

# Jackson's Bodyguard

## Lawyers Who Fought in the Battle of New Orleans

By Mary Ann Wegmann

The City of New Orleans is celebrating its 300th anniversary in 2018. One of the most significant events in the history of the city is the Battle of New Orleans fought 203 years ago. On Jan. 8, 1815, American forces led by Major General Andrew Jackson decisively defeated Major General Sir Edward Pakenham's British troops at the Battle of New Orleans. The British sustained 2,600 casualties, including dead, wounded and prisoners, during this approximately two-hour battle. In contrast, Jackson reported to Secretary of War James Monroe on Jan. 13, 1815, that the Americans suffered "only seven killed and six wounded" during "the action on the line."<sup>1</sup>

Louisiana lawyers played a prominent role in the defense of New Orleans, volunteering as Jackson's aides-de-camp, as his bodyguard and in other units. Jackson himself was a lawyer and judge, having served on the Tennessee Superior Court, Tennessee's highest court, from 1799 until he resigned in 1804.<sup>2</sup> Jackson was licensed to practice law in North Carolina in 1787 at the age of 20, after studying law for two years,<sup>3</sup> and moved to Tennessee the following year.

The definitive battle on Jan. 8, 1815, was not the only fighting that occurred in Louisiana between the Americans and the British forces. There were "a series of Battles for New Orleans" between Jackson's forces and the British troops during December 1814 and January 1815.<sup>4</sup>

Jackson had arrived in New Orleans on Dec. 1, 1814, to a city that was not prepared to defend itself. "[I]n the space of a few days, with discordant and heterogeneous elements, he created and organized the little army which succeeded so well in humbling the British pride."<sup>5</sup> Two weeks later, the British Navy defeated the outnumbered American gunboats at the Battle



Genl. Andrew Jackson: the hero of New Orleans. Library of Congress

### Andrew Jackson (1767-1845)

- ▶ Andrew Jackson was born in the Waxhaws, on the border between North and South Carolina, in 1767.
- ▶ At age 17, Andrew Jackson decided to become a lawyer, and by age 20, Jackson was admitted to the North Carolina bar. After moving to Tennessee in 1788, Jackson became a successful lawyer, often representing merchants against debtors.
- ▶ Jackson led the Americans, which included militia, regular army and volunteers, to a decisive victory at the Battle of New Orleans on January 8, 1815.
- ▶ In 1828, Andrew Jackson was elected the Seventh President of the United States, serving two terms from 1829-1837.

of Lake Borgne, the first of the engagements between the American defenders and the British invaders. After the loss of the American gunboats, Jackson declared martial law on Dec. 16, 1814, assuming military control of New Orleans and suspending civil authority.<sup>6</sup> Encouraging civilians to volunteer in the defense of their city, Jackson famously declared: "Those who are not for us are against us, and will be dealt with accordingly."<sup>7</sup>

Heeding Jackson's call to arms, Captain Peter V. Ogden, a New Orleans merchant, began organizing a volunteer cavalry unit to fight under Jackson. Nine lawyers joined Captain Ogden's Company of Orleans Dragoons, also known as Captain Ogden's Horse Company, to fight the British and defend New Orleans. Captain Ogden's cavalry unit was entrusted to guard Jackson. This cavalry company was "composed of young men of education and high position in society, which consti-

tuted the guard of the commander-in-chief, obeying his orders alone."<sup>8</sup> These men on horseback were stationed in the garden of Macarté's plantation, Jackson's headquarters at the battlefield in Chalmette, La., downriver from New Orleans. Ogden's Dragoons were to attack the enemy who broke through the American line. They were charged with protecting and obeying only Jackson.

### Lawyers in Captain Ogden's Dragoons

The nine lawyers who volunteered to serve in Captain Ogden's Dragoons included John Dick,<sup>9</sup> Alfred Hennen, Columbus Lawson, Henry Johnson, Nathan Morse, John Nicholson, Frederick Haldimand Sumner, Fielding Lewis Turner and George Augustus Waggaman.

