

PRELIMINARY INVENTORY OF THE RECORDS  
OF THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF LOUISIANA

(Record Group 21)

Compiled by  
BARBARA RUST

National Archives and Records Services  
General Services Administration

April 1979

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5/71  
Ref. see pages 9 & 10

INTERVENTION DOCKET. May 1917-February 1932. 3 vols. 6 in. 19

Arranged chronologically by the date of the filing of the petition of intervention.

Record of papers filed and court actions taken on behalf of the intervenors in law, equity, and admiralty proceedings. Intervention causes are civil proceedings in which a third party is permitted by the court to become a party in the suit. The information given for each entry includes the case number, the names of the parties, the name of the intervenor, the names of the attorneys, and a brief abstract of the papers filed and actions taken. The volumes contain indexes to plaintiffs and defendants. The case papers are described in entry 21.

DOCKETS. 1806-1932. 69 vols. 9 ft. 20

Arranged numerically by the case number.

Record of papers filed and actions taken in admiralty, law, equity, habeas corpus, and criminal proceedings. The information given for each case includes the case number, names of the parties, and a brief abstract of the papers filed and actions taken. The names of the attorneys are frequently given. For the period of 1917-1932, some of the entries contain references to the "Intervention docket" described in entry 19. The volume for the period of 1900-1906 contains duplicate information. The volume for the periods of 1806-1884 and 1890-1932 contain indexes to the plaintiffs and defendants. The papers filed in the cases which are docketed in these volumes are described in entry 21. The volume for the period of 1806-1814 in which cases 1-769 are docketed has been reproduced as National Archives microfilm publication M-1082, Records of the U. S. District Court for the Eastern District of Louisiana, 1806-1814.

CASE FILES. 1806-1932. 882 ft. 21

Arranged numerically by the case number.

Unbound papers filed in admiralty, law, equity, criminal, and habeas corpus proceedings including petitions, exhibits, depositions, indictments, appraisal reports, summonses, libels in admiralty, writs, affidavits, orders, testimony, bills of complaint, answers, bills of information, writs of habeas corpus, judgments, and bills in equity. For the period of 1806-1820, the subjects of the cases include criminal charges of piracy, mutiny on the high seas, and importation of slaves into the United States in violation of federal slave trade laws. Contempt proceedings in case #791 were filed in 1815 against Major General Andrew Jackson for ignoring a writ of habeas corpus and imprisoning the federal judge, Dominic Hall, who had ordered

the issuance of the writ during the threatened British invasion of New Orleans. During the period of 1863-1865, many of the cases involved the seizures of lands belonging to Confederate military personnel and civilian authorities, and the seizures of cotton being transported from the rebel-held areas of Louisiana to the port of New Orleans which was under the control the Union troops. Cases relating to the deportation of illegal Chinese aliens were filed in New Orleans court during the period of 1915-1926, and some of the cases contain immigration and naturalization files. Cases 41-769 have been reproduced as a National Archives microfilm publication M-1082, Records of the U. S. District Court for the Eastern District of Louisiana, 1806-1814.

INDEX TO FINES AND JUDGMENTS. 1928-1939. 2 vols. 4 in. 22

Arranged alphabetically by the name of the defendant.

Index to defendants against whom a fine was levied in criminal proceedings or judgments in equity proceedings. The information given for each entry includes the names of the defendant and plaintiff, case number, the date and the amount of the judgment or fine, court costs, and occasionally, the date of payment of the judgment or fine. The criminal case papers are described in entry 80, and the equity case papers are described in entries 21 and 63.

INDEX TO JUDGMENTS INVOLVING THE UNITED STATES. 1864-1890. 1 vol, 23  
2 in.

Arranged somewhat consecutively by the volume and page number of the judgment record book.

Partial index to the judgments rendered in law and admiralty proceedings in which the United States was the plaintiff. The information given for each entry includes the case number, the names of the defendants, the amount and date of the judgment, and the volume and page number of the volumes described in entry 25. Other cases in which the United States was the plaintiff are indexed in entry 24.

INDEX TO JUDGMENT RECORD BOOKS. 1864-1940. 1 vol. 2 in. 24

Arranged alphabetically by the name of the defendant.

Index to judgments in law and admiralty proceedings. The information given for each entry includes the name of the defendant, the case number, date and amount of the judgment, and the volume and page number.

JUDGMENT RECORD BOOKS. 1863-1939. 10 vols. 2 ft. 25

Arranged chronologically by the date on which the judgment was signed.

EARLY RECORDS OF THE U. S. DISTRICT COURT,  
NEW ORLEANS: 1805 - 1865

By

J. EDWARD RICE  
CHIEF, FEDERAL RECORDS CENTER, GSA  
NEW ORLEANS, LA.

An address delivered to the National Convention  
of Association of Federal Court Clerks in New  
Orleans on August 7, 1962

Ref. see pages 17,18,19, & 20

public sentiment was so violently opposed to the idea of Livingston possessing the batture as private property. Yet the courts of the territory, Claiborne added, had ruled in favor of Livingston.

Jefferson, when apprised of the batture situation, reportedly instructed the Secretary of State to direct the U. S. Marshal in New Orleans to simply eject Livingston and all others from the batture property, under authority of the Squatters Act of 1807. This seemed to bluntly ignore any legal rights Livingston might have possessed concerning the batture property. The marshal, F. J. L. Dorgenois, executed these directions. After a period of deliberation by Livingston, a suit was entered in the U. S. District Court in New Orleans, based on the action of the marshal. The suit was entitled Livingston vs F. J. L. Dorgenois, Docket of Suits, (Vol. I), Case No. 375, filed July 4, 1810. Later, under the date of March 17, 1813, Livingston produced a mandate of the Supreme Court of the United States, upholding his side of the argument against F. J. L. Dorgenois.

In the celebrated batture case, a great public furor was raised. Pamphlets were written by both Jefferson and Livingston; these were circulated throughout the country. Years passed before all aspects of the controversy ended.

The contempt sentence levied upon Andrew Jackson, on March 22, 1815, unquestionably stirred louder public comments than any other case handled in the early years of this tribunal. It is beyond the scope of our talk to relate all versions of this case. In the language of court records, we find salient circumstances well summarized in the Minutes,

(Vol. IV) of the district court. Incidentally, we are glad to tell you that this volume is in an excellent state of preservation, notwithstanding that the paper and ink used have endured through some 147 years.

[The Jackson case is marked Number 791; it appears in the Minutes, (Vol. IV, pp. 13-14, 16-18, 20-21).] On page 13, we find the following: "It is ruled and ordered that the said Major General Andrew Jackson show cause why...an Attachment should not be awarded against him for contempt of this court, in having disrespectfully wrested from the clerk aforesaid an original order of the honorable the Judge of this Court, for the issuing of a writ of habeas corpus in the case of a certain Louis Louaillier then imprisoned by the said Major General Andrew Jackson, and for detaining the same; also for disregarding the said writ of habeas corpus when issued and served; in having imprisoned the honorable the judge of this Court; and for other contempts as stated by the witnesses."

Judge Hall pronounced judgement on March 31, 1815. It was that "...Major General Andrew Jackson do pay a fine of \$1,000 to the United States." [Minutes, (Vol. IV. p. 21).]

Newspapers in different cities printed many comments about the case. State legislatures, in Louisiana and Maine, passed resolutions favoring Jackson. It is also reported that the citizens of New Orleans voluntarily raised \$1,000 to reimburse Jackson for the fine. But Jackson, in turn, stated he would accept no contributions. If offered, he said he would give the money to the poor.

In retrospect, we can clearly see that the Jackson case is highlighted by ironic twists of destiny. Even the records, which we have with us this afternoon here in the Queen Ann room, reveal some of these curious circumstances.

We should remember that the Jackson case, like the earlier Burr Conspiracy, involved a prominent military figure. For example, General Wilkinson, like General Jackson, was extremely popular in the eyes of the public. And, in both cases, the awarding of the writ of habeas corpus provoked a tempest of criticism on Judge Hall.

It has been said by one responsible historian that Jackson received the sentence handed him by Judge Hall with a cool aplomb. That, after leaving the court room, Jackson made a speech to the excited crowd in the streets, urging them to abide by the decision of the court. And, that Jackson, in this moment, revealed to all and sundry his greatness.

A description of events which followed immediately after the conviction of Jackson was written by Bernard Marigny, a member of the Committee of Defense of New Orleans. This committee was named by the state legislature, just prior to the Battle of New Orleans. Marigny writes: "At last the General left New Orleans to return to his home. The volunteers did the same. New Orleans therefore was left to its old population; calm replaced agitation. Louaillier (who was awarded a writ of habeas corpus by Hall thereby causing Hall's arrest) continued to enjoy the public esteem. As for

Dominique Hall, he always was, until his death, the object of general veneration."

But the curious path - the path of destiny in the Jackson case - did not end here. We have with us this afternoon another volume of the Minutes of the court. Here (Volume 6, p. 252) is the recording of a document issued by Andrew Jackson, dated April 2, 1829. The document, as you can see, is a commission issued by President Andrew Jackson with Senate approval. In this document Jackson names Samuel Harper as judge for the federal court in New Orleans - the same court where Jackson himself was sentenced for contempt about fourteen years earlier.

There are two other noteworthy aspects of the Jackson case. First, Edward Livingston, a lawyer who represented Jackson in the contempt case, was made Secretary of State. This occurred, after Jackson was elected President. Following the appointment, Livingston was designated as the Minister of the United States to France.

Secondly, in 1844, some years after he had left the office of President of the United States, Jackson was reimbursed \$1,000, plus 6 percent interest, by the U. S. Congress. This was the sum Judge Hall fined him for contempt of court.

#### Records of the Era of Piracy

Cases relating to piracy, in the period 1809 - 1825, are numerous among retained records of the court.

Some of the earlier cases of piracy seem related to a certain extent, to the expulsion of French settlers from Santo Domingo and,



[March 21<sup>st</sup>, 1815]

Patterson Hoys and others  
vs  
702 } Certain Goods, Vessels &c

On motion, this cause was set for trial on Saturday next.

And then the court adjourned until ten O'clock tomorrow morning.

Special Court, Tuesday, March 21<sup>st</sup> 1815.

The court met according to adjournment.

Present the honorable Don. A. Hall.

760 { Daniel J. Patterson and others  
vs  
The General Bolivar }

On motion of Mr. Smith, on filing the claim of Christoval Juando to the proceeds of the vessel libelled in this cause, and on reading and filing the affidavit of Francisco Jis: Ordered that the deposition of Domingo, a witness in this case, about to depart the country, be taken de bene esse, at nine O'clock before J. P. Sanderson Esquire Justice of the peace on giving notice to the counsel for the libellants, and the counsel for the other claimants.

The court then adjourned until tomorrow morning Ten O'clock.

Special Court, Wednesday, March 22<sup>d</sup> 1815.

The court met according to adjournment.

Present the honorable Dominick A. Hall.

United States  
vs  
Major Gen<sup>l</sup> And<sup>r</sup> Jackson

On this day the depositions of P. L. Duplexis, Mathew Acbuckle, P. L. Mord, 12th V. Ogden, W. O. Winston, Richard Claiborne and Louis Souther were taken and sworn to in open court, except Richard Claiborne's which was sworn to the 21<sup>st</sup> instant.

On motion of Mr. Slick, Attorney of the United States for this district, upon the affidavit of Richard Claiborne Clerk of this court, and upon the testimony of P. L. Duplexis Marshal of the same, and upon the testimony of other witnesses: It is ruled and ordered that the said Major General Andrew Jackson shew cause on Friday next, the 24<sup>th</sup> of March instant at Ten O'clock A.M. why an Attachment should not be awarded against him for contumpts of this court, in having disrespectfully removed from the clerk aforesaid an original order of the honorable the Judge of this court, for the issuing of a writ of Habeas corpus in the case of a certain Louis Souther then imprisoned by the said Major General Andrew Jackson, and for detaining the same, also for disregarding the said writ of Habeas corpus when issued and served, in having imprisoned the honorable the Judge of this court; and for other contumpts as stated by the witnesses.

And then the court adjourned until tomorrow morning Eleven O'clock.

[March 23<sup>d</sup> 1815]

<sup>Thursday</sup>  
Special Court, March 23<sup>rd</sup> 1815.

The Court met according to adjournment

Present the honorable Dominick A. Hall.

Michael Reynolds Esquire appeared before open Court, and presented his commission as Marshal of the Louisiana district, and also took the oath of Office according to Law, whereupon the Court ordered that the said Commission be recorded — and the same is in the words and figures following, to wit:

James Madison, President of the United States of America,

To all who shall see these presents. Greeting:

Know Ye, That reposing special trust and confidence in the Integrity, Ability and Diligence of Michael Reynolds of Louisiana, I have nominated, and by and with the advice and consent of the Senate do appoint him Marshal in and for the district of Louisiana, and do authorize and empower him to execute and fulfil the duties of that office according to Law; and to Have and to Hold the said Office with all the powers, privileges and emoluments to the same of right appertaining unto him the said Michael Reynolds for the term of four years from the day of the date hereof, unless the President of the United States for the time being should be pleased sooner to revoke this Commission.

In testimony whereof I have caused these Letters to be made patent and the seal of the United States to be hereunto affixed. Given under my hand at the City of Washington the seventeenth day of January A. D. 1815; and of the Independence of the United States of America the Thirty Ninth.

James Madison.

By the President,

James Monroe

acting Secretary of State.



791 { United States  
113  
Major General Andrew Jackson }

On motion of Abner S. Duncan Esquire: Ordered that the Rule granted in this case be, and the same is hereby made returnable to Saturday next at Ten O'clock A.M.

[25. March 1815]

The condition of this obligation is such, that whereas the said Michael Reynolds was, on the 17<sup>th</sup> day of January 1815 appointed and commissioned by the President of the United States to the office of Marshal in and for the Louisiana district, and being desirous to enter upon the duties of said office; Now of the said Michael Reynolds and such Deputies as he may appoint under him, shall well and faithfully fulfill the duties of said office according to Law, then this obligation to be null and void or else to remain in full force and virtue.

Taken before me this 22<sup>d</sup>  
day of March 1815.  
Dom. A. Hall  
Dis. Judge.

Michael Reynolds  
Catherine Reynolds  
David B. Morgan  
Witten Tumbull  
W.W. Montgomery



I, Michael Reynolds do solemnly swear that I will well and faithfully fulfill the duties of Marshal of the Louisiana district according to the best of my abilities, so help me God.

Sworn and subscribed before me  
this 22<sup>d</sup> day of March 1815.  
Dom. A. Hall  
Dis. Judge, U. S. D.

Michael Reynolds

United States  
791 { <sup>vs</sup> Major General Andrew Jackson }

On motion of Mr. Livingston of counsel for Major General Andrew Jackson, and with consent of the district Attorney: It is ordered that the Rule in this case which was made returnable on this day be laid over until Monday next, Ten O'clock A.M.

Rector M. Organ  
788 { <sup>vs</sup> Peter Saidlaw & Co. }

On motion of Mr. Duncan of counsel for the defendants: It is ordered that the Plaintiff show cause on Monday next why he should not furnish additional security in this case, to that heretofore given and bonded.

Amiel J. Patterson & others  
Certain Goods & Vessels of

On motion of Mr. Kitch of counsel for the defendants: It is ordered by the Court that this cause be set for trial on Thursday next.

and then the Court adjourned until Monday the 27<sup>th</sup> instant at 10 O'clock A.M.

[March 28<sup>th</sup> 29<sup>th</sup>]

United States  
791 { Major General Andrew Jackson }

On this day his honor delivered the following opinion:

The Court has taken time to consider the propriety of admitting the answer that was offered yesterday. It was proper to do so - 1<sup>st</sup> because this is the first proceeding of any importance for contempt instituted in this Court since its establishment - 2<sup>nd</sup> because from the constitution of the Court it consists of but one Judge, and it so happens that one of the causes of the contempt assigned is the imprisonment of the Judge and the consequent obstruction of the course of Justice. This is no reason why the proceeding should not have been instituted and persevered in, but it is a good one for much deliberation. No personal considerations ought for an instant to induce a Judge to abandon the defence of the laws, the support of the dignity of the Tribunal, and the rights of his fellow citizens. I have considered this case well, and I think I perceive the clear course. On the Rule to show cause, the party called on may take legal grounds to show that the attachment should not issue, - he may take exceptions to the mode of proceeding, or prove from the affidavits offered that the facts charged do not amount to a contempt. If the Court be convinced that the attachment may legally issue, it goes to bring the party into Court, and then interrogatories are proposed to him. He may object to any of the interrogatories as improper, or he may deny the facts charged, and purge himself of the contempt on oath. His single testimony counteracts that which may have been adduced. I will hear any of the exceptions made in the answer, or any other question of Law that may be urged. Should the Court think that the attachment may issue, interrogatories will then be filed.

Whereupon after the reading of the affidavits, and the hearing of arguments by the Counsel of the United States, the Court took time to consider.

And then the Court adjourned until tomorrow morning about 10 o'clock.

Special Court, Wednesday 29<sup>th</sup> March 1815.

The Court met according to adjournment.

Present the honorable Dominick A. Hall.

Ex parte  
792 { Mr. Nathan }

A habeas corpus having been awarded in this case, the defendant appeared before the Court, and after hearing the arguments of Counsel, it is ordered that the said Defendant be and he is hereby discharged.

United

[29<sup>th</sup> March 1815]

726 { United States  
vs  
Laws and Law Co. }

Judgment for the United States for Two thousand and forty six dollars, to be discharged by the payment of one thousand and twenty three dollars with interest from the 25<sup>th</sup> of April 1814, and costs.

New Orleans 29 Mar 1815.

Don. A Hall

788 { Hector Mc Organ  
vs  
Peter Saidlaw & Co. }

On motion of Counsel for the defendants, and on hearing the arguments of Counsel, it is ordered that the Rule taken in this case on the 25<sup>th</sup> of March instant be and the same is hereby made absolute, and that the Plaintiff give security in the further sum of Five hundred dollars.

John C. Wedderstrand was offered and received as security.

795 { United States  
vs  
6 boxes, 2 Trunks, 2 1/2 bales. V. O. Co. }

On motion of W. Porter of counsel for the Claimant J. B. Davis. It is ordered the Messrs Andrew Milne, Hector Mc Organ, and David Wegehant be and they are hereby appointed Appraisers in this case, and it is further ordered that upon the said Claimant's entering into bond in the appraised value thereof, that the Goods, Wares and merchandize libelled and appraised be delivered to him, by the Marshal.

791 { United States  
vs  
Major General Andrew Jackson }

The Court being of opinion that sufficient cause had not been shown why an attachment should not issue: It is ordered that an attachment do issue against the defendant Major General Andrew Jackson, returnable on Friday the 31<sup>st</sup> of March instant.

And then the Court adjourned until Friday next 11 O'clock AM.

[21<sup>st</sup> March 1815 of April 1815.]

Special Court, Friday 21<sup>st</sup> March 1815.

The Court met according to adjournment

Present the honorable DOM. A. Hall.

United States  
793 { 6 boxes, 2 Trunks, 2 is books }  
VOW

On this day Mathew Budge and J. Mc Lavery were offered to the Court by the Claimant J. J. David as his securities, who were approved of, and a bond executed accordingly.

United States  
794 { Major General Andrew Jackson }  
}

Interrogatories to the defendant Major General Andrew Jackson were filed by the district attorney.

On this day appeared in person Major General Andrew Jackson, and being informed by the Court that an attachment had issued against him for the purpose of bringing him into Court, and the district attorney having filed Interrogatories, the Court informed General Jackson that they would be tendered to him for the purpose of answering thereto, — the said General Jackson refused to receive them or to make any answer to the said Interrogatories.

Whereupon the Court proceeded to pronounce Judgment, which was that Major General Andrew Jackson do pay a fine of One thousand dollars to the United States.

And then the Court adjourned until Friday next the 7<sup>th</sup> of April at Ten o'clock in the forenoon.

Special Court, April 5<sup>th</sup> 1815.

Present the honorable Dominick A. Hall.

Ex parte  
795 { D. Williams }  
}

General Gaines in obedience to the writ of Habeas Corpus issued in this case, brought the defendant D. Williams into Court.

On motion of W<sup>o</sup> Abner S. Duncan of Counsel for D. Williams: It is ordered that the said D. Williams enter into recognizance in the sum of Three thousand dollars with Messrs. Rochel and Sheff as Securities to appear before the Court on tomorrow morning Ten o'clock.

In this case the Court took time to consider.

D. Hall

Handwritten text at the top of the document, possibly including a date or recipient information, though it is heavily obscured by noise and bleed-through.

66

Account of

~~St. John~~

~~St. John~~

~~St. John~~

To the Honorable Dea Hall Judge of the United States District Court in and for the District of Louisiana

Louwallier, an inhabitant of this district and member of the house of Representatives of the State of Louisiana -

Humbly sheweth - that he has been this day illegally arrested by F Arnelong an officer in the 4th<sup>th</sup> Regiment, who ~~informed~~ your petitioner that he did arrest your said

Petitioner is now illegally detained pursuant to said Orders.

Wherefore your petitioner prays that a writ of Habeas Corpus be issued to bring him before your honor, that he may be dealt with according to the Constitution and the laws of the United States.

Signed P L Morel

Attorney for the Petitioner

In said petition relative to the arrest of the said ~~person~~ are true: In testimony whereof he subscribed the present in New Orleans on the 5<sup>th</sup> day of March 1815.

Sworn and subscribed before me.

Signed Dom. A. Hall Dis Judge

on which was the following endorsement

~~that the prayer of the Petition be granted, and~~  
~~the petitioner be brought before me at 11 o'clock tomorrow~~  
morning.

Dom A Hall

5<sup>th</sup> Mar: 15.

Copy Test

H. Claiborne Clerk



B  
~~1/10/19~~

No 791

Develops opinion

1000

B

1001

The Court has taken time to consider the propriety of admitting  
the answer that was offered yesterday. ~~It~~ <sup>to do so</sup> was proper. Because  
this is the first proceeding of any importance for contempt instituted in  
this court since its establishment. — 2<sup>nd</sup> Because from  
the constitution of the Court it consists of but one judge & it  
so happens that one of the causes of <sup>the</sup> contempt assigned is the in-  
~~fluence~~ <sup>fluence</sup> of the judge & the consequent obstruction of the  
justice. This is no reason why the proceeding sh<sup>d</sup> not have  
been instituted & pursued in, but it is a good one for <sup>much</sup> deliberation  
& no personal considerations ought for an instant, <sup>it</sup> induce a  
judge to abandon the defence of the law, & the support of  
the dignity of the tribunal & the rights of his fellow citizen-  
~~ship.~~ ~~It is a rule of the Court that a party~~  
~~occupy.~~ — I have considered the case well & I think I  
perceive the clear course. On the rule to show cause  
the party called on may take legal ground to show that the  
attachment sh<sup>d</sup> not issue — he may take exception to the mode  
of proceeding <sup>now</sup> ~~show~~ for the affidavits offered that the facts  
charged do not amount to a contempt. If the Court be  
convinced that the attachment may legally issue, it  
goes to bring the party into Court, & then interrogatories  
are proposed to ~~him~~ <sup>himself</sup> ~~he~~ may object to any of the interrogatories  
as improper, or may deny the facts charged & perjure himself  
of the contempt on oath. His single testimony counters what  
evidence may have been adduced. I will hear any of  
exceptions ~~made~~ made in the answer or any other question of law  
that may be urged; sh<sup>d</sup> the Ct think that the attachment  
may issue, interrogatories will then be filed?

1. 1. British Const

American Baptist

M. W. H. W.

200

in a book

Associations

Wed. March 31<sup>st</sup> 1815.

W. W. L. W. W.

W. W. L. W. W.

203

W. W. L. W. W.

The U. S.  
vs.

Monday

On this day ~~Magr.~~ <sup>Magr.</sup> Genl and in

~~James~~

to show cause  
that pursuant to the rule, personally  
appeared ~~Magr. Genl. Andrew Jackson~~  
having offered a certain paper, the  
reading of parts of which an objection  
was made by the Counsel of the U. S.  
The Court therefore took time to consider.

Tuesday the 28<sup>th</sup> —

On this day his honour delivered  
the following opinion  
(paper no 1. B)

Whereupon after ~~argument~~ the reading of the  
affidavits, the hearing of arguments by the  
Counsel of the U. S. The Court took time  
to consider.

Wednesday the 29

The Court being of opinion that sufficient  
cause had not been shown, <sup>why an attachment should</sup> as attachment  
was ordered to be issued returnable on

Friday Ne 31<sup>st</sup>

On Motion of the Dist. J. J. for reads  
of the affidavits, it is ordered that an  
attachment do issue against Genl. Gual.  
Andrew Jackson for the Breach of  
Contempt set forth in the said affidavits  
returnable on Friday Ne 31<sup>st</sup> at 11 O'Clock

Friday Ne 31<sup>st</sup>

on this day app<sup>r</sup> in person of

a. J. being informed by the Court that  
an attachment had issued against  
him for the purpose of bringing  
him into court, the Dist. J. J.  
having filed interpleads, the Court informed  
Genl. Jackson that they would be  
served to him for the purpose  
of answering thereto, that the said  
Genl. refused to receive them or to  
make any answer to the said

which had been made in the order of the  
Judge granting the W<sup>t</sup> upon the Petition;  
expressed his willingness to obey the civil  
authorities of the country; & the right  
of the Judges to issue Writs of Habeas  
Corpus elsewhere than in his camp;  
& that he would obey him. This deponent  
inferred from the general tenor of Genl  
Jackson's conversation; that he did not  
intend to concern it proper to draw any  
attention to the w<sup>t</sup> of Habeas Corpus for  
Louisiana or any other writ issued within the  
limits of his camp.

Wm O. Winston

791

A

Judges Rules.

27 March.

205

*[Faint handwritten text]*

27<sup>th</sup> March.

1. If the part of a writ to the jurisdiction, the Court is ready to hear.
2. If the party's affidavit contain a denial of the facts sworn to, or if he will to shew that the facts charged do not in law amount to a contempt, the Court is ready to hear.
3. If the answer contain any thing in an apology to the Court, it is ready to hear.
4. If the party be desirous to shew that by the Constitution or Laws of the U. S. he is entitled of his military Commission to hold a right to act as charged in the affidavit the Court is ready to hear. —



791

Ernest Southwick

Louisiana State

U. States

vs

Major Court

Jackson

minutes  
copy of

James M. Smith

25-1854

at New Orleans

— Fooks

Reports

Proctors

Nov

District Court U. S. Louisiana District, Baton Rouge.

March 25<sup>th</sup> 1815. Present the Hon<sup>ble</sup> Dominick  
A. Hall.

The United States

vs  
Major Genl Andrew  
Jackson

Upon motion of Mr Livingston  
of Counsel for Major Genl  
A. Jackson and with consent

of the District Attorney. It is ordered that the  
Rule in this case, which was made returnable on  
this day be laid over till Monday next 10 o'clock

Extract from the Minutes.

W. Cariborne clk

✓ Monday 27<sup>th</sup>

In pursuance of a rule granted ~~in~~<sup>to</sup>  
New Cause why an attachment should not  
issue against the defd. for the causes therein

set forth, he has ~~not~~ personally appeared  
in open court, ~~and admitted~~ offered a copy  
~~of the said paper~~ as his defence

said to be ~~his~~ sworn to & subscribed  
by him, the reading of parts of the said  
paper was objected to whereupon the

Court ~~and~~ laid down the following rules,

(~~the~~ paper A)

after argument again as to the admissibility  
of certain parts of the said paper the  
Court took time to advise.

rights. Whereupon the Court  
proceeded to pronounce judgment,  
which was that Col. Andrew  
Jackson do pay a fine of \$1000  
to the U. S.

791.

Rough entries of Rules  
and decrees.

MS

MS

*Handwritten text, possibly a name or title, oriented vertically.*

*no 9*

*Rough Rules*

*1901*

District Court of the United States,  
Louisiana District.

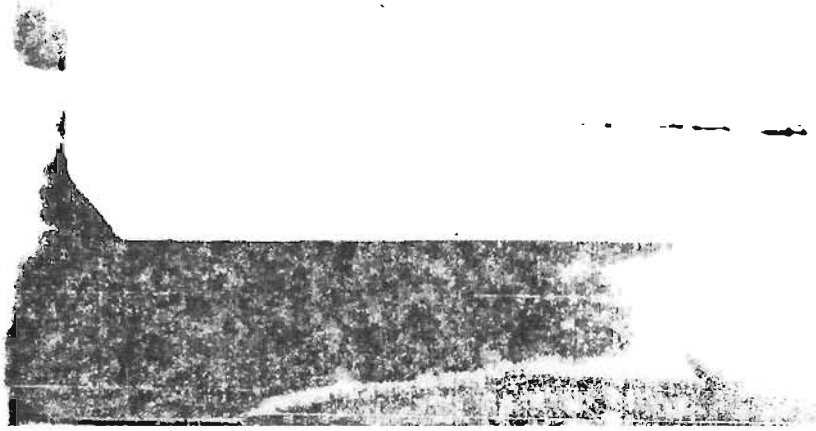
The United States

vs  
Major General Andrew Jackson.

On motion of John Dick, Attorney of the U. States for this district, upon the affidavit of Richard Claiborne, Clerk of this Court, and upon the testimony of P. L. B. Duplessis, Marshal of the same, and upon the testimony of other witnesses, it is ruled and ordered, that the said Major Genl. Andrew Jackson show cause, on Friday next, the 24<sup>th</sup> of March, next, <sup>at ten o'clock A.M.</sup> why an attachment should not be awarded against him, for contempt of this Court, in having disrespectfully wrested from the ~~the~~ Clerk aforesaid an original order of the Honourable Judge of this Court, for the issuing of a writ of Habeas Corpus in the case of a certain — Sonallier, then imprisoned by the said Major Genl. Andrew Jackson, and for delaying the same; also for disregarding the said writ of Habeas Corpus when issued; <sup>and served</sup> in having imprisoned the Hon the judge of this Court, & for other contempts as stated by the witnesses.

No 13

7-10-1910



~~Alto~~

Capt. Peter V Ogden appears who being duly sworn saith, that on Sunday morning the 11<sup>th</sup> instant, he received through an orderly sergeant an order from General Jackson, of which the following is a copy -

-----  
New Orleans March 11<sup>th</sup> 1815

Sir

You will detail from your Troop a discreet non Commissioned officer and four men, and direct them to call on the officer commanding the 3<sup>d</sup> U.S. infantry for Dominick a Hall who is confined in the Guard house for exciting mutiny and desertion within the encampment of the City.

Upon the receipt of the prisoner, the non Commissioned officer will conduct him up the Coast beyond the lines of Genl. Carrol's encampment, deliver him the enclosed orders, and set him at liberty.

By Command

The Butler Aid de Camp.

Capt. Peter V Ogden  
Commanding Troop of Cavalry  
N. Orleans.

— That the deponent, in obedience to s<sup>d</sup> foregoing order, he the deponent ordered a guard to be detailed of four men and a non Commissioned officer, with directions to convey Judge Hall beyond the lines of Genl. Carrol's Camp which was about four miles above the Town of New Orleans - That the said Non Commissioned Officer returned about in the Ev


and



and reported that he had executed the said order.

Peter Weyburn

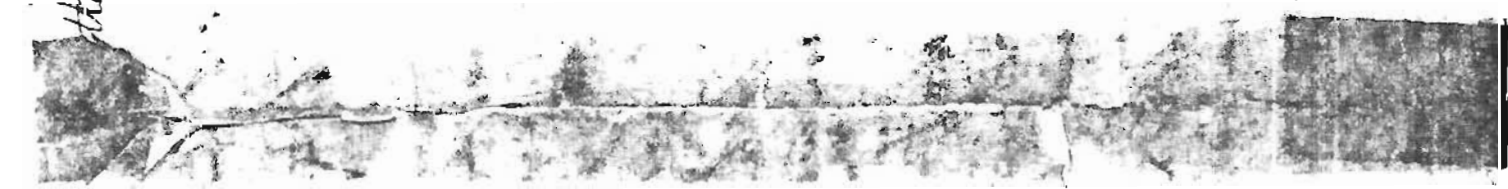
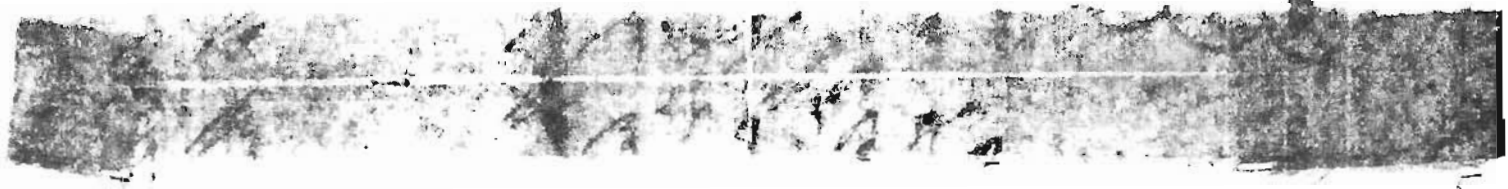
no 13

M<sup>r</sup> Louallier appeared, who being duly sworn with, that the same had <sup>or understanding</sup> conversation, directly or indirectly with Judge Hall on the subject of an article published in the Louisiana Courier the 3<sup>d</sup> of March instant, signed a ~~letter~~ <sup>Cathey</sup> of Louisiana of French origin, the writing of which article was alleged to be the cause of confining the deponent by military authority.  Louaillier aine

Major W O Winston appeared who being duly sworn with - that the paper marked A, being a writ of habeas Corpus issued <sup>in</sup> behalf of M<sup>r</sup> Louallier by Judge Hall was given to this deponent by Major Reed aid de Camp of Major General Jackson, in order to be used by this deponent on the trial of the said Louallier before a Court Martial of which this deponent was the Judge advocate - that the said writ was applied for by the deponent - that the deponent was detailed by Gen<sup>l</sup> Jackson as Judge advocate to the Court

aforesaid

apprised of which he was informed by General Jackson  
before breakfast on the 6<sup>th</sup> of March instant: that  
in a conversation with Genl. Jackson he  
expressed doubts as to his (Louiell's being  
subject to be tried by a C<sup>t</sup>. Martial;) but  
on re-examination of the B. O. & Act of  
& advising with some gentlemen present whom he  
cons<sup>d</sup> as authority on fact subjects; his impression  
was that he was embraced by certain Act of  
War for the Americas therein designated; Genl  
Jackson thought him liable to be tried by a  
Court Martial by virtue of an order  
issued by him declaring "Martial Law to  
exist in the City of New Orleans & its  
environs" - He appeared clear in his  
conviction as to this subject - This opinion  
expressed a doubt as to the extent & effect  
of legal operation of the order declaring  
Martial Law - Genl Jackson spoke of  
a W<sup>t</sup> of Habeas Corpus which had been  
issued, of Erasures & interlineation,



attachment to take the so

335  
82

The President of the United States of America  
to the Marshal of Louisiana and District

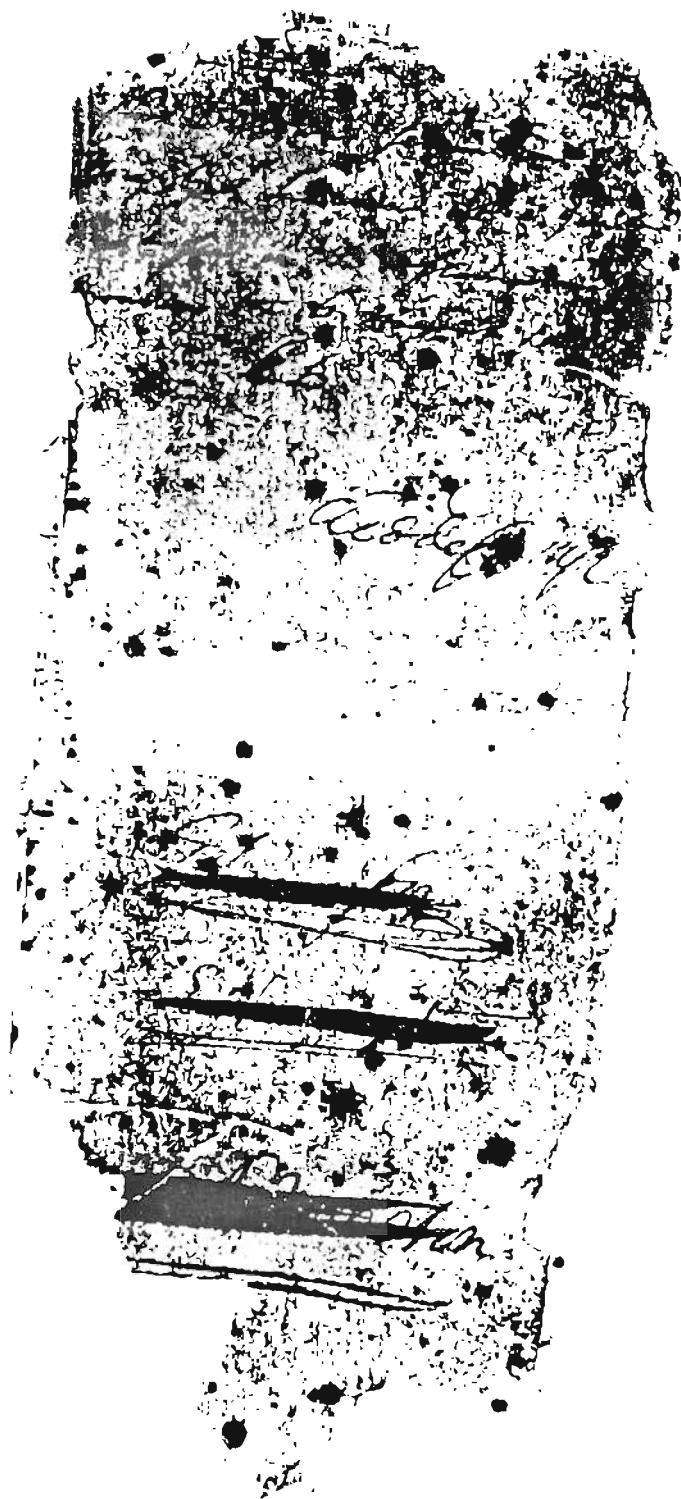
Friend

You are hereby commanded that you  
bring Clayton General <sup>in</sup> Jackson, in  
that he has and appears before the District Court of the United  
States for the Louisiana District to be taken at the  
city of Orleans in the usual place of judicials on  
Friday the 31<sup>st</sup> day of this present month of March at eleven  
of the clock before noon then & there to answer to certain  
matter of Contempt against the said Court <sup>public good and in person</sup> as  
to have been committed, either here or there <sup>as</sup> alleged.

Witness my hand this 29<sup>th</sup> day of March at New Orleans  
Judge of said Court at New Orleans  
the 30<sup>th</sup> day of March in the  
year of our Lord 1815 and in the 34<sup>th</sup>  
year of the Independence of the United  
States of America

J. Seal of  
The Court

Clark



To the Honble. D<sup>o</sup>ct<sup>r</sup> Hall Judge of the Court in and for the District of Louisiana

Louwallor, an inhabitant of this district and member of the house of Representatives of the state of Louisiana -

Humbly sheweth - that he has been this day illegally arrested by J<sup>r</sup> Covington an officer in the 4<sup>th</sup> Regiment, who

Petitioner is now illegally detained pursuant to said Order

Wherefore Your petitioner prays that a writ of Habeas Corpus be issued to bring him before your honor, that he may be dealt with according to the Constitution and the laws of the United States.

Signed P L Morel

State of Louisiana

and are true: In testimony whereof he subscribed his name at New Orleans on the 5<sup>th</sup> day of March 1815.

Sworn and subscribed before me.

Signed Dom. A. Hall Dis Judge

on which was the following endorsement

morning

Dom. A. Hall

5<sup>th</sup> Mar: 15

Copy Test

Charles McK

B

No 791

Developa Opinions

Mo 2

B

No 1

The Court has taken time to consider the propriety of admitting  
the answer that was offered yesterday. ~~It~~ <sup>to do so</sup> was proper ~~because~~  
this is the first proceeding of any importance for contempt instituted in  
this court since its establishment. — 2<sup>nd</sup> Because from  
the constitution of the Court it consists of but one judge & it  
is happens that one of the causes of <sup>the</sup> contempt applied is the ~~in~~  
~~of the judge~~ & the consequent obstruction of the  
~~justice~~. This is no reason why the proceeding should have  
been instituted & pursued in, but it is a good one for <sup>much</sup> deliberation  
& personal considerations right for an instant, <sup>it</sup> induce a  
judge to abandon the defence of the law, & the support of  
the dignity of the tribunal & the rights of his fellow citizens.  
~~It is not proper to~~  
occupy. — I have considered the case well & I think I  
perceive the clear course. On the rule to show cause  
the party called on may take legal ground to show that the  
attachment is not issued — he may take exception to the mode  
of proceeding <sup>now</sup> ~~show~~ for the affidavits offered that the facts  
charged do not amount to a contempt. If the Court be  
convinced that the attachment may legally issue, it  
goes to bring the party into Court, & the interrogatories  
are proposed to ~~him~~ <sup>himself</sup> he may object to any of the interrogatories  
as improper, or may deny the facts charged & purge himself  
of the contempt on oath. his single testimony counters what  
the law may have been adduced. I will hear any of the  
exceptions ~~made~~ made in the answer or any other question of law  
that may be urged; sh<sup>d</sup> the Ct think that the attachment  
may issue, Interrogatories will then be filed?



1. J. Patrick Smith

Lawrence Baker

M. H. H. H.

no

in a book

Associations

land March 31<sup>st</sup> 1815.

W. H. H. H.

W. H. H. H.

no 3

W. H. H. H.

711

The U. S.  
No.

Monday

On this day Major General and in

form

to show cause

~~that~~ ~~just~~ ~~and~~ ~~to~~ ~~the~~ ~~rule~~ ~~being~~ ~~with~~  
~~affidavit~~ ~~magistrate~~ ~~district~~ ~~judge~~

having offered a return paper, the  
reading of parts of which an objection  
was made by the counsel of the U. S.

The Court therefore took time to consider.

Tuesday the 28<sup>th</sup> —

On this day his honour delivered  
the following opinion

(paper No 1 B)

Whereupon after ~~argument~~ the reading of the  
affidavit & the hearing of arguments by the  
counsel of the U. S. the Court  
to consider.

Wednesday the 29

The Court being of opinion that sufficient  
cause had not been shown, <sup>why an attachment should</sup> as an attachment  
was ordered to be issued returnable on

Friday the 31<sup>st</sup>

On Motion of the Dist. J. J. For reads  
of the affidavits, it is ordered that an  
attachment do issue against Capt. Genl.  
Andrew Jackson for the Breach of  
Contempt set forth in the said affidavits  
returnable on Friday the 31<sup>st</sup> at 11 o'clock

Friday the 31<sup>st</sup>

on the 31<sup>st</sup> after

a. J. being informed by the Court that  
an attachment had issued against  
him for the purpose of bringing  
him into court, the Dist. J. J.  
having filed interrogatories, the Court informed  
Genl. Jackson that they would be  
served to him for the purpose  
of answering them, that he said,  
Genl. refused to receive them or to  
make any answer to the said

which had been made in the order of the  
Judge granting the W<sup>t</sup> upon the Petition;  
expressed his willingness to obey the civil  
authorities of the country; & the right  
of the Judges to issue Writs of  
Copoly elsewhere than in his camp:  
that he would obey him. This deponent  
inferred from the general tenor of Genl  
Jackson's conversation; that he did not  
draw any attention to the w<sup>t</sup> of Habeas Copus for  
Douglas or any other writ issued within the  
limits of his camp.

Wm O. Winston

791

A

Judges Rules.

27 c. March.

705

~~Handwritten scribble~~

27<sup>th</sup> March.

1. If the part object to the jurisdiction, the C. is ready to hear.
2. If the party's affidavit contain a denial of the facts sworn to, or if he will to shew that the facts charged do not in law amount to a contempt, the C. is ready to hear.
3. If the answer contain any thing in apology to the C., it is ready to hear.
4. If the party be desirous to shew that by the Constitution a loss of the U. S. is a violation of his military Commission he had a right to act as charged in the affidavit the Court is ready to hear. —

791.

District Court  
Louisiana District

U. States

vs.

Major Genl  
A Jackson.

more  
to copy  
minutes

James H. [unclear]  
at [unclear]

H. Reynolds  
Proctor

no 6

District Court U. S. Louisiana District. Saterday  
March 25<sup>th</sup> 1815. Present the Hon<sup>ble</sup> Dominick  
A. Hall.

The United States

Major Genl Andrew  
Jackson

Upon motion of Mr Livingston  
of Counsel for Major  
A. Jackson and with

of the District Attorney. It is ordered that the  
Rule in this case, which was made returnable on  
this day be laid over till Monday next 10 o'clock

Extract from the Minutes.

W. C. C. C. C. C.  
D



✓ Monday 27<sup>th</sup>

In pursuance of a rule granted ~~in~~  
then came why an attachment should not  
issue against the deft. for the cause therein

in open court ~~and~~ papers as his deft.

said to be ~~sub~~ sworn to & subscribed  
by him, the reading of parts of the said  
paper was objected to whereupon the  
Court ~~and~~ laid down the following rule,

(~~the~~ paper A)

after argument again as to the admissibility  
of certain parts of the said paper the  
Court took time to advise.

merits. Whereupon the Court  
proceeded to pronounce judgment,  
which was that Gov. Andrew  
Jackson do pay a fine of \$1000  
to the U. S.

791.

Rough entries of Rules  
and decrees.

MS  
1791-1795

Rough Rules,

no 9

791-

Summit Printing

District Court of the United States,

Louisiana District.

The United States

vs  
Major General Andrew Jackson.

On motion of John Dick, Attorney of  
the U. States for this district, upon the affidavit  
of Richard Claiborne, Clerk of this Court,  
and upon the testimony of P. L. B. Duplessis,  
Marshal of the same, and upon the testimony  
of other witnesses, it is ruled and ordered, that  
the said Major Genl. Andrew Jackson show  
cause, on Friday next, the 24<sup>th</sup> of March, next, <sup>at ten o'clock A.M.</sup>  
why an attachment should not be awarded  
against him, for Contempts of this Court, in having  
disrespectfully wrested from the ~~the~~ Clerk  
aforesaid an original order of the Honourable  
Judge of this Court, for the issuing of a writ  
of Habeas Corpus in the Case of a certain  
— Donallier, then imprisoned by the said  
Major Genl. Andrew Jackson, and for delaying  
the same; also for disregarding the said writ  
of Habeas Corpus when issued; <sup>and served</sup> in having  
imprisoned the Hon<sup>ble</sup> the Judge of this Court,  
& for other Contempts as stated by the  
witnesses.

12  
No 13

12/12/40



~~Albany~~  
Cap<sup>t</sup>: Peter V Ogden appeared who being duly sworn saith, that on Sunday morning the 12<sup>th</sup> instant, he received through an orderly sergeant an order from General Jackson, of which the following is a copy -

Quartermaster, with the Dist<sup>ct</sup>  
New Orleans March 11<sup>th</sup> 1815

Sir  
You will detail from your Troop a discreet non Commissioned officer and four men, and direct them to call on the officer commanding the 3<sup>d</sup> U.S. infantry for Dominick a Hall who is confined in the Guard house for exciting mutiny and desertion within the encampment of the City.

Upon the receipt of the prisoner, the non Commissioned

officer will conduct him up the Coast by

Gen<sup>l</sup>: Carrol's camp, deliver him to the

and let him at liberty.

By Command

Th<sup>o</sup> Butler aid de Camp.

Capt: Peter V Ogden  
Commanding Troop of Cavalry  
at N. Orleans.

— That the depot, in obedience to S<sup>r</sup>: foregoing order, he the depot ordered a guard to be detailed of four men and a non Commissioned officer, with directions to convey Judge Hall beyond the lines of Gen<sup>l</sup>: Carrol's Camp which was about four miles above the Town of New Orleans - That the said Non Commissioned Officer returned about in the Ev

and

and reports that he has executed the said order.

Peter W. Gordon

NO 13

Mr. Louallier appeared, who being duly sworn with,  
or understanding

published in the Louisiana Courier the 3<sup>d</sup> of  
instant, signed a <sup>Citation</sup> ~~Warrant~~ of Louisiana of French  
origin, the writing of which article was attested  
to be the cause of confining the deponent by  
military authority. Louallier aine

Major W. O. Winston appeared who being duly sworn  
saith - that the paper marked A, being a writ  
of habeas Corpus issued <sup>in</sup> behalf of Mr. Louallier  
by Judge Hall was given to this deponent by  
Major Reed Aid de Camp of Major General  
Jackson, in order to be used by this deponent  
on the trial of the said Louallier before a  
Martial of which this deponent was the Judge  
advocate - that the said writ was applied for  
by the deponent - that the deponent was detailed  
by Genl Jackson as Judge advocate to the Court

aforesaid

of which I was informed by Gen. Jackson  
before breakfast on the 6th of March instat: that  
in a conversation with Gen. Jackson he  
expressed doubt as to his (Louiell's) being  
subject to be tried by a Ct. Martial; but  
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was that he was embraced by certain Act<sup>s</sup> of  
War for the offences therein designated; Gen<sup>l</sup>  
Jackson thought him liable to be tried by a  
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