

# St. Louis Under the Spanish Regime, 1764-1781

By JUDITH POSS\*

. . . she was born French; but, put under the charge of a step-mother, her cradle was hung up in the forest, her infancy stunted by its unavoidable privations, and her maturity retarded by the terror of the Indian yell. Her youth was more calm, but still not prosperous; for the exercise of undue constraints in youth sickens and retards the development of adulthood. Abandoned subsequently by her Castilian guardians, she found herself reclaimed by her old parent, only to be once more repudiated. She had then, however, attained her majority, and had herself become a parent; whose children, born under the aegis of Liberty, opened for her a new destiny, and vowed that she should become the metropolis of a new empire.<sup>1</sup>

Thus did Joseph N. Nicollet, a French mathematician and astronomer of an obviously romantic bent, capsule the early history of St. Louis after visiting that city in 1835. Although perhaps not as poignant as Nicollet would have us believe, in its colonial history St. Louis does appear to be something of an unwanted and neglected child, passed from France to Spain, back to France, and finally to the United States, all in the short period of forty years.

Officially the territory west of the Mississippi passed into Spanish possession in December of 1762 by the terms of the Treaty of Fontainebleau, which provided secretly for the transfer of Louisiana from France to Spain. However it was not until September 10, 1764 that Monsieur D'Abbadie, director-general of Louisiana, received a letter from Versailles dated April 21, announcing the cession of western Louisiana to Spain.<sup>2</sup> The foundation of St. Louis occurred in the

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1. Joseph N. Nicollet, "Sketch of the Early History of St. Louis," *The Early Histories of St. Louis*, ed. John F. McDermott (St. Louis, 1952), 133.

2. John T. Scharf, *History of St. Louis City and County* (Philadelphia, 1883), I, 70.

two-year lapse between the signing and the official announcement of the treaty.

Even after making known her possession of the Louisiana territory, Spain did not take steps to occupy the country until 1766 and did not succeed in establishing firm control until 1769. Thus little can be said of the Spanish administration of St. Louis before that date. However, in order to understand local conditions in that settlement, it is necessary to consider briefly the first years of its history during which St. Louis was nominally a Spanish colony.

The foundation of St. Louis came as an outgrowth of French efforts to stimulate trade rather than as a deliberate plan to establish a colony. France had ceded her territory east of the Mississippi to England by the terms of the Treaty of Paris of 1763. That same year the Sieur D'Abbadie was sent to New Orleans as director-general of Louisiana to supervise the delivery of eastern Louisiana to the British, but was not informed of the cession of the western portion to Spain. Finding the economy of the region dislocated due to the recent war, he attempted to stimulate business by granting trade monopolies in the various districts of the province. Such a grant was the one made to Maxent, Laclède and Company providing for an eight-year monopoly of the trade with the Missouri River Indians.<sup>3</sup>

In accordance with this grant, the junior partner in the firm, Pierre Laclède, set out in late 1763 to establish a trading post. There was only one village on the west side of the river, Ste. Genevieve, and it lacked a warehouse sufficiently large to accommodate Laclède's merchandise. Thus he decided to seek a more propitious site, settling upon a spot on the west bank of the Mississippi, eighteen miles below the mouth of the Missouri.<sup>4</sup>

What had been intended as a simple trading post experienced a rapid growth in the years from 1764 to 1766. Knowing that the French settlers at Fort de Chartres, Kaskaskia, and Cahokia on the east side were anxious to escape the British rule, Laclède encouraged them to migrate to the west bank and form a settlement around his post.<sup>5</sup> At the end of the first year forty families had moved to the new village. During the next two years between three and four hundred persons settled there, the majority coming from the French villages across the river. After 1766 population increase was very slow, so that it is obvious that St. Louis owed its initial growth

3. James B. Musick, *St. Louis as a Fortified Town* (St. Louis, 1941), 4-5.

4. Auguste Chouteau, "Narrative of the Settlement of St. Louis," *The Early Histories of St. Louis*, 47-48.

5. *Ibid.*, 54.

to the cession of the country east of the Mississippi to Great Britain.<sup>6</sup>

The growing village received a form of government in October, 1765 when the French Captain St. Ange de Bellerive, after surrendering Fort de Chartres to the British, moved his force of forty men to St. Louis.

This transfer can be explained by the fact that St. Ange, as commandant at Fort de Chartres, held jurisdiction over both sides of the Mississippi. It was only natural for him to retire to the territory over which he held nominal authority until the Spanish took possession.<sup>7</sup> In his official proceedings St. Ange followed the procedure commonly used at Fort de Chartres, governing with the aid of a five-man council, "probably," says Houck, "the same council he had at Fort de Chartres."<sup>8</sup> It appears, then, that the government of French Illinois was simply transferred to St. Louis.

Most of the early settlers were already experienced pioneers, the majority being descendants of the French-Canadians. Nearly all were connected by ties of marriage, a condition which tended to discourage class distinctions. Although the wealthy and more intelligent came to be considered more important in the community, in the first years there is no evidence of a class structure.<sup>9</sup>

Subsistence agriculture was the principal occupation of these first habitants. But, at the same time, most of the men also engaged in hunting or the fur trade during part of the year. The main crops in the beginning included corn for bread, potatoes, turnips, pumpkins, melons, and wheat after the erection of Laclède's water mill. A few artisans were also found among the early residents.<sup>10</sup>

Thus the settlement which Spain had inherited consisted of a relatively homogeneous group of Frenchmen and French-Canadians, for the most part engaged in agriculture, hunting, or the fur trade, and all professing the same Catholic faith. Conditioned to life under a paternalistic government, they showed little interest in political affairs, content to follow orders as long as their own interests were not menaced. Seemingly the transition from a French administration to a Spanish one would not be difficult for them.

Spain did not appear to be overly anxious to take possession of Louisiana, for she made no effort to occupy the province until 1766. The French in lower Louisiana and New Orleans had expressed

6. Jonas Viles, "Population and Extent of Settlement in Missouri Before 1804," *Missouri Historical Review*, V (July, 1911), 206-207.

7. Louis Houck, *History of Missouri* (Chicago, 1908), II, 16-17.

8. *Ibid.*, 18.

9. *Ibid.*, 267-274.