Seven of these lawyers went on to successful careers, whether legal, judicial,



*John Dick*  
(1788-1824)

- ▶ Born in County Tyrone, Ireland
- ▶ Admitted to practice law in Virginia, 1811
- ▶ Admitted to practice before Louisiana Supreme Court, July 1, 1813
- ▶ United States Attorney, District of Louisiana, 1815 – 1821
- ▶ United States District Judge, District of Louisiana, 1821 – 1823
- ▶ First United States District Judge for Eastern District of Louisiana, 1823 – 1824
- ▶ First United States District Judge for Western District of Louisiana, 1823 – 1824
- ▶ Died of consumption at age 36

*Alfred Hennen*  
(1786-1870)

- ▶ Born in Maryland
- ▶ Graduate of Yale College, 1806
- ▶ Admitted to practice before Louisiana Supreme Court, March 4, 1813
- ▶ Law Professor at University of Louisiana (later became Tulane University)
- ▶ Elected to Tulane University Law School Hall of Fame, 1936
- ▶ After Hennen's death in 1870, his widow received a pension of \$8 per month based on Hennen's service at the Battle of New Orleans

*Columbus Lawson*  
(1789-1815)

- ▶ Born in Kentucky
- ▶ Admitted to practice before the Louisiana Supreme Court on March 5, 1813
- ▶ Register of the Land Office for the Eastern District of Louisiana, 1813-1815
- ▶ Clerk, United States District Court for the Louisiana District, 1813-1815
- ▶ Mortally wounded by British during Artillery Duel, January 1, 1815
- ▶ Only Louisiana lawyer that died fighting the British during the Battle of New Orleans

political and/or educational. John Dick was later appointed the first United States District judge for the Eastern District of Louisiana. John Nicholson was appointed the first United States marshal for the Eastern District of Louisiana. Two of the lawyers later served as United States senators, George Augustus Waggaman and Henry Johnson. Johnson also served as Louisiana governor. Nathan Morse was elected the recorder for the City of New Orleans and Alfred Hennen taught law at the University of Louisiana. Fielding Lewis Turner was elected criminal court judge.

Two lawyers died prematurely. Frederick Haldimand Sumner died of disease, probably yellow fever, five years after the battle. The clerk of the United States District Court for the Louisiana District, Columbus Lawson, appears to be the only lawyer killed at the battle.

New Orleans had a learned bar in 1815. Alfred Hennen was a Yale graduate, and Frederick Haldimand Sumner was a Harvard graduate. Nathan Morse, a New Jersey native, studied law under Col. Aaron Ogden, a future governor of New Jersey, who was the uncle of Captain Peter V. Ogden. Two lawyers traveled from Kentucky to New Orleans — Fielding Lewis Turner, born in Virginia, first practiced law in Kentucky; Columbus Lawson left Kentucky with his sister and brother-in-law, Judge Joshua Lewis, to move to New Orleans. George Augustus Waggaman was first admitted to the Maryland Bar, and John Nicholson relocated from Pennsylvania. Two of Ogden's Dragoons were first admitted to the Bar in

Virginia — Henry Johnson and John Dick, born in Ireland and raised in Virginia.

### Story of Columbus Lawson

Lawson sustained his fatal injuries during the battle fought on New Year's Day. This was an artillery attack by the British on the morning of Jan. 1, 1815. The British directed their cannon fire at Macarté's house, Jackson's headquarters. "In less than ten minutes, upwards of one hundred balls, rockets and shells struck the house, and rendered it impossible to remain there."<sup>10</sup> Jackson and his staff were at headquarters when the cannonading began, but fortunately no one in the house was wounded.<sup>11</sup> The Americans, celebrating the New Year, were "startled" by the British cannon fire.<sup>12</sup> However, Jackson's forces successfully countered with their artillery, until the British abandoned their artillery assault in the early afternoon. Latour, Jackson's engineer, reported that the American loss of life "was very inconsiderable, in comparison with that of the enemy, and considering the long continuance of an intense fire; for it amounted to no more than thirty-four wounded or killed, . . ."<sup>13</sup>

However, Lawson, stationed with Ogden's Dragoons outside of Macarté's house, was one of the Americans fatally wounded during that "artillery duel."<sup>14</sup> Lawson was just 25 years old and unmarried when a British cannonball struck him. Lawson died a few days later from his wounds. This artillery duel preceded the main battle one week later, when British troops unsuccessfully attacked Jackson's forces on Jan. 8, 1815, and were resound-

ingly defeated.

