.¹⁸¹ With Mahas' return, Dechesnes had another chance to sue for reparations, and gave official testimony about the incident to De Leyba. Mahas' infamy grew when Angel Ixquierdo, a Spanish garrison soldier, testified that in December 1777, Mahas had attacked him unprovoked with a tomahawk. Ixquierdo managed to parry the attack with a stick and subdued Mahas. Mahas then apologized for his action and "he went away without saying anything else."¹⁸²

The final straw for the inhabitants of St. Louis came when Mahas accosted some French hunters near the Illinois River in early December 1778. Mahas grabbed the rifle belonging to St. Cloux, and announced that he wished to kill some Frenchmen, and then fired a shot at St. Cloux, which missed.¹⁸³ The hunters managed to subdue Mahas and brought him back to St. Louis, where St. Cloux confined him to his attic.¹⁸⁴ After this, Mahas was brought before De Leyba to hear his fate. De Leyba found the testimonies in the case to be credible, and "having consideration to the just request of the plaintiffs as much for

¹⁸⁰ "Testimony of Dechesnes about Mahas, 1779," *Litigation Collection Translations*, 14.

¹⁸¹ *Ibid.*

¹⁸² It is strange that Ixquierdo, as a Spanish soldier, did not report this incident sooner or arrest Mahas for official punishment at the time. Perhaps he felt the blow to his arm was enough punishment and let him go. "Testimony of Ixquierdo about Mahas, 1779," *Litigation Collection Translations*, 15.

¹⁸³ "Testimony of St. Cloux about Mahas, 1779," *Litigation Collection Translations*, 16.

¹⁸⁴ While in custody, Mahas kept a moody silence, except to let down his warrior braid and saying, "for a long time I have dressed in the French way, I'm going to dress myself as a warrior and do my hair." *Ibid.*

public tranquility as for the security of the citizens. We have ordered and do order that the said Louis Mahas, savage, will be expelled from this post for always and remitted to the capital of Louisiana to the disposition of Monsieur the Governor General of the Colony.”¹⁸⁵

In the end, Mahas escaped from custody and was never recaptured or sent to New Orleans. He had cut his irons with a file, and escaped through a fracture in the wall made below the level of the earth.¹⁸⁶ The Mahas case represents a shift away from internal strife and politics within the settlement of St. Louis. Mahas was an outsider who disrupted life in the settlement, and so it was in the interest of both the inhabitants and the Spanish colonial officials to find a mutual solution. The amount of correspondence and testimony devoted to his case shows the importance French inhabitants and the Spanish attributed to it. Both sides saw the necessity to keep order in the settlement, an acknowledgement of a fragile peace.

The relative peace achieved in the settlement of St. Louis allowed economic activity to prosper, which led to the growth of the population. The growth of the settlement saw an increase in commercial competition, which in turn led to more trade and financial disputes. One such dispute arose on January 11, 1779 between Claude Tinon and Jean-Baptiste Meynard, two farmers from Prairie du Catalan near St. Louis. The case highlights how the inhabitants’ economic activities were intertwined. Tinon rented land to Meynard, who then

¹⁸⁵ “Note by Fernando de Leyba ordering the expulsion of Louis Mahas from St. Louis, and his remission to Louisiana. January 3, 1779,” *Litigation Collection Translations*, 17.

¹⁸⁶ “Testimony regarding Mahas’ escape, 1779.” *Litigation Collection Translations*, 19. Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 197.

hired Tinon to work the land for him. In the meantime, Meynard had supposedly also hired Tinon to do some carpentry work on his house.

Tinon pled in a petition to Lieutenant-Governor De Leyba that he had rented Meynard a piece of land, had provided nine days' worth of man hours doing carpentry, and ploughing, for which he had never been paid.¹⁸⁷ Tinon testified that not only had Meynard not compensated him, but that "Meynard takes away his effects little by little to the other side of the river [the east side of the Mississippi, under English jurisdiction] and that he has only a little wheat left in his barn and two pigs which he could take away, the whole thing without paying the plaintiff."¹⁸⁸ Tinon asked for reparations, and for the remainder of Meynard's goods on the west side of the Mississippi be seized until the matter was settled. That a French inhabitant of Upper Louisiana trusted the Spanish Lieutenant-Governor to adjudicate a conflict with another French inhabitant shows how far relations between the French and Spanish had improved. The French inhabitants successful push to provide input and participation in the colonial government allowed them to be more confident in the process of colonial justice, even if none of the officials involved were French. The French did not stay outside the affairs of colonial governance, but rather forced their influence onto the governing process.

Because Meynard tried to avoid repaying his debt by staying on the east side of the Mississippi, he could not immediately dispute Tinon's claim. De Leyba issued an order the following day for Labuxière to seize the remaining goods and place them under the

¹⁸⁷ The standardized form of the Meynard named is Ménard. There seems to be no information available on whether the Jean-Baptiste Meynard named in this case is related to Pierre Ménard's family later based in Kaskaskia. "Initial Petition by Tinon presented to De Leyba, 1779," *Litigation Collection Translations*, 19.