10. *Ibid.*, 231-233; and Billon, *Annals*, 84-85.

violent opposition to the transfer of governments and it is possible that Spain deferred taking possession in the hope that such opposition would lessen in the interim. However, the delay of the Spanish in asserting their authority only served to strengthen the belief of the French that the cession was to be only a temporary measure followed by a return to French rule.<sup>11</sup>

At last on May 21, 1765 His Catholic Majesty appointed Don Antonio de Ulloa as governor of Louisiana. The king's instructions that there should be, for the present, no change in the system of government and that the province should be regarded as a separate colony, under the Ministry of State rather than the Ministry of the Indies, were indicative of the desire to appease the habitants by making the transition as smooth as possible.<sup>12</sup>

Ulloa arrived in New Orleans on March 5, 1766, accompanied by a small force of about ninety men. He was immediately confronted with the hostility of the New Orleans merchants, who demanded to know under what conditions he planned to take possession of the colony. When Ulloa refused to present his instructions, the French Superior Council declined to effect the formal transfer of the territory. As a result, Ulloa, with his meagre forces, had no choice but to rule through the French governor.<sup>13</sup>

One of Spain's principal motives in occupying Louisiana was to erect a buffer state between her possessions in Mexico and the territory held by the rapidly advancing British. To further these objectives Ulloa authorized various expeditions to establish forts and settlements on the Mississippi as defenses against possible encroachments by the British. One such expedition, placed under the command of Captain Francisco Rui in 1767, represents the first official Spanish act affecting the upper Louisiana, or Illinois country, in which St. Louis was located. Rui was directed to proceed to the mouth of the Missouri, where he was to erect two forts, one on each bank.<sup>14</sup>

Ulloa's instructions to Rui clearly reveal his intentions in authorizing the expedition:

The two main objects in establishing this Fort are, first, to keep the friendship of the savages in harmony with the

11. Houck, *History of Missouri*, I, 285.

12. "Royal Decree Commissioning Ulloa Governor of Louisiana," *American Historical Association Annual Report for 1945*, II, ed. Lawrence Kinnaird, 1; hereafter referred to as *AHA Annual Report, 1945*.

13. Houck, *History of Missouri*, I, 288.

14. Houck, ed., *The Spanish Regime in Missouri* (Chicago, 1909), I, 29-31.

Colony, and the second to prevent the British neighbors from intruding in the lands and dominions which belong to His Majesty; and to successfully attain this purpose, it is necessary to use the best sagacity, keep up good friendship with the savages, and not give the English any reason for complaint or hard feelings.<sup>15</sup>

It appears that Rui was an unfortunate choice for first governor of the district. He quarreled with his subaltern, Don Fernando Gomez, and he so antagonized his troops that twenty soldiers deserted.

Nor was he any more successful in his relations with the merchants of St. Louis. In the trade regulations which he promulgated, he restricted each trader to the post with which he had express permission to trade. The St. Louis merchants complained that the Spanish trade restrictions deprived the Indians of the upper Missouri of necessary supplies. Twenty merchants therefore met at the house of St. Ange in May of 1768 to petition Rui to allow them to trade up the Missouri. They asked him to represent to Ulloa "the danger to which we were exposed by depriving those tribes of the aid which it has been customary to take them. . . . They had no other object than the destruction of all the French, if the sending of traders to them was postponed."<sup>16</sup> Eventually Rui did grant them the permission which they sought.

Evidently Ulloa soon received word of Rui's incompetence, for he relieved him of his command in 1768, stating that he was "not suitable" for the responsibilities of the office. In his place he appointed Don Pedro Piernas, formerly commandant at Natchez.<sup>17</sup>

Piernas arrived on March 6, 1769, only to receive orders from Ulloa on March 28 to return to New Orleans, leaving St. Ange in command. However, even during this brief sojourn he ran afoul of the St. Louis merchants, four of whom attached his possessions for payment of a debt contracted with them by the Spanish storekeeper for supplies for the troops. When the suit came before the local council, of which St. Ange was president, Piernas advised him that he (St. Ange) would be held responsible if the royal interests were not upheld. His subtle suggestion apparently was effective, for the attachment was released.<sup>18</sup>

In the meantime Ulloa was experiencing troubles of his own with

15. "Instructions, D'Ulloa to Rui, 1767," *Missouri Historical Society Collections*, III (1908), 159.

16. "Petition of the Merchants of St. Louis," Houck, *Spanish Regime*, I, 37.

17. "Ulloa Removes Captain Rui," *Ibid.*, 33-34.

18. Houck, *History of Missouri*, I, 297.

the New Orleans merchants and planters who opposed the establishment of the Spanish government and objected strenuously to the trade restrictions. By the fall of 1768 they felt themselves strong enough to organize a conspiracy to expel the Spanish. The Superior Council, after receiving a petition with over 500 signatures, ordered the Spanish governor to depart. Lacking sufficient military support, Ulloa consequently withdrew to Havana.<sup>19</sup>

This experience convinced Spain of the necessity for greater firmness and a show of force if the French in Louisiana were to be subdued. As a result the crown turned to a distinguished military man, Lieutenant General Alexandro O'Reilly, to lead a force of over 2000 troops to pacify the rebellious city, whose population at the time was estimated to be about 1800.<sup>20</sup>

O'Reilly arrived in August of 1769, arrested the instigators of the rebellion, and in a short time restored order to the area. He then took up the matter of the administration of the entire province.<sup>21</sup> His actions thus mark the real beginning of the Spanish attempt to administer Louisiana.

In order to provide for efficient administration of upper Louisiana, O'Reilly created the position of lieutenant-governor of "San Luis, San Genoveva and the district of the Ylinneses," to which he appointed Piernas.<sup>22</sup> The lieutenant-governor wielded administrative, economic, and military authority over the district. Among his many duties were the maintenance of order, examination and issuance of passports, administration and supervision of land grants, and jurisdiction in civil cases.<sup>23</sup> The district of upper Louisiana was subdivided into five districts—St. Louis, St. Charles, Ste. Genevieve, Cape Girardeau, and New Madrid—all under commandants appointed by and subject to the lieutenant-governor residing at St. Louis.<sup>24</sup>

Spanish law and language were, in theory, to take precedence in official business. However, in practice, the French of upper Louisiana continued to regulate their domestic affairs in accordance with the *coutume de Paris* without any objections from the Spanish authorities. The French language likewise prevailed even in judicial proceedings. Only when cases were appealed to the governor-general

19. Kinnaid, ed., *AHA Annual Report, 1945*, xx.

20. Buccareli to Arriaga, July 7, 1769, *Ibid.*, 86-88.

21. O'Reilly to Muniain, August 31, 1769, *Ibid.*, 90-91.

22. "Office of Lieutenant-Governor Created," Houck, *Spanish Regime*, I, 108-109.