Lawson was born in Lexington, Ky., on Aug. 11, 1789, the son of Revolutionary War Brigadier General Robert Lawson. Lawson's sister was America Lawson Lewis, wife of Judge Joshua Lewis. In 1805, President Thomas Jefferson appointed Joshua Lewis of Kentucky as commissioner for the Territory of Orleans. Two years later, Jefferson appointed Lewis as judge of the Superior Court for the Territory of Orleans. Lawson accompanied his sister, her husband and family when they moved to New Orleans, sometime after Aug. 12, 1805.<sup>15</sup>

Lawson was admitted to practice before the Louisiana Supreme Court on March 5, 1813, just four days after the Court "commenced its sessions at the City of New Orleans."<sup>16</sup> U.S. Secretary of the Treasury Albert Gallatin had recommended Lawson as register of the Land Office at New Orleans in January 1813, noting "Lawson was clerk of the board, is honest, understands thoroughly the business & is recommended by the Member Mr. Robertson."<sup>17</sup> Lawson was later appointed clerk of the U.S. District Court for the Louisiana District located in New Orleans.

### Both Sides of Jean Lafitte

As clerk of court for the Louisiana District, Lawson signed and issued writs for the federal court, including orders involving privateer Jean Lafitte. The United States had charged Lafitte with revenue violations on April 7, 1813, alleging that Lafitte received foreign goods at Barataria without paying duty on them.<sup>18</sup> The peti-



### Henry Johnson (1783-1864)

- ▶ Born in Virginia & member of the Virginia Bar
- ▶ Moved to the Territory of Orleans, 1809
- ▶ Practiced law in Donaldsonville, La.
- ▶ Delegate from Attakapas Parish to the first Louisiana Constitutional Convention, 1812
- ▶ United States Senator from Louisiana, 1818-1824; 1844-1849
- ▶ Fifth Governor of Louisiana, 1824-1828
- ▶ Signed Act creating Jefferson Parish, February 11, 1825
- ▶ United States Representative from Louisiana, 1834-1839
- ▶ Moved to New Roads, Louisiana in Pointe Coupée Parish to practice law, 1850
- ▶ Johnson died on his 12,000 acre plantation "Woodley" in Pointe Coupee Parish, near the town of Valverde, Louisiana, during the Civil War, 1864

### Nathan Morse (1784-1833)

- ▶ Born in New Jersey
- ▶ Admitted to practice before the Louisiana Supreme Court, March 5, 1813
- ▶ Recorder for the City of New Orleans, 1828-1833
- ▶ Lieutenant Colonel, Militia
- ▶ Died in a steamboat accident on the Mississippi River, October 30, 1833

### John Nicholson (1783-1848)

- ▶ Born in Pennsylvania
- ▶ Admitted to practice before the Louisiana Supreme Court on May 4, 1813
- ▶ United States Marshal of the District of Louisiana, January 27, 1819-January 11, 1827
- ▶ First United States Marshal of the Eastern District of Louisiana, January 12, 1827-February 22, 1835
- ▶ Active Member of the Society for Relief of Destitute Orphan Boys for 24 years
- ▶ Eulogized as "Friend of the Orphan in Louisiana"
- ▶ Resided in New Orleans for 40 years

Even though the U.S. Navy destroyed his Barataria headquarters, Jean, his brother Pierre Lafitte and their privateers assisted Jackson and the Americans at the Battle of New Orleans. Jean Lafitte had been approached by British officials to support the British against the Americans. Instead of joining with the British, Lafitte advised American authorities of the British plans to attack Louisiana. Lafitte was offered a pardon for past offenses if he fought with the Americans and committed his men to battle. Lafitte and his men accepted the offer of pardon and defended the City of New Orleans.