¹⁸⁸ *Ibid.*

guardianship of Clement Delor de Treget, the founder of Prairie du Catalan. In Labuxière's report cataloguing Jean-Baptiste Meynard's remaining goods, he found three bushels of beaten wheat and two large pigs. In a slight twist of events, Delor refused to be guardian of the goods, as he did not wish to become entangled in what looked to be a drawn-out affair.¹⁸⁹ In a bizarre move, perhaps out of necessity, Labuxière decided to name Louis Meynard, Jean-Baptiste's son, as guardian of the goods until the dispute was settled.¹⁹⁰ Labuxière's decision to rely on the son of the accused to hold the goods is odd, as Louis Meynard would most likely have been sympathetic to his father, and could have hidden or used the goods on his behalf. Louis later testified on his father's behalf.

As news of the seizure of his goods reached Jean-Baptiste Meynard on the east side of the river, he sent a letter to De Leyba to dispute Tinon's claim. Meynard claimed that while he had rented land from Tinon, this debt had been settled, and all Tinon's other claims were false. He asked for Tinon to be charged for rendering a false petition, and that his property be returned.¹⁹¹ In response, Lieutenant-Governor De Leyba ordered that the issue be examined further, and that both sides would present witnesses to corroborate their story.¹⁹² On January 18, 1779, Louis Meynard testified on behalf of his father's case in front of Lieutenant-Governor De Leyba, the garrison commander Diego Blanco, and Labuxière the notary. Louis testified that his father had indeed asked to rent some land from Tinon and had Tinon him to work it for him, but they had not agreed on a rental price. As well, he testified that his father knew of Tinon's work on the land, however, he disputed

¹⁸⁹ Perhaps Delor decision to turn down the guardianship was also governed by De Leyba's decision that the guardian could not take the goods for himself. *Ibid.*

¹⁹⁰ "Labuxière's account of his seizure of Meynard's goods, 1779," *Litigation Collection Translations* 21.

¹⁹¹ "Meynard's appeal to De Leyba, 1779," *Litigation Collection Translations*, 22.

¹⁹² "De Leyba's response to Meynard, 1779," *Litigation Collection Translations*, 22.

the amount of time it had taken Tinon to accomplish it. Louis also testified that it was Tinon who had taken advantage of the Meynards, as Tinon had taken a pair of iron door supports which did not belong to him. Meynard had offered Tinon ninety-seven livres of flour and a six-month old sow for his rent and work. Tinon did not accept them.¹⁹³ Delor in turn testified on behalf of Tinon's case, sticking to an earlier promise to try to remain outside of the dispute, he merely confirmed that Tinon had indeed done some carpentry work in Meynard's house, and that he believed that the iron door supports were owed to Tinon for a previous job.¹⁹⁴

Having heard testimony on both sides, De Leyba came to decision which seems to have made neither side happy. De Leyba found that Meynard had not paid a fair amount for the rental of Tinon's land, and ordered him to pay a further fifty and a half livres of flour to Tinon. De Leyba, however, found that Tinon lacked sufficient proof for the rest of his claims, and therefore Meynard's goods, including the iron door supports were to be returned to him. Tinon was sentenced to pay for all the costs and expenses of the trial. The only further restriction put on Jean-Baptiste Meynard, was that he was banned from travelling to the east side of the Mississippi.

The Tinon-Meynard case represents an interesting intersection of evidence regarding economic activity in and around St. Louis, the continued migration of French people back and forth across the Mississippi to the Illinois country, as well as the limits of imperial power concerning such boundaries. The fact that Tinon had acquired more suitable farmland than he could farm himself shows the growth of St. Louis in an

¹⁹³ "Louis Meynard's testimony, 1779," *Litigation Collection Translations*, 26.

¹⁹⁴ "Delor's testimony, 1779," *Litigation Collection Translations*, 23.

agriculture sense. This is especially impressive considering that in the first decade of its existence the town was known by the nickname of *Paincourt*, literally translating as short of bread.¹⁹⁵ That Jean-Baptiste Meynard continued crossing of the Mississippi highlights the familial and trade links between French communities on either side of the river that endured even after being separated by imperial borders.¹⁹⁶ The fact that De Leyba would need to state that Meynard was restricted from crossing showed how Spanish imperial officials were still concerned about such crossings, but also shows the futility of this kind of decree, as there was really no way to enforce or patrol such restrictions.¹⁹⁷

Another such dispute occurred a month later involving claims of illegal trade on the Kansas River. On February 20, 1779, Joseph Labuxière, the notary, put forward a petition to De Leyba about illegal trade. Labuxière and a trader named Vivarenne jointly held a permit to trade at the post of the Kans. Labuxière had been informed by Jean-Marie Cardinal, a “trader with the Little Osage, that the named Louis Beaudouin to whom you have graciously accorded a permit to hunt down the Missouri had, against your orders, entered the river of the Kans [Kansas].”¹⁹⁸ Labuxière went on to name the rest of Beaudouin’s group, which included “the named Valée, Joseph LeProvençal, the named St. Michel, Giles Langlais and the named Varoquier.”¹⁹⁹ Labuxière ended his petition by informing

¹⁹⁵ In the early days of St. Louis, the abundance of fur traders as compared to farmers caused the settlement to import most of its grain from St. Genevieve, which had a much richer agriculture sector. Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*, 54.

¹⁹⁶ Englebert “Merchant Representatives and the French River World, 1763-1803,” 63-82; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*, 56; Gitlin, *The Bourgeois Frontier*, 17.

¹⁹⁷ This was especially true for a settlement such as St. Louis on the borderlands of empire, as the Spanish presence in the region was still limited government officials, and a few dozen regular soldiers, charged with enforcing a border that ran hundreds of kilometres in length. Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 81.

¹⁹⁸ “Petition regarding the Kansas trade dispute, 1779,” *Litigation Collection Translations*, 29.

¹⁹⁹ *Ibid.*

Lieutenant-Governor De Leyba that Beaudouin would be arriving in St. Louis shortly, and asked that he be punished for having “violated the orders that you have so wisely made known to all the hunters and traders of the Missouri River.”²⁰⁰

In response to the allegations, De Leyba ordered that all Beaudouin’s goods be temporarily confiscated and would be placed in the hands of Marie-Therese Chouteau, the wife of Pierre Laclède, and the mother of Auguste Chouteau.²⁰¹ Having stated that the facts of the case would be examined, De Leyba ordered that Cardinal, the trader who originally informed Labuxière of Beaudouin’s transgressions, would have to testify in person as to the validity of the petition. Two days later, on February 22, 1779, Cardinal appeared before De Leyba and Diego Blanco, the Captain of the garrison, and testified that he learned that Beaudouin had been trading on the Kansas river when Beaudouin had returned to the Missouri post with seven packets of buckskins. He testified that that he knew of Lieutenant-Governor’s orders concerning permits, and felt it was his duty to inform Labuxière of the transgression on his permitted area.²⁰² Next, De Leyba interrogated Michel Provencal, an *engagé* (fur trader working under as an indentured servant) attached to Joseph St. Michel, another trader working on the Kansas River. Provencal testified that he had seen Beaudouin and his group trading on the Kansas, and was told by Beaudouin’s *engagé*, Valée, that they had traded for the quantity of six hundred livres of skins. Provencal also testified that it was he who had first brought the matter to the attention of the trader Cardinal.²⁰³

²⁰⁰ Ibid.

²⁰¹ “Official response to the Kansas trade allegations, 1779,” *Litigation Collection Translations*, 29.

²⁰² Ibid.

²⁰³ Ibid, 30.

Finally, De Leyba mandated that Louis Beaudouin himself would have to answer for the allegations of his transgressions on the Kansas River. Beaudouin testified that he had initially set out to only hunt and buy slaves in the region of the Kansas River, however his group was set upon by a group of Indigenous people who demanded that they trade with them. Beaudouin testified that the Indigenous group threatened to take the goods by force if they did not trade with them. When questioned about the previous testimony implicating him having been trading under his own freewill, he could not find an appropriate answer.²⁰⁴ De Leyba also questioned him as to his practice of purchasing Indigenous slaves, as this was also illegal, to which again Beaudouin had no practical answer.²⁰⁵ Finding Beaudouin's answers to be unjustifiable, De Leyba ordered that all Beaudouin's furs were to be confiscated, with a third of the pelts going to the crown as a tax, and the rest split amongst the traders who held valid trade permits on the Kansas River. In addition, Beaudouin was sentenced to fifteen days in prison and required to cover all the costs of the trial.²⁰⁶

The Kansas River trade dispute between Labuxière and Beaudouin highlights how French merchants, traders, and hunters were more concerned with economic activities and jurisdictions, rather than focusing on imperial matters. More importantly, however, the case shows that French traders began relying on the rule of law and judgements of Spanish administered courts. The French inhabitants turned to these previously unwelcome

²⁰⁴ Ibid, 31.

²⁰⁵ When the Spanish took formal control of Louisiana in 1765, they had outright banned the sale of any further Indigenous slaves. Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 73; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 80; Ekberg, *François Vallé and his world: Upper Louisiana before Lewis and Clark*, 100; Fausz, *Founding St. Louis: First City of the New West*, 69; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*. 54.

²⁰⁶ "De Leyba's decision in the Kansas trade dispute, 1779," *Litigation Collection Translations* 32.

imperial agents to regulate trade and to settle disputes. This contrasted with earlier imperial/colonial relations when the French often took such matters into their own hands and did not trust Spanish officials. This change also highlights how the Spanish had managed to establish some sort of imperial power over the colony. Importantly though, this was only possible because the French inhabitants of Upper Louisiana allowed it. The French inhabitants gave the Spanish the opportunity to have their regulations and decisions carry any judicial weight. Had the French inhabitants still not trusted the Spanish courts, they could have avoided the process altogether, giving the Spanish officials no cases up which to adjudicate.

After the death of St. Ange in 1774, only Spanish officers remained in positions of real power within Upper Louisiana's government. While the lack of any French governmental figures brought about minor changes to how the structure and legal processes of the region functioned, the French legal institutions and ancient laws which were originally brought to region continued to be respected and followed under Spanish rule. This was especially true with the continuation of the *Coutume de Paris*, and how this traditional set of laws governed marriage contracts and disputes. The *Coutume de Paris* was a set of legal codes created in 1507, to govern family, inheritance, property, and debt recovery in early modern France. The code was first applied to Paris and the surrounding region, and then later applied to all French overseas colonies, including New France and Louisiana. Under the *Coutume de Paris*, property brought into a *communauté des biens* (a community of good through marriage) by either spouse, remained their personal property, while any further property gained during the marriage was jointly owned by both

parties.²⁰⁷ This stipulation played an important role in how separations, inheritance, and especially *douaires* (dowries), funds set aside from the children's inheritance from the father of a marriage community for a wife in the event of a husband's death, were dealt with. These customs remained an important part of the day to day lives of the French inhabitants in Louisiana throughout the Spanish regime.²⁰⁸

Carl Ekberg provides an excellent discussion of how the *Coutume de Paris* continued in the early years of Spanish rule in Upper Louisiana, and how this represented a continuation of French culture under a new imperial regime. Ekberg's study, however, looks at the founding of St. Louis until the death of St. Ange in 1775, not whether the *Coutume de Paris* continued after St. Ange's imposing presence had disappeared and the French inhabitants began to work more closely with Spanish officials.²⁰⁹

In the summer of 1779, widow Barbe Villecompte brought forward accusations against Louis Dubreuil for forgoing debt responsibilities. The widow Villecompte argued that upon Dubreuil's arrival in St. Louis a year earlier, he had signed a lease with her to live on her property for three years and by which he:

committed himself to maintain the house, fences, and outbuildings, [making] all the necessary repairs, and to remit to her two hundred livres of flour at the end of the said three years as a rental charge. In addition, [he committed] to take care of the cattle, to return them to her in the same state at the end of the said term.²¹⁰

²⁰⁷ Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 73; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 80; John Dickinson, "New France: Law, Courts, and the Coutume De Paris, 1608-1760". *Manitoba Law Journal*. 23 (1995): 32.

²⁰⁸ Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 73; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 80.

²⁰⁹ Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 73.

²¹⁰ "The Widow Villecompte's dispute with Dubreuil, 1779," *Litigation Collection Translations*, 54.

In only one year, however, Dubreuil had let the house, hay barn, and the fences fall into such disrepair that Villecompte felt the property was not suitable for continued habitation. Furthermore, she contended that Dubreuil let many of the cattle he was tasked with looking after die, and had secretly tried to sell the rest out from under her. As Dubreuil himself had no property on which she could lay claim, she asked that all four hundred sheaves of wheat he had recently harvested from the land be seized as compensation, that he be forced to repair the property, her remaining cattle returned, and that the final two years of the lease be forfeited.²¹¹ Following an official inspection of said property, Lieutenant-Governor De Leyba agreed to all of Villecompte's demands, except that 273 livres and six sols worth of the seized wheat would need to be granted to the government as payment for service and justice, as Dubreuil had no other property from which to pay for the trial.²¹²

The Widow Villecompte versus Louis Dubreuil proved to be a useful example of how the *Coutume de Paris* continued to have power in post-St. Ange Upper Louisiana. The fact that Madame Villecompte could bring the dispute before the Lieutenant-Governor himself, showed the status that widows retained following their husbands' death in governing the estate. As well, it is important that as a widow, she still had control of a sizable portion of property following her husband's death. While a copy of the marriage contract was not part of the case, her continued prosperity points to fact that the property must have either been set aside as part of her *douaires* or that she herself brought the property into the marriage

²¹¹ Ibid.

²¹² "De Leyba's decision concerning Villecompte's dispute with Dubreuil, 1779," *Litigation Collection Translations*, 54.

community, and therefore it wholly remained hers even after her husband's death. In either case, it showed that the basic customs of the *Coutume* continued to be followed.²¹³

Lieutenant-Governor De Leyba needed to be familiar with the debt recovery portion of the *Coutume*, or have access to a French notary or lawyer to evaluate the case and make such a decision.

A further intriguing example of the continuation of French law is seen in the court case between Joseph Robidou and the Becquet family in 1780. Their story in actual fact began eight years earlier, in 1772, when Pierre Borgne de St. Belfeu gave testimony in St. Louis that Jacques Robidou had murdered his wife. St. Belfeu swore that Jacques Robidou had mentioned in detail the troubles he was having at home and his plans to kill his wife. St. Belfeu explained to the court that he had taken the initiative and had confiscated the gun Robidou was threatening to use for the crime. After leaving Robidou and travelling to the nearby town of Grand Calumet, St. Belfeu learned that Jacques Robidou had stabbed his wife three times with a knife, and thus had managed to kill her nonetheless.²¹⁴ While this incident seemed to have been settled, it would come to haunt Joseph Robidou, the murderer's nephew.

In 1780, Joseph Robidou brought forward charges that "he finds himself shamefully dishonored in his person and in his family meanly invented by people always ready to harm and tarnish the steadiest reputation."²¹⁵ Joseph Robidou had been courting the

²¹³ Ekberg and Person, *St. Louis Rising: The French Regime of Louis St. Ange de Bellerive*, 73; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 81; Dickinson, "New France: Law, Courts, and the Coutume De Paris, 1608-1760," 32.

²¹⁴ "Deposition of Pierre Borgne de St. Belfeu, 1780," *Litigation Collection Translations*, 109.

²¹⁵ "Robidou reputation dispute, 1780," *Litigation Collection Translations*, 103.

daughter of the local blacksmith, referred to only as Monsieur Becquet. Robidou had approached Monsieur Becquet with the intention of asking for her hand in marriage. Robidou testified that Becquet seemed pleased by the idea, but asked for three days to consider it.

The trouble arose when after three days, Becquet refused and told Robidou that he would not let his daughter marry into a family that had sold their souls to the devil.²¹⁶ Apparently, Becquet had learned from his cousin, who had learned from unnamed sources that not only had Robidou's uncle murdered his wife, but he had also killed his boss, kidnapped another man's wife, and fled to the post of Vincennes in the Illinois Country. Becquet would not divulge the source, and so Robidou set off on his own to find those who were spreading the story, going so far as to travel to Vincennes. In Vincennes, he met a former Canadien voyageur named Tabeau who knew Robidou's family and declared Becquet's story false. This, in Robidou's eyes, cleared his family of any wrong doing.²¹⁷ Robidou returned to St. Louis and confronted the Becquet cousin, who refused to name his source. Robidou believed that a junior blacksmith named Marly and a farmer named Robert Sr. had made up the story. Robidou asked the Lieutenant-Governor to force the naming of the sources, and reprimand them for staining his honour. In response, Marly's testified he was innocence and had had nothing to do with the rumour. However, he also rejected the testimony of Tabeau, as he had heard from a priest at Fort de Chartres about the truth of

²¹⁶Ibid.

²¹⁷Ibid.

Robidou's family.²¹⁸ Having heard the testimony from both sides, De Leyba adjudicated the case by forcing both parties to respect a year of silence on the issue:

Everything duly and attentively examined, and since the attestations produced by Robert and Marly cancel out those produced by the said Robidou, which prevents us from establishing any certain judgment about the truth or falsehood of the facts advanced in the petitions on both sides, we have thrown the present parties out of court and out of trial; we impose silence upon them on both sides on this subject, under pain of punishment.²¹⁹

De Leyba gave Robidou one year to find evidence that his family did not commit the murder of which they are accused, but "after the year has passed, we reject all requests made by the said Robidou toward the said Robert and Marly."²²⁰ De Leyba also made Robidou temporarily responsible for the cost of the proceedings, until actual evidence could be produced. De Leyba's insistence on the need for physical evidence to make a judgement shows how he followed the necessary codes and conventions, and did not simply make decisions based on whims, or his own judgement.

As evidenced by court documentation of disputes occurring after the death of St. Ange in 1775, French laws of the *Coutume de Paris*, continued to be the code by which local familial and mercantile legal issues was governed. The continuation of the *Coutume de Paris* and other unwritten conventions in this period shows how it was important that it was Spanish government officials who were adjudicating on issues dealing with French customs. This pluralistic legal situation shows great adaption on the part of the Spanish government officials to properly interact with the set standards of the French people.

²¹⁸ "Testimony of Monsieur Marly, 1780," *Litigation Collection Translations*, 107.

²¹⁹ "Resolution of the case, dated February 2, 1780," *Litigation Collection Translations*, 114.

²²⁰ *Ibid.*

The Battle of St. Louis represented another major instance of local French inhabitants cooperating with Imperial Spain for the survival of the colony. Spain invested little in Upper Louisiana, either in financial resources, or in military aid. Lieutenant-Governor De Leyba therefore had little choice but to ask local French inhabitants to fund the defence of the colony, provide the labour, and then garrison a stone tower at St. Louis. This battle represented the beginning of local cross-river diplomacy with the budding American republic.²²¹ While Spain did not openly declare war on the British until 1779, they had previously allowed their subjects to openly trade with the revolutionaries. It was only with the Spanish entry into the war against the British that the French inhabitants and Spanish officials in Upper Louisiana saw the need to actively deliberate with the Americans in the face of impending British attacks.

Following the entry of Spain into the American Revolutionary War in 1779, British military planners wanted to secure the Mississippi River against both Spanish and American activities, assaulting the western American garrison at Kaskaskia, and limit Spanish trade to the west.²²² They planned to attack New Orleans from West Florida, as well as sending several expeditions from the north to gain control of targets in the Upper Mississippi, including the settlement of St. Louis. Bernardo de Gálvez, the Governor of Spanish Louisiana, moved quickly to gain control of British outposts on the Lower Mississippi, and threatened action against West Florida's principal outposts of Mobile and

²²¹ Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*. 58; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 180.

²²² The Spanish joined the war as allies of France, but refused to ally with the Americans, or to formally recognize their sovereignty until after the signing of the Peace of Paris in 1783; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*. 58; Abraham P. Nasatir, "The Anglo-Spanish Frontier in the Illinois Country during the American Revolution 1779-1783." *Journal of the Illinois State Historical Society*, 21 No. 3 (October: 1928): 308.

Pensacola before the British expeditions from West Florida could get off the ground.²²³ Patrick Sinclair, the military governor at Fort Michilimackinac at the Straits of Mackinac (Mackinaw City, Michigan), organized the British expedition from the north. In February 1780, Sinclair began recruiting allied Indigenous peoples for an expedition against St. Louis. British fur traders were offered the control the fur trade in the upper parts of Spanish Louisiana as an incentive to help with recruitment and join the expedition. Most of the British force gathered at Prairie du Chien, near the confluence of the Wisconsin and Mississippi Rivers, where they were placed under the command of Emanuel Hesse, a former militia Captain turned fur trader. The force was eventually made up of about two dozen fur traders and an estimated 750 to 1,000 Natives when it embarked south from Prairie du Chien on May 2.²²⁴

At the time of the expedition, Fernando de Leyba was the Lieutenant-Governor of Upper Louisiana. A fur trader warned De Leyba ahead of time of the approaching British force. In preparation for hostilities with the British force, De Leyba organized the building of the first road between St. Genevieve and St. Louis. This road would allow for swifter reinforcement of either settlement, year-round reliable communication between the two settlements, and it would limit the prospect of pirogues (large dugout canoe-like barges) being attacked from the east bank.²²⁵

²²³ William R. Nester, *The Frontier War for American Independence*. (Mechanicsburg, PA: Stackpole Books, 2004), 274.

²²⁴ Houck, *The Spanish Regime in Missouri, Vol 1*. "Attack on St. Louis – Royal Commissions", 169; Primm, *Lion of the Valley: 1764–1980*, 40.

²²⁵ *Letter from De Leyba to Gálvez*, July 1779, AGI-PC 109-989, Missouri History Museum Library and Research Centre microfilm; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*. 61.

The Spanish had woefully under-garrisoned St. Louis since their arrival. De Leyba had only 29 regular soldiers and a disorganized militia made up of 168 local French inhabitants. In response to the impending crisis, De Leyba worked to build a proper defence of the town.²²⁶ With imperial funds scarce, De Leyba begged local French inhabitants to contribute to building proper fortifications for city. This was no easy task, as De Leyba's tenure to this point had seen a return of tensions between himself and the local merchants. De Leyba had arrived to a shortage of imperial goods to be used as gifts for Indigenous parties visiting St. Louis. In response to the crisis, De Leyba demanded that the merchants give him the necessary goods, and the merchants resented what they saw as imperial meddling in trade and hurting their bottom line.²²⁷ Even with these on-going tensions, the local inhabitants saw the outside threat as more important, and personal funds were collected, including from De Leyba himself. A single thirty-foot stone tower was constructed and ringed by cannons and trenches dug around the settlement. The British-Indigenous attack on St. Louis was repelled, and many of the Natives abandoned the assault after the first volley from the city's cannons. The rest of the attacking force were kept from reaching the fortifications, and so resorted to burning crops and looting farmland.²²⁸ While the battle itself lasted only a short time, the resultant cooperation between the Spanish colonial officials and the French inhabitants marked another milestone. Even the French inhabitants did not personally like De Leyba, the two sides had banded together in the face of

²²⁶ Houck, *The Spanish Regime in Missouri, Vol 1*. "Attack on St. Louis – Report of the intendant Navarro to the Senor Don Joseph de Gálvez. Dated August 18, 1780," 167; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 180; Primm, *Lion of the Valley: St. Louis, Missouri, 1764–1980*, 40; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*, 58.

²²⁷ *De Leyba to Gálvez*, July 25th, 1778, AGI-PC, 2357-14, 1: 300 Missouri History Museum Library and Research Centre microfilm; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 198.

²²⁸ *Ibid.*

an external threat to the region. The British attack on St. Louis saw the return of Jean-Marie Ducharme seeking revenge for the punishment he had suffered in 1772 for illegally trading on the Missouri River. While he did not directly join in the Battle of St. Louis, he led the British attack across the river on the Americans at Cahokia, which also failed.²²⁹ His failed return showed once again that not all French were on the same side because of their cultural or ethnic ties.

The battle also had a large influence on future inter-imperial relations in Louisiana. The other British force sent to attack Cahokia on the east side of the river had also failed, and marked the end of British imperial aspirations in Illinois Country. The British still maintained navigation rights and some fur trade presence in the very upper reaches of the Mississippi watershed, but were no longer a threat to Spanish Louisiana.²³⁰ This left the Spanish government, and the local French inhabitants with the now permanent job of dealing with the Americans. While the Americans would not immediately invade across the Mississippi, they still represented a new challenge that the Spanish and French groups could agree upon. The ever-growing western advance of American settlers threatened Spain just as much as the British presence had, and incursions of Anglo-American fur traders remained a menace to economic activity and Indigenous relations.²³¹ Spain's victory over the British was a great achievement for the under supplied region, and De Leyba's efforts at organizing a defence were rewarded with a promotion to the military rank of Lieutenant-Colonel to go along with his role as Lieutenant-Governor.²³²

²²⁹ Houck, *The Spanish Regime in Missouri, Vol 1*. "Attack on St. Louis – Response by Joseph de Gálvez" 169.

²³⁰ Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*. 68.

²³¹ *Ibid*, 58.

²³² Houck, *The Spanish Regime in Missouri, Vol 1*. "Attack on St. Louis – Response by Joseph de Gálvez" 169.

Many of the French inhabitants of St. Louis had a personal dislike of De Leyba. De Leyba had provided some dodgy debt guarantees to the American forces across the river. The Americans then used this credit to buy goods from some traders from St. Louis. When time came for the debt to be repaid, the Americans defaulted and some Upper Louisianans, including De Leyba, were left poverty-stricken.²³³ While many French inhabitants had a personal dislike for De Leyba, it does not mean that the French Inhabitants were not willing to cooperate with the Spanish in the defence of the settlement. The French inhabitants organized into a militia at De Leyba's request. The French inhabitants helped to fund and build the new tower and fortifications for the town. The militia from St. Genevieve made up of French inhabitants came to defend St. Louis at De Leyba's request, and ultimately De Leyba's leadership was a key to successfully repelling the attack. The only eyewitness source of the battle, other than De Leyba's official report, was a letter written under the pseudonym 'Amicus' by a French inhabitant of St. Louis that provides a scathing rebuke of De Leyba's character. Amicus clearly did not personally like De Leyba, and his account of the battle was most likely coloured by this contempt. While Amicus blames De Leyba for the disorganized defence of the settlement, his account does not deny the fact that the defence was successful, nor that the French inhabitants cooperated in the defence of the settlement.²³⁴ The French inhabitants did not need to personally like the Lieutenant-Governor to shift into a period of rapprochement with the Spanish colonial governing system.

²³³ John F. McDermott, "The Myth of the 'Imbecile Governor': Captain Fernando De Leyba and the Defense of St. Louis in 1780," in *The Spanish in the Mississippi Valley, 1762-1804*, ed. John Francis McDermott. (Urbana: University of Illinois Press, 1974), 351-367; Carolyn Gilman, "L'Année du Coup: The Battle of St. Louis, 1780, Part 2." In *Missouri Historical Review*, 103, no. 4 (July 2009): 195-211.

²³⁴ Ibid.

While the Battle of St. Louis ended up being a minor skirmish in the American Revolution, the effect it had for the local French population in Upper Louisiana was enormous. The imminent threat had meant that the French inhabitants had to cooperate with and trust a Spanish Lieutenant-Governor more closely than anytime previously. While tensions between the two sides had lessened since the threat of rebellion in the late 1760s, this change marked an even greater shift towards acceptance of common goals and cooperation. The results of the battle also greatly changed the international landscape in the region. With the British threat of invasion gone, the French in Upper Louisiana accepted American rule of Illinois Country, but also had to be wary of what American presence would mean for the security of their towns and trade. While the Spanish crown had always seemed disinterested in the local events of the region, their recognition of De Leyba's efforts perhaps signaled a shift in perception. De Leyba's defense of the region earned him a royal commission from the King of Spain, promoting him from Captain to Lieutenant-Colonel.²³⁵ The correspondence between the royal court in Madrid and Governor Gálvez spoke highly of the importance of victory at St. Louis and hoped the region would continue to serve as a buffer between British/American expansion and Spanish colonies to the southwest.

The late 1770s saw greater cooperation between the French and Spanish in Upper Louisiana. The continuation of French legal conventions under the Spanish regime signalled the acceptance of local customs as necessary for colonial peace and prosperity. Fewer internal disputes between the French Inhabitants and Spanish officials saw the rise

²³⁵ De Leyba did not receive news of his promotion before he died a month after the Battle of St. Louis on June 28, 1780. The commission was granted posthumously. Ibid.

of further conflict with outside sources, and between French individuals. Imperial conflicts, and in particular the American Revolution culminated in the Battle of St. Louis in 1780, which saw both the French inhabitants and Spanish officials cooperate in the face of a large British threat. With Spanish/French victory assured, future British incursions were virtually eliminated, but in their place emerged the spectre of a more imposing and unpredictable American republic.

Conclusion

The granting of Louisiana to Spain in 1762 saw the French inhabitants of the region come face the face with the reality of being ruled by a foreign monarch. The French crown had decided to abandon the land and people in the hopes of consolidating their power in the Caribbean and looking for gains in Europe. St. Louis was founded after the official imperial turnover in 1763, but the change did not affect the day to day lives of the local people until the arrival of Spanish officials and soldiers in 1766.²³⁶ Spanish imperial agents brought new laws and expectations with them, which eventually forced both sides to confront their different ideas about how the region should be governed – increased colonial oversight, or the more *laissez-faire* status quo. Both the French inhabitants' and Spanish ideas about the region needed to deal with Choquette's argument about centres and periphery. St. Louis was on the edge of the Spanish empire and wished to be left to its own devices, while still maintaining concerns about the lack of imperial support. However, the French inhabitants also had to contend with the fact that St. Louis itself was a centre, with a network of trading and Indigenous relations on its periphery.²³⁷

The Spanish arrived in Upper Louisiana unprepared to handle the local intricacies of the region. The first Spanish official in Upper Louisiana, Ríu, was an incompetent leader. He blindly introduced restrictive trade policies as per the Governor's orders, and did not fully understand the importance of maintaining good relations with Indigenous peoples. Ríu also failed to adequately address the encroachment of British traders from the east side of the

²³⁶ Gitlin, *The Bourgeois Frontier*, 2010, 2,16; Frederick A. Hodes, *Beyond the Frontier: A history of St. Louis to 1821*, 45; Ekberg, *Colonial St. Genevieve: An Adventure on the Mississippi Frontier*, 1996, 52; Alvord, *The Illinois Country*, 262.

²³⁷ Choquette, "Center and Periphery in French North America" in *Negotiated Empires: Centers and Peripheries in the Americas, 1500–1820*, 194.

Mississippi River. The French inhabitants of Upper Louisiana resisted restrictive trade policies using community backed petitions. After the initial period of resistance, the French inhabitants of Upper Louisiana decided that rather than remaining outside the Spanish colonial governance and governing structures, they would infiltrate it instead. Leading French inhabitants were given positions of power in the new administration as the Spanish adjusted to the aftereffects of the Louisiana Rebellion of 1768. The French leaders were able to advise and influence on local matters and conventions, all while the Spanish officials officially remained in control. Through this period of infiltration, the French inhabitants of upper Louisiana influenced the system of government in the region. The French impact on Spanish governance during these intervening years (1770-1775) meant that when French leaders eventually gave way to Spanish officials, local French conventions had become firmly entrenched in Spanish governance of Upper Louisiana. Spanish officials adjudicated legal cases using French cultural pillars such as the *Coutume de Paris* and unwritten local norms. The French inhabitants had reached a rapprochement with the Spanish colonial officials, culminating in full on cooperation during the Battle of St. Louis.

The French inhabitants of other former French colonies in North America saw their political and economic elite leave when faced with a new imperial ruler, the opposite was true for Spanish Upper Louisiana.²³⁸ Most of the former colonial bureaucrats and military elite of the Illinois country migrated to Upper Louisiana after the Illinois Country had been transferred to the British in 1763. The ensuing infiltration of the Spanish colonial system in

²³⁸ When New France was transferred to Great Britain, the colony saw many of its political and economic elite return to France. Carl Berger, *The writing of Canadian history: aspects of English-Canadian historical writing since 1900*. (U of Toronto Press. 1986), 185; The Illinois Country saw many of its political elite depart to Louisiana, and saw the breakdown of the cultural pillars of the *Coutume de Paris* and the Catholic Church. Craig, *French Speakers, American Citizens: Government, Community, and Survival in the American Illinois Country, 1778-1787*, 101.

Upper Louisiana allowed the French inhabitants to protect and strengthen their local conventions and institutions.

The people of Upper Louisiana experienced changes in imperial governance three more times by the end of 1803. In 1793, Zenon Trudeau, a French creole, was appointed as Lieutenant-Governor of Upper Louisiana.²³⁹ While still nominally under Spanish rule, the appointment of Trudeau saw a French leader back in charge of the region for the first time since St. Ange was handed power over to Pedro Piernas in 1768. Trudeau's appointment marked the culmination of the French inhabitants' efforts to protect their culture and influence policy under the Spanish regime.

In late 1800, the Treaty of San Ildefonso was signed between Spain and France.²⁴⁰ The treaty returned Louisiana to France, something that many of the French inhabitants of Louisiana had hoped for since 1762. And yet the France that had first given up Louisiana no longer existed. While going about their lives on the edge of a foreign empire, France's *Ancien Régime* had been overthrown, replaced by a short-lived republic, which eventually gave way to the authoritarian regime of Napoleon Bonaparte. Napoleon dreamed of rebuilding New France in Louisiana. By late 1803, when the treaty to return Louisiana to France became public, war with Great Britain was on the horizon. An unacceptable amount of resources would be needed to protect the shipping lanes between France and Louisiana. Napoleonic France was also dealing with a slave revolt in Saint-Domingue. In 1802,

²³⁹ Ekberg, *François Vallé and his world: Upper Louisiana before Lewis and Clark*, 149; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 267; Foley, *A History of Missouri, 1763 to 1820 Vol 1*, 29. Gitlin, *The Bourgeois Frontier*, 49.

²⁴⁰ Fausz, *Founding St. Louis: First City of the New West*, 68; Gitlin, *The Bourgeois Frontier*, 44; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 267; Ekberg, *François Vallé and his world: Upper Louisiana before Lewis and Clark*, 141.

Napoleon sent 20,000 troops to put down the revolt. This counter-revolution was unsuccessful, as many of the soldiers had succumbed to yellow fever. The loss of Haiti made Louisiana strategically untenable, and so once again, France abandoned Louisiana to a foreign power. The transfer of Louisiana in 1803 to the United States of America was yet another regime change, and the French people of Louisiana found themselves yet again in the position of having to negotiate their survival and way of life within the bosom of a new empire.²⁴¹ From 1766 to 1780, the French inhabitants of Upper Louisiana successfully negotiated their place under the Spanish regime. By integrating into the Spanish colonial governing structure of the region, they insured that their customs and institutions would continue to influence the colonial policies of Upper Louisiana.

²⁴¹ Gitlin, *The Bourgeois Frontier*, 49; Ekberg, *François Vallé and his world: Upper Louisiana before Lewis and Clark*, 149; Fausz, *Founding St. Louis: First City of the New West*, 68; Cleary, *The World, the Flesh, and the Devil: A History of Colonial St. Louis*, 268.

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