23. Houck, *History of Missouri*, II, 194-195.

24. Floyd C. Shoemaker, *Missouri and Missourians* (Chicago, 1943), I, 105.

at New Orleans was the Spanish language employed. In petitions for land grants either French or Spanish was used indiscriminately.<sup>25</sup>

The inhabitants had the theoretical right to appeal the decisions of the lieutenant-governor to the governor-general at New Orleans, to a judicial tribunal in Cuba, from there to the Audiencia of San Domingo, and even as high as the Council of the Indies in Spain. However, the cost of such an appeal was so prohibitive that only a few cases were even referred to New Orleans.<sup>26</sup>

In practice judicial procedure was very simple. The commandant listened to the stories of both parties to the suit and then made his decision, which was rarely contested. Frequently the habitants resorted to extra-legal arbitration rather than going to the trouble of inaugurating a civil case.<sup>27</sup>

Punishments for offenses included imprisonment, the use of stocks, banishment, and payment of fines. The French were, in general, of a law-abiding nature and attached great disgrace to punishment, so that such devices, with the exception of fines, seem to have been invoked infrequently.<sup>28</sup>

In spite of the far-reaching powers vested in the lieutenant-governor, most matters of purely local interest were dealt with at town meetings, generally held on Sundays after mass. The habitants gathered in the government hall, with the lieutenant-governor attending, to consider matters of public improvement and other domestic problems. Typical of these meetings was one held in 1782 to establish "fixed and unalterable rules for the construction and repair of streets, bridges and drains. . . ." It was decided that two syndics would be elected to enforce the regulations established by the meeting.<sup>29</sup>

In addition to his civil position, the lieutenant-governor also held the rank of captain in the Spanish army. The force stationed at St. Louis numbered about thirty men and its purpose seems to have been the protection of the settlement as much as law enforcement. In times of need this force could be supplemented by a militia composed of "all persons able to bear arms from the age of fourteen to fifty years."<sup>30</sup>

Since the governor-general of Louisiana had the right to appoint his administrative assistants, a change in that office was generally

25. *Ibid.*

26. *Ibid.*, 198-200.

27. *Ibid.*, 201.

28. Shoemaker, *Missouri*, III.

29. Frederick Billon, *Annals of St. Louis under French and Spanish Domination* (St. Louis, 1886), 216.

30. Shoemaker, *Missouri*, 106.

accompanied by a change in the lieutenant-governor of upper Louisiana. During the period under consideration, St. Louis experienced three such changes in personnel and greeted the appointees with varying degrees of enthusiasm.

Don Pedro Piernas was the first lieutenant-governor, appointed by O'Reilly in 1770. He was already familiar with the situation in the region, having spent a brief period there as Captain Rui's successor. Upon his return to New Orleans he wrote a not altogether favorable report for O'Reilly, describing local conditions and the attitude of the habitants. He discounted any danger of rebellion, for the habitants were submissive, "not desiring to follow the mob of the capital. . . ." He mentioned the suit against him by the merchants, stating that he made good the debts of the royal treasury. He concluded:

. . . that method, I believe, strengthened in the habitants the excellent readiness which has been experienced and which they have always shown to contribute to the needs of that garrison with their products, thus giving the lie to the badly formed opinion that the scarcity of money which has always been experienced in the colony from the beginning of their entrance there, has produced against the nation.<sup>31</sup>

Despite this optimistic note, his first experience with the habitants and the council evidently left him with an unfavorable impression; for in a later section of the report he commented on the "looseness of conduct, the abandonment of life, the dissoluteness and license" which he found there. He described the council as being composed of "four useless habitants and one attorney, a notorious drunkard," all of whom looked after their own individual interests rather than the common welfare. Although "the good-for-nothing Monsieur St. Ange" presided as first judge, "whatever is determined by the fancy of those counselors [sic] is authorized and executed through the good intention of the latter's respectable old age."<sup>32</sup>

Arriving with this attitude, Piernas hardly seemed likely to win the good will of the habitants. However, he evidently overcame or succeeded in concealing his distaste for the settlers, for he appears to have won the respect and favor of the people. At the conclusion of his term of office in 1775, fifty adult males of the city signed a testi-

31. Piernas to O'Reilly, October 31, 1769, Houck, *The Spanish Regime*, I, 69.

32. *Ibid.*, 72-73.



monial in commendation of his administration, certifying that he distributed the trade "alternately each year to the best of his judgment for the public interest, and the number of traders. . . ." <sup>33</sup>

Piernas' successor, Francesco Cruzat, served two terms, from 1775 to 1778 and from 1780 to 1787. He was an active administrator who held office during a particularly trying period and who used initiative in trying to defend the Spanish domain against the incursions of the British. His popularity with the habitants was undoubtedly enhanced by the tolerance which he exhibited with regard to the widespread smuggling. <sup>34</sup>

The unfortunate Fernando de Leyba held office from 1778 until his death in 1780, an event possibly hastened by conditions during his rule. Leyba hardly seems to have deserved the vituperation showered upon him by the habitants. So unpopular was the lieutenant-governor, he stirred the citizenry to their first literary effort, a poem called "Chanson de l'Annee du Coup," dedicated to exposing de Leyba's cowardice during the attack on St. Louis, in 1780. <sup>35</sup>

De Leyba's first mistake was his effort to enforce the trade regulations and tariffs ignored by his predecessor. This alone was sufficient to merit the disfavor of the merchants, the most articulate and influential group in the colony. And when the village was attacked by Indians in 1780, the terror-stricken inhabitants found a perfect scapegoat in the person of the unpopular de Leyba. However, official Spanish records reflect no blame on de Leyba. On the contrary he was awarded a military promotion for his defense of the village. <sup>36</sup>

Because of their distance from the seat of government, the lieutenant-governors necessarily enjoyed a great deal of independence in exercising their powers. However, with the exception of a few protests by the merchants concerning trade regulations, there is little evidence of popular discontent. Nevertheless, it must be recalled that the French habitants were of a decidedly apolitical nature and many were illiterate and so unable to put into writing their complaints. Finally, the main body of documents relative to the Spanish administration comes from the correspondence of the lieutenant-governors and they could hardly be expected to give expression to popular dissatisfaction which would reflect on their rule. Still the tone of their letters and the sentiments expressed therein bear out the general impression of a tolerant and mild administration.

33. "Testimonial to Piernas," Billon, *Annals*, 130.

34. Houck, *History of Missouri*, II, 30-31.

35. Musick, *St. Louis As A Fortified Town*, pp. 45-50.

36. Shoemaker, *Missouri*, 108-109.

The Spanish administration of the internal affairs of the village was very limited in nature. In general the people continued to conduct their affairs in accordance with French law. It was only in the area of land grants, agriculture, and immigration that the Spanish laid down specific regulations.<sup>37</sup>

Governor O'Reilly's instructions to the lieutenant-governor of upper Louisiana gave expression to the purposes of the Spanish regime in that region:

There are three primary objects to be looked after. . . . These are that the dominion and government of His Majesty be loved and respected; justice administered promptly, impartially, and according to the law; and that commerce be protected and increased as much as possible. For the attainment of such important ends, he who commands ought to make well known with his words and deeds how greatly the King desires the happiness of his vassals. . . .<sup>38</sup>

Such were the guidelines set down for the benefit of the lieutenant-governors.

A major concern of the habitants was the legality of their land claims. Laclède in 1765 had made verbal grants to the settlers for lots upon which they could construct their homes.<sup>39</sup> St. Ange continued to make land grants, giving the concession to an applicant "under the condition of settling it within one year and a day. . . ." The Spanish authorities never questioned the legality of the grants made by Laclède and St. Ange.<sup>40</sup>

In establishing her own policy for land grants, Spain was extremely liberal. O'Reilly's ordinances, published in 1770, provided for donations of land to actual settlers who intended to "establish" themselves in the region rather than to use the land for speculation. Not only was the grant freely given, but also there were no taxes to be paid on the land.<sup>41</sup>

The size of the grant varied with the importance of the grantee. An ordinary settler might receive from 200 to 500 arpens,<sup>42</sup> depending upon the amount he requested in his petition. But there

37. The Spanish passed very specific trade regulations, but since these were closely connected with Indian affairs and relations with the British they will be considered later.

38. O'Reilly to the Lieutenant-Governor, February 17, 1770, Houck, *The Spanish Regime*, I, 76.

39. Billon, *Annals*, 36-37.

40. Houck, *History of Missouri*, II, 20-23.

41. *Ibid.*, 215.

42. An arpen (plural arpens) was equal to 192 feet, 6 inches square.

was always the possibility of getting additional land if he displayed energy and ability in cultivating his initial plot. A wealthy and influential settler might receive a grant of several thousand arpens. O'Reilly's regulations prohibited grants in excess of more than one league to a person, but Houck says that this was "construed as not prohibiting several grants of one league square to the same individual."<sup>43</sup>

In spite of the obvious opportunities for favoritism, there seems to have been little dissatisfaction with the Spanish land policy during this early period. Land was so plentiful that any *bona fide* settler was guaranteed as much land as he could cultivate. It was not until after 1787, with the wave of American settlers, that complaints against speculation arose.<sup>44</sup>

The Spanish policy toward immigration, closely allied to her liberal land policy, indicates that Spain regarded her possessions in upper Louisiana as something more than military outposts. The most obvious reason for encouraging immigration was that settlers, if prosperous and contented, would be likely to join the Spanish in defense of their homes against any British threat. Furthermore Spain was plagued throughout the period with pecuniary embarrassments and the colony represented a financial drain on the home government. Thus it was hoped that the new immigrants would increase the productivity of the area so that it could supply valuable exports to defray the costs of administering and defending the region.<sup>45</sup>

As early as 1768 Ulloa was in contact with one Jacobo Walker, a representative of Catholics in Maryland who had been influenced by reports from Acadian friends who had settled in the region. Ulloa arranged for Walker to visit the province and examine lands which might suit the colonists. He was most anxious to welcome settlers who could be counted as enemies of England and felt that once the migration began, "a flood of settlers will be coming here within a short time."<sup>46</sup>

Governor Galvez in 1777 instructed Cruzat "to endeavor to increase the population of the settlements committed to his charge, especially with French-Canadian families living among the English."<sup>47</sup> Cruzat agreed that this was an especially propitious moment

43. Houck, *History of Missouri*, II, 214-216.

44. Shoemaker, *Missouri*, 115.

45. *Ibid.*, 114-115.

46. Ulloa to Grimaldi, February 11, 1768, AHA *Annual Report*, 1945, 41.

47. Galvez to Galvez, January 27, 1778, Houck, *The Spanish Regime*, I, 152.

to offer them inducements in view of the war between England and her colonies. He wrote that he had information "as to the oppressions from which they suffer . . . in being forced to bear arms against the Bostoneses. . . ." <sup>48</sup> However, Cruzat wisely observed that many lacked the means to make the move or to begin cultivation of the land. Therefore, Galvez agreed to petition the crown for funds to assist them in establishing themselves. <sup>49</sup>

Although Cruzat was relieved of his post, his suggestion did not go unheeded. In his special instructions to de Leyba, Galvez directed him to assist "Acadians or Apostolic Roman Catholics in English territory, and Irish, Canadians, and Germans" in migrating to upper Louisiana. In order to attract settlers, de Leyba was to inform them that they would "be given lands, and provided with the tools necessary to cultivate them, together with rations monthly until they have gathered their first harvest after their arrival." <sup>50</sup>

The Spanish immigration policy received a lift from unexpected quarters following the conquest of the eastern Illinois country by George Rogers Clark in 1778. Clark was too preoccupied to establish law and order, with the result that many families, including Charles Gratiot and Gabriel Cerre, the leading merchants of Cahokia and Kaskaskia respectively, moved across the river to St. Louis. Not only the French, but Americans also, were attracted by the Spanish inducement of free land and no taxation. St. Louis experienced an additional benefit from the coming of Gratiot and Cerre in that the transfer of their business and capital enhanced the position of that city as a trade center. <sup>51</sup>

Since increased productivity was one of the aims of the Spanish immigration policies, the authorities began to search for a staple crop which would be valuable to the mother country. The earliest settlers engaged principally in subsistence agriculture, producing no more than what was required for their individual needs.

In 1775 Laclède succeeded in producing a good crop of hemp which he shipped to New Orleans, and it is possible that his success led the authorities to seize upon hemp as a profitable staple. Whatever the cause, Galvez instructed Cruzat to call a public meeting at which he was to urge the inhabitants to take up the cultivation of hemp and flax. Cruzat reported to Galvez in 1777 that the people "were going to make all possible efforts to acquire the seed of the hemp. . . . As to the cultivation of flax, they are not much inclined

48. Cruzat to Galvez, December 8, 1777, *Ibid.*, 154.

49. Galvez to Galvez, January 27, 1778, *Ibid.*, 153-154.

50. Galvez to de Leyba, March 9, 1778, *AHA Annual Report*, 1945, 259.

51. Houck, *History of Missouri*, II, 46-48.

to it, as they say the country does not produce this kind of crop so well as the other." At any rate, they promised to try to raise flax and to adopt it as a crop if they met with success.<sup>52</sup>

Cruzat also hastened to point out that, because of the small population, the settlers felt that their task would be easier if they had the assistance of Negro slaves. He suggested that, in view of the scarcity of money, they might reimburse the crown with the subsequent crops produced.<sup>53</sup>

Galvez repeated his request for the cultivation of hemp and flax in his instructions to de Leyba on March 9, 1778. He added that he had proposed to the king that he furnish the settlers with Negroes, but directed them to make a start on the crops while awaiting the decision of the crown.<sup>54</sup>

De Leyba, it seems, was not as easily taken in as was his predecessor by the promises of the inhabitants. He wrote to Galvez that in spite of an abundance of fertile soil the profits from the Indian trade were such that "all are, or wish to be merchants." The result was a constant scarcity of food at the post. "The classes of people are so mixed up," complained the distracted commandant, "that one cannot tell who is a farmer and who is a merchant."<sup>55</sup>

De Leyba realistically observed that, being motivated by self-interest, these people preferred commerce to farming because the former made them wealthy, while the latter gave them little or no gain. He, however, had a plan by which the situation might be reversed. If the garrison could be increased to eight hundred men, they would have to be supplied with bread by the inhabitants. De Leyba estimated that, if the crown would guarantee the price of flour, the people would gladly turn to agricultural pursuits in order to meet the increased demand. He concluded that, "if this is done, the population would increase greatly and before long the sowing of hemp could be contemplated."<sup>56</sup>

Although de Leyba had readily diagnosed the cause of the reluctance to adopt the royal plan for hemp and flax, his cure did not particularly impress his superior. Galvez pointed out that he could not predict the price of flour. Furthermore, he observed that a similar scheme had been tried at New Orleans, but the people still preferred commerce to agriculture. Therefore he repeated his directions

52. Cruzat to Galvez, November 23, 1777, Houck, *The Spanish Regime*, I, 159.

53. *Ibid.*

54. Galvez to de Leyba, March 9, 1778, AHA *Annual Report*, 1945, 259.

55. de Leyba to Galvez, November 16, 1778, *Ibid.*, 312-313.

56. *Ibid.*

that the people be encouraged to begin cultivation while awaiting the arrival of the Negro slaves.<sup>57</sup> This is the last that is said about hemp and flax, for the authorities had to turn their attention to matters of defense with the Spanish declaration of war on England in 1779.

The policies of Spain with regard to the control of trade had an impact both on the internal situation in St. Louis and on Spain's relations with Great Britain and ultimately with the American colonies. Therefore, for any clear understanding of the problem with which Spain was confronted, it is necessary to consider both aspects.

The coming of the Spanish ended an idyllic period during which St. Louis merchants had enjoyed free trade with the Indian tribes and with the British as well. In his report to O'Reilly, Piernas spoke of a clandestine trade through which certain St. Louis merchants supplied the English district with salt at a lower price than that charged on the Spanish side.<sup>58</sup>

The most influential men in the village were the merchants, and they were vitally concerned with what changes the Spanish administration would bring. Nor were they alone in their concern, for a majority of the male inhabitants devoted part of their time to some aspect of the Indian trade, a situation which prevailed throughout the period under consideration. A militia roster for the year 1780, listing the occupations of the two hundred fourteen men enrolled, indicates that at least fifty per cent of its members were involved in some aspect of the trade, either as merchants, traders, hunters, or rowers.<sup>59</sup> Thus the economic prosperity of St. Louis was closely allied to the success or failure of the Spanish commercial policies.

The basic policy which Spain intended to follow with regard to the regulation of trade was set forth in O'Reilly's instructions to Piernas.<sup>60</sup> Briefly these regulations specified that:

1. No trader would be allowed to enter British territory.
2. No trader might engage in commerce with the British, either to purchase goods from them or to sell them anything.
3. All traders of upper Louisiana must purchase their supplies in New Orleans and must send their products to it for disposal.
4. Only those traders who were licensed by the Spanish commandant might enter the Indian villages in the region.

57. Galvez to de Leyba, January 13, 1779, *Ibid.*, 314.

58. Piernas to O'Reilly, October 31, 1769, Houck, *The Spanish Regime*, I, 69-73.

59. Roster of St. Louis Militia, *Ibid.*, 184.

60. O'Reilly to the Lieutenant-Governor, February 17, 1770, *Ibid.*, 77.

5. The commandant might not refuse his license to any honest man.

6. No monopoly or exclusive rights would be tolerated.

Although these were, in theory, the regulations, strict enforcement would have brought chaos to the economy of St. Louis. Cruzat, in particular, was lax in enforcing the restrictions on trade with the British. Nor, in reality, was the trade open to all Spanish citizens. The lieutenant-governor supplemented his meagre salary with the fees from licensing, and so he naturally favored the highest bidder.

In their efforts to maintain control of the Indian trade, the Spanish officials had to meet two basic problems. First, they had to gain the friendship and trade of the Indians; second, they had to retain exclusive control of the territory, preventing the British from intruding.<sup>61</sup>

The first of these problems was easier to solve. Here the Spanish had the advantage of the amiable relations which already existed between the French and the Indians. Ulloa instructed Rui to follow the French custom of giving presents to the Indians and medals to their chiefs, for "we do not wish to introduce any novelty among them."<sup>62</sup>

The licensing system which Spain employed insured that the traders would act as governmental agents, as well as in their own interests. Thus O'Reilly instructed Piernas to "advise all the traders to uniformly proclaim among the Indians the mildness and equity of our government, and the happiness resulting therefrom to the vassals."<sup>63</sup>

The Spanish were careful not to alarm the Indians as to the safety of their lands, for Ulloa cautioned Rui to convince them that "we go into their lands without any claim of right, but because they want us to go."<sup>64</sup> And O'Reilly, by his proclamation of December 7, 1769, prohibited any further enslavement of the Indians and required all those possessing such slaves to declare them before the commandant.<sup>65</sup>

Thus far the governmental policy towards the Indians was a suc-

61. "Instructions, D'Ulloa to Rui, 1767," *Missouri Historical Society Collections*, III (1908), 159.

62. *Ibid.*, 160.

63. O'Reilly to the Lieutenant-Governor, February 17, 1770, Houck, *The Spanish Regime*, I, 77.

64. "Instructions, D'Ulloa to Rui, 1767," *Mo. Hist. Soc. Collns.*, III (1908), 152.

65. Proclamation by O'Reilly, December 7, 1769, AHA *Annual Report*, 1945, 125-126.

cess and it seems that the Indians preferred the French with their Spanish masters to the British. However, the prohibition of the sale of brandy, the attempt to control the sale of guns and ammunition, and the higher prices charged by the Spanish ultimately diverted much of the Indian trade to the British.

In meeting the second problem, that of British incursions into Spanish territory, the authorities were fighting a losing battle. By 1765 the British had put down the Indian menace and were ready to challenge the Spanish for the trade in the Illinois country.

At the same time that the Spanish were erecting posts as defense against the British, they were attempting to maintain peaceful relations with them. In all their instructions the governors directed their subalterns to remain on good terms with the British and to give them no cause for "complaint or hard feelings."<sup>66</sup> And O'Reilly wrote the British General Gage, assuring him that the Spanish commandants had made clear to the Indians that any offense to British subjects "will be considered the same as if made against those of His Catholic Majesty. . . ."<sup>67</sup>

However, it was inevitable that the two nations would come into conflict. The Spanish, on their part, encouraged Indians from the east side to cross the river and trade at St. Louis. And the intrepid British traders were frequently found in Spanish territory.

Once again it was the much abused de Leyba who inherited the most difficult situation. His first responsibility was to retain the friendship of the Indians. However, even this formerly routine task had become complex. Upon arriving in St. Louis in the summer of 1778, he found that the year's supply of presents for the Indians had not been delivered.

De Leyba considered confiscating the goods belonging to merchants of St. Louis. But already they were "taking it with very bad grace on account of the scarcity and costliness of their merchandise this year."<sup>68</sup> Finally, at wits end, de Leyba permitted five traders to bring in goods from the British side. This alleviated the situation temporarily, but because the merchants had to pay exorbitant prices he felt obliged to grant them special concessions. As a result, he was unable to make "a wide distribution of permits,"<sup>69</sup> thereby alienating a considerable portion of the St. Louis traders.

66. "Instructions, D'Ulloa to Rui, 1767," *Mo. Hist. Soc. Collns.*, III, (1908), 159.

67. O'Reilly to Gage, September 21, 1769, *AHA Annual Report, 1945* 95-96.

68. de Leyba to Galvez, July 25, 1778, *Ibid.*, 300.

69. de Leyba to Galvez, October 28, 1779, *Ibid.*, 361.



At the same time, St. Louis was experiencing a food shortage. And, to make matters worse, the tribes were coming into the village, accompanied by wives and children, under the pretext of seeking advice as to which side to take in the war with the English. "The Missouri nation," complained the distraught commandant, "has done this and has been here for two weeks, eating us out of house and home."<sup>70</sup>

In the midst of this chaotic situation, at odds with the local merchants and threatened with the defection of the Indians, de Leyba was instructed to play the role of the belligerent neutral, giving secret aid to the American colonies. He kept in close contact with George Rogers Clark and was active in forwarding supplies from New Orleans to Clark under cover of the Spanish flag.<sup>71</sup>

On July 8, 1779 Spain formally declared war on England. Shortly thereafter the British governor of Canada, General Frederick Haldimand, received instructions to reduce the Spanish posts of upper Louisiana and ultimately to take New Orleans. The purpose of the attack on St. Louis, according to the Haldimand papers, was twofold: to secure the fur trade of the Missouri, and to redress the injuries of English traders who had attempted to partake of that trade.<sup>72</sup>

The expedition against St. Louis consisted chiefly of Indians, with a few traders. As early as March rumors of the campaign had reached St. Louis, and de Leyba began in April to prepare for the defense of the village. Thus when the attack came on May 26, 1780, the soldiers and townspeople were able to hold off the superior force. Yet, the number of dead, wounded, and captured among the defenders of the city has been estimated at nearly one hundred, a high percentage of the population of approximately seven hundred.<sup>73</sup>

The defeat of the British had more than local significance. In the first place, it caused great demoralization among the Indians friendly to the British. It gave Clark time to collect a force which subsequently defeated Britain's allies, the Sac and Fox Indians. The result of these defeats was to frustrate the British plan to capture the Spanish possessions. Ultimately, this proved to be of value to

70. de Leyba to Galvez, July 21, 1778, *Ibid.*, 298.

71. "Clark-Leyba Papers," *American Historical Review*, XLI (1935), 92-93, 111-112.

72. Sinclair to Haldimand, February 17, 1780, *Mo. Hist. Soc. Collns.*, II (1906), 41-42.

73. Musick, *St. Louis as a Fortified Town*, 24-50. Musick has an excellent treatment of the entire episode, the details of which were not relevant to the purposes of this paper.

the rebellious colonies, for it prevented the British from hemming them in on the west.<sup>74</sup>

If one were to believe the aggrieved habitants, one would think that the city had capitulated before the British. Many had resented the labor and funds which they had been forced to contribute in preparing for the defense of the city. Some traders were still smarting from the privileges which de Leyba had granted earlier to those merchants sent to the British side for presents for the Indians. The food shortage added to the grievances of the citizens. Thus they were not kindly disposed toward de Leyba before the attack.

Even after the successful defense of the city, their alarm did not abate. It appears that sometime in June de Leyba refused or was unable to give presents to representatives of friendly elements of the Sac and Fox Indians. The people, afraid to antagonize these tribes, offered to contribute a present from their own possessions, but de Leyba declined their offer. During this period groups of savages were roaming the surrounding countryside, committing brutal massacres. So desperate were the people that they addressed a letter to the governor-general at New Orleans denouncing de Leyba in harsh terms and pleading for a fort and additional troops.<sup>75</sup>

The charges against de Leyba, transmitted through the years in local tradition, now seem to be largely unfounded. He prepared the city for the attack and conducted a cool-headed defense. His chief error seems to have been that of alienating the most outspoken elements in the city, men who were able to play on the widespread terror in order to direct the anger of the people against the lieutenant-governor.

To replace de Leyba, who died on June 28, Galvez appointed the popular Francisco Cruzat, who had formerly held the position from 1775 to 1778. By November Cruzat was able to report that several tribes that had temporarily joined the British had come to St. Louis to make peace with the Spanish. Still he was plagued with the customary problem of a lack of merchandise, medals and flags. In the absence of merchandise, wrote Cruzat, he was compelled to satisfy the Indians "more by astuteness than presents."<sup>76</sup>

The Indians coming into St. Louis continued to bear reports of British plans for a renewed attack in the spring. Fearing for the safety of the city, Cruzat began work on a line of fortifications to

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74. Stella Drumm, "The British-Indian Attack on Pain Court," *Journal of the Illinois State Historical Society*, XXIII (January, 1931), 648.

75. Musick, *St. Louis as a Fortified Town*, 46-50.

76. Houck, *History of Missouri*, I, 308.

surround the city without waiting for approval from New Orleans.<sup>77</sup>

At this same time Cruzat decided to take the offensive against the British at Fort St. Joseph, where it was rumored that they were preparing an attack on the Spanish territory. He was urged to take the step by two chiefs of the Milwaukee Indians who promised their support. In explaining his decision to Galvez, Cruzat wrote that a refusal would have indicated the weakness of the inadequate Spanish forces and, "if they had learned of these facts, it might have been sufficient reason for them to change sides. . . ." Furthermore, Cruzat pointed out, a successful attack would cut off the British resources and would discourage them and their Indian allies from carrying out any contemplated attack in the spring.<sup>78</sup>

In accordance with Cruzat's plans, a force of sixty-five militiamen and sixty Indians set out on January 2, 1781 for Fort St. Joseph. They reached their destination after a long march over the frozen countryside and took the fort and its provisions on February 7th. The captured merchandise was distributed among the Indians, the militiamen receiving nothing. The eight hundred mile campaign was executed without the loss of a single man.<sup>79</sup>

The attack on Fort St. Joseph was just one incident in the Spanish military operations in upper Louisiana. However, its success tended to bolster Spanish morale and helped to retain the loyalty of the Indians. The significance of the attack is perhaps best illustrated by considering what might have happened had the attack failed: had the Indians been aware of the weakness of the Spanish, they would have gone over to the British and the safety of the entire area would have been endangered.<sup>80</sup>

In spite of this temporary victory, it was clear by 1781 that the Spanish were losing out in the contest with the British for the control of the trade of the upper Mississippi Valley. The lower Mississippi was infested with Indians and British robbers who threatened whatever merchandise the Spanish attempted to send up the river.

The situation became so serious that the chiefs of the Sac and Fox Indians asked Cruzat for permission to trade with the British. Cruzat, having nothing with which to satisfy their demands, gave his assent. This, in the opinion of one historian, marked the be-

77. Cruzat to Galvez, December 18, 1780, AHA *Annual Report*, 1945, 408-410.

78. Cruzat to Galvez, January 10, 1781, *Ibid.*, 415-416.

79. Cruzat to Miro, August 6, 1781, *Ibid.*, 431-434.

80. Kinnaird, "The Spanish Expedition against Fort St. Joseph," *Mississippi Valley Historical Review*, XIX (September, 1932), 190.

ginning of the end for the Spanish in the upper Missouri-Mississippi Valley region. Once the British were allowed to trade with the Indians their influence spread throughout the region. In a short time their superior goods pushed the Spanish traders out of competition and forced them into the less profitable regions of the upper Mississippi.<sup>81</sup>

Therefore, although the Spanish retained control of the province for many years, by 1781 it was evident that their trade policies had failed. An intelligent Indian policy, which was largely successful in maintaining the friendship of the natives, was not sufficient to secure their trade.

The shortcomings of the Spanish trade regulations are undoubtedly more apparent to one writing in the twentieth century than they were to the Spanish authorities, charged with the responsibility of protecting the commerce of Louisiana for His Catholic Majesty. First of all, contrary to the prohibition of monopolies, the Spanish officials did grant certain traders exclusive privileges for certain districts or certain tribes. The obvious result was to antagonize those traders who had lost out to the highest bidder. And when a new lieutenant-governor arrived, he was likely to rescind these privileges, thereby alienating the more influential men.<sup>82</sup>

Also, since the licenses went to the highest bidders, it was often an expensive process to obtain one. The traders naturally raised the prices on their merchandise to cover this expense. And it was in no little part the high cost of the Spanish goods which drove the Indians to the British traders.

Furthermore, the Spanish were plagued with a lack of capital. As early as 1768 Ulloa was complaining that what silver there was in the region was being drained off to the British through the smuggling activities of Spanish traders.<sup>83</sup> This problem kept recurring throughout the period and was one with which Cruzat was quite familiar during his terms of office. Currency was so scarce in upper Louisiana that the merchants petitioned Cruzat to make some regulations for the inspection of furs, which were used as currency.<sup>84</sup>

Looking at the question from another point of view, that of the British superiority, it appears that Spain's weaknesses were Britain's strengths. The British had abundant merchandise to offer,

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81. Abraham P. Nasatir, "The Anglo-Spanish Frontier in the Illinois Country during the American Revolution," *Journal of the Illinois State Historical Society* XXI, (October, 1928), 355-356.

82. Houck, *History of Missouri*, II, 250.

83. Ulloa to Grimaldi, August 4, 1768, AHA *Annual Report*, 1945, 57-58.

84. Billon, *Annals*, 133-134.

of better quality and at lower prices than that of the Spanish. The British traders were well organized, possessed more capital, and were not hampered by the tight restrictions and high taxes of their Spanish competitors. The result was that by 1781 the British had begun to oust the Spanish from their own profitable territory.

Merely because the Spanish failed in the contest with the British does not, however, justify a summary dismissal of their efforts in upper Louisiana. As had been seen, they fostered a liberal land policy which encouraged the development of a class of small landowners. They made sincere efforts to stimulate immigration into the province, going so far as to pay for the transportation and initial maintenance of the immigrants. But if population figures are an accurate gauge, their program does not seem to have attracted a great number of settlers. Piernas reported in 1772 that the population of St. Louis was 497, including slaves.<sup>85</sup> Thirteen years later, when Cruzat submitted his census, the population had grown to 897, hardly an impressive increase for the frontier.<sup>86</sup> Likewise their attempts to promote the cultivation of hemp and flax elicited only a slight response.

Perhaps it would be more fair to judge Spanish achievements in the light of their objectives, as enumerated in O'Reilly's instructions to the lieutenant-governor. It is clear that at least one of these goals, the protection and increase of commerce, was a failure. A second objective, that justice be administered "promptly, impartially, and according to the laws," seems to have been carried out in part, although frequently in St. Louis the interpretations of the laws were based on French rather than Spanish custom.

The success of the other stated objective, "that the dominion and government of His Majesty be loved and respected," is more difficult to evaluate. The percentage of habitants who made their marks when signing documents indicates a high rate of illiteracy. Thus one is hard pressed to find diaries or personal papers which might give expression to popular discontent. Also one must take into consideration the fact that the French were not interested in politics and were less likely to protest against an unpopular government than were their English neighbors. The only real example of popular disapproval which we have, aside from protests by the merchants to economic restrictions, is in the ballad "Chanson de l'Annee du Coup."<sup>87</sup>

One is left with the impression that, in general, the Spanish

85. Census for 1772, Houck, *The Spanish Regime*, I, 53-54.

86. Census for 1785, Houck, *History of Missouri*, II, 208.

87. See appendix for translated text of the ballad.

regime was characterized by mildness and liberality. One might criticize their policies for their extreme paternalism—for example, no taxes were paid, the government assumed the responsibility of paying for the clergy and the maintenance of religious property. However, the French were already accustomed to having public affairs managed and protected by the home government. Indeed if their reluctance to assume responsibility for their own defense in 1780 is any indication, they were definitely not yet prepared for the experience of democracy.

Possibly the basic reason for the French acquiescence under the Spanish regime is that the Spanish actually did very little administering. They were far more concerned with problems of the Indian trade than with the domestic affairs of St. Louis, and so the average habitant rarely felt the presence of the Spanish government in his daily life.

The permanent influence of Spain in the region was negligible. The area continued to be French in every essential—customs, language, and law. Very few Spaniards migrated to the region—the militia roster of 1780 lists only one.<sup>88</sup> Billon estimates that, with the exception of the Spanish officials and soldiers, not more than a dozen Spaniards migrated to St. Louis during the entire thirty-four years of the Spanish regime.<sup>89</sup>

If the impact of a nation and its policies is judged by the lasting impression that they leave upon those most vitally concerned, then the Spanish record in St. Louis would be a sorry one indeed. For the average, well-informed St. Louisan, if questioned about the Spanish regime in his city, is very likely to express doubt or surprise that the Spanish were ever there. Thus it falls to the historian to give to the Spanish just recognition for their efforts and achievements during their brief interlude in St. Louis history.

## APPENDIX

### "BALLAD OF THE YEAR OF THE SURPRISE"

#### *Governor*

Courier, say, what is the news  
That seems thy fancies to confuse?  
What! Have lost the Illinois?  
The English—do they the land enjoy?  
Down-hearted, thus! Speak, courier, say  
What great misfortune has happen'd, I pray?

88. Roster of St. Louis Militia, Houck, *The Spanish Regime*, I, 184.  
89. Billon, *Annals*, 76-77.

*Courier*

Oh, General, General, all is lost,  
If not redeemed with speed and cost;  
We've been by savages attacked—  
They threaten us, still, by others backed:  
Ever so many, alas, were killed—  
Unable to aid them—with grief we're filled.  
When the enemy first appeared,  
To arms we ran, no one afeard,  
Townsmen, traders, grave and gay,  
Bravely to battle and win the day;  
But, by command, we were forbid  
To quit the trench where our ranks were hid.

*Governor*

What did they in that moment—then?  
Lacked they, all, the souls of men?  
What! Had ye not the great Leyba!  
Where was the famous Cartabona;  
Your Major! Where was he, as well;  
The Garrison, too, your force to swell?  
Oh, that moment! What did they then?  
Lacked they, all, the souls of men!  
Homeward cravens, come ye back;  
Long have we feared your course, alack!  
Here we've at least within our wall,  
To watch our standard—prevent its fall,  
An officer prudent, bold and wise,  
Who'll valiantly guard you against surprise.  
Calve, the petty tinkering knave!  
Called he himself a warrior brave!  
Yet saw his nephew slain, alas!  
Kinsmen and friends on the prairie grass—  
Helpless, abandoned, to meet their fate,  
From the savages' fierce and furious hate!  
Heartless Canadians! 'Twas their deed!  
Brothers and sisters, you saw them bleed  
Cut-throats exult in your acts of night,  
and, coward-like, safety seek in flight.