On Feb. 6, 1815, President James Madison issued an official proclamation, granting a full pardon to Jean Lafitte and his men for their role in the defense of New Orleans, stating in part: "Offenders, who have refused to become the associates of the enemy in the war, upon the most seducing terms of invitation; and who have aided to repel his hostile invasion of the territory of the United States; can no longer be considered as objects of punishment, but as objects of a generous forgiveness."<sup>25</sup>

### End of Story

U.S. Senator Eligius Fromentin from Louisiana, a lawyer and ex-Catholic priest born in France, was in Washington, D.C. in January 1815. Fromentin acknowledged Lawson's untimely death in a letter dated Jan. 29, 1815, observing that Columbus Lawson was the brother of Mrs. Joshua Lewis.<sup>26</sup> Fromentin was not aware of the Jan. 8 battle when he wrote the letter in late January. Due to the delays in communication, it was not until early February that Washington, D.C. received the news that Jackson and his forces defeated the British in New Orleans.

In 1849, the U.S. Supreme Court decided a case involving a military land warrant that Columbus Lawson's father, Brigadier General Robert Lawson, had obtained for 10,000 acres of land in Virginia, now Kentucky. The Supreme Court noted Lawson's tragic death at the Battle of New Orleans twice in its opinion:

That on the 8th of January, 1815, Columbus Lawson died unmarried and intestate, leaving said America Lewis and Mary P. Bowman his heirs at law . . . That Columbus Lawson was an infant at the time of the death of his brother, John P. Lawson, and that he was killed at the battle of New Orleans, on the 8th of January, 1815; and that neither of the trustees in the deed of trust, nor either of the persons under whom complainants claim title, was ever resident in the State of Ohio. *Wagner v. Baird*, 48 U.S. 234, 237 (1849).

The nine lawyers of Ogden's Dragoons, although none of them were born in Louisiana, volunteered to defend New Orleans, with Columbus Lawson making the ultimate sacrifice.

### The Exhibit: Two Locations

"Jackson's Bodyguard: Lawyers Who Fought in the Battle of New Orleans," the exhibit curated by New Orleans attorney Mary Ann Wegmann, is on display in two locations.

The exhibit can be viewed at the

tion is titled "United States v. Jean Lafite," Lafite spelled with just one "t."<sup>19</sup> Clerk of Court Lawson signed an order by the President of the United States in April 1813, commanding Lafitte to appear in U.S. District Court on the third Monday in July 1813.<sup>20</sup> Lawson also issued a writ setting bail for Lafitte of \$12,514.52, treble the amount of the goods Lafitte allegedly received without paying duty.<sup>21</sup> U.S. Marshal Peter L.B. Duplessis, the first U.S. marshal in Louisiana, failed to serve the writ, noting that Jean Lafitte was "not to be found."<sup>22</sup> Since Lafitte did not appear in court in July 1813, Lawson issued another writ, ordering the marshal to "take the body of Jean Lafite" and have him appear in court on the third Monday in October 1813.<sup>23</sup> Lafitte did not appear in October and, in November, Lafitte was again charged with violating the law, having received goods valued at \$3,000 in Barataria without paying "Revenue Duties."<sup>24</sup>

On Sept. 16, 1814, a schooner, a tender and six gunboats under the command of U.S. Navy Commodore Daniel Patterson attacked Lafitte's headquarters in Barataria. The Baratarians abandoned their vessels without resistance. The Americans seized ships, cannons and an estimated \$500,000 worth of goods and captured Baratarians.



*Frederick Haldimand  
Sumner (1782-1819)*

- Born in Claremont, New Hampshire
- Graduated from Harvard College with a Bachelor of Arts, 1803
- Admitted to practice before the Louisiana Supreme Court, December 2, 1813
- After the Battle of New Orleans, Sumner remained in New Orleans, practicing law until his death on September 3, 1819, at the age of 37, probably of yellow fever
- Sumner left no direct descendants, leaving his estate to two "beloved nephews"

*Fielding Lewis Turner  
(1776-1843)*

- Born in Virginia
- Admitted to practice law in Kentucky, 1799
- Moved to Natchez, Mississippi and then to New Orleans
- Admitted to practice before Louisiana Supreme Court, April 5, 1813
- Judge of the Criminal Court of the City of New Orleans, 1821-1828
- Alderman of the Sixth Ward, New Orleans, 1826
- Died in Lexington, Kentucky, 1843

*George Augustus  
Waggaman (1782-1843)*

- Born in Maryland
- Studied law and was admitted to the bar in Caroline County, Maryland, 1811
- Admitted to practice before the Louisiana Supreme Court, July 1, 1813
- Louisiana Secretary of State, 1830-1832
- United States Senator from Louisiana, 1831-1835
- Louisiana State Senator, Jefferson Parish, 1840-1843
- Fatally injured in a duel, March 1843

Louisiana Supreme Court Museum, 400 Royal St., New Orleans, on the first floor of the Court building. The museum has free admission and is open to the public during business hours. Funded in part by a Louisiana Endowment for the Humanities grant, through the Supreme Court of Louisiana Historical Society, this museum exhibit features historical documents and images in display cases that tell the stories of the attorney-soldiers who guarded

Jackson at the Battle of New Orleans.

A panel version of this exhibit is on view at the U.S. District Courthouse, 500 Poydras St., New Orleans, on the second floor. This exhibit is also free and open to the public during business hours. U.S. District Court Judge Mary Ann Vial Lemmon chairs a Committee of the U.S. District Court for the Eastern District of Louisiana devoted to preserving and pre-

serving the vibrant history of the court. The first phase of the federal court project focuses on the "Early Years of the Court" and features this exhibit via text and images on six large double-sided panels.

Both exhibits explore the lives of these American lawyers as well as Andrew Jackson himself, also an attorney and judge who later was elected the seventh president of the United States. Their biog-



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raphies provide a glimpse of life in New Orleans in the early 1800s.

More information and historical documents can be found on the website of the U.S. District Court, Eastern District of Louisiana, at: [www.laed.uscourts.gov/court-history/general](http://www.laed.uscourts.gov/court-history/general).

## FOOTNOTES

1. "Victory at New Orleans," from N.Y. Courier & Enquirer. Providence Patriot, Columbian Phoenix (Providence, Rhode Island, Saturday, Jan. 14, 1832).

2. S.G. Heiskell, *Andrew Jackson and Early Tennessee History* (Nashville, Tenn.: Ambrose Printing Company, 1918), 303-305.

3. *Ibid.* at 294.

4. Kimberley S. Hangar, *Medley of Cultures: Louisiana History at the Cabildo*, p. 169. [www.crt.state.la.us/Assets/Museum/publications/A\\_Medley\\_Of\\_Cultures.pdf](http://www.crt.state.la.us/Assets/Museum/publications/A_Medley_Of_Cultures.pdf).

5. Major A. Lacarriere Latour, *Historical Memoir of the War in West Florida and Louisiana in 1814-15* (Gainesville, FL: University of Florida Press, 1964, facsimile reproduction of the 1816 edition), xvi.

6. [www.nps.gov/articles/andrew-jackson-and-martial-law-in-new-orleans.htm](http://www.nps.gov/articles/andrew-jackson-and-martial-law-in-new-orleans.htm).

7. [www.nps.gov/articles/andrew-jackson-and-martial-law-in-new-orleans.htm](http://www.nps.gov/articles/andrew-jackson-and-martial-law-in-new-orleans.htm).

8. Alexander Walker, *Jackson and New Orleans* (New York: J.C. Derby, 1856), 246.

9. See, [www.laed.uscourts.gov/court-history/judges/dick](http://www.laed.uscourts.gov/court-history/judges/dick) for more information about John Dick, who as U.S. Attorney, successfully prosecuted Major General Andrew Jackson for contempt of court, just two months after guarding Jackson at the Battle of New Orleans.

10. Latour, p. 132.

11. *Ibid.*

12. Alexander Walker, *Jackson and New Orleans* (New York: J.C. Derby 1856), 255.

13. Latour, p. 135.

14. [www.nps.gov/jela/learn/historyculture/upload/Gulf-Coast-campaign-Battle-of-NO-site-bulletin-timeline.pdf](http://www.nps.gov/jela/learn/historyculture/upload/Gulf-Coast-campaign-Battle-of-NO-site-bulletin-timeline.pdf).

15. "To James Madison from Joshua Lewis, 12 August 1805 (Abstract)," *Founders Online*, National Archives, last modified Feb. 1, 2018, <http://founders.archives.gov/documents/Madison/02-10-02-0185>. Joshua Lewis acknowledged receipt of the Commission while still living in Lexington, Ky.

16. Supreme Court of Louisiana Minute Book 1, 1813-1815, University of New Orleans, Earl K. Long Library, Historical Archives of the Louisiana Supreme Court, pp. 54, 58-59.

17. "To James Madison from Albert Gallatin, [ca. 25 January] 1813," *Founders Online*, National Archives, last modified Feb. 1, 2018, <http://founders.archives.gov/documents/Madison/03-05-02-0526>.

18. See Affidavit of Andrew Hunter Holmes, United States Army, Nov. 19 1813, notarized by the brother-in-law of Columbus Lawson, Judge Joshua Lewis. [www.laed.uscourts.gov/sites/default/files/200th/interesting/doc18.pdf](http://www.laed.uscourts.gov/sites/default/files/200th/interesting/doc18.pdf). Suit No. 573 was filed on April 7, 1813. <https://catalog.archives.gov/id/251587>.

19. <https://catalog.archives.gov/id/251587>.

20. [www.laed.uscourts.gov/sites/default/files/200th/interesting/doc14.pdf](http://www.laed.uscourts.gov/sites/default/files/200th/interesting/doc14.pdf).

21. [www.laed.uscourts.gov/sites/default/files/200th/interesting/doc16.pdf](http://www.laed.uscourts.gov/sites/default/files/200th/interesting/doc16.pdf).

22. *Ibid.*

23. [www.laed.uscourts.gov/sites/default/files/200th/interesting/doc5.pdf](http://www.laed.uscourts.gov/sites/default/files/200th/interesting/doc5.pdf).

24. [www.laed.uscourts.gov/sites/default/files/200th/interesting/doc18.pdf](http://www.laed.uscourts.gov/sites/default/files/200th/interesting/doc18.pdf).

25. "Presidential Proclamation, [6 February 1815]," *Founders Online*, National Archives, last modified Feb. 1, 2018, <http://founders.archives.gov/documents/Madison/03-08-02-0493>.

26. *Delaware Gazette and State Journal*, published as *Delaware Gazette* and *Peninsula Advertiser* (Wilmington, DE, Feb. 7, 1815).

Attorney Mary Ann Wegmann is the specialization director for the Louisiana Board of Legal Specialization and is working on her graduate degree in history at the University of New Orleans. She curated the exhibit, currently on view at the Louisiana Supreme Court Museum and at the U.S. District Court for the Eastern District of Louisiana. ([mary-ann.wegmann@lsba.org](mailto:mary-ann.wegmann@lsba.org); 601 St. Charles Ave., New Orleans, LA 70130)



## NOBA Celebrates 300 Years of New Orleans



Members of the New Orleans Bar Association's Tricentennial Committee are, from left, Christopher K. Ralston, Judge Terri F. Love, R. Patrick Vance, Judge Mary Ann Vial Lemmon, Judge Nannette V. Jolivet Brown, Dana M. Douglas, Angelina Christina, Miriam Childs and Justin I. Woods.

The New Orleans Bar Association (NOBA) hosted its inaugural Tricentennial CLE event, featuring Tulane University Law School Professor Vernon V. Palmer, on Jan. 24 at the U.S. District Court, Eastern District of Louisiana. NOBA's Tricentennial Committee, led by R. Patrick Vance and Kim M. Boyle, organized the event with help from current NOBA President Dana M. Douglas.

Professor Palmer presented "A

Tricentennial Retrospective: The Unique Legacy of Louisiana Legal History" CLE, which offered a historical view of the influence of the Napoleonic Code on the Louisiana Civil Code. Audience members also learned about the Spanish and French influences on Louisiana law.

Following Professor Palmer's presentation, participants attended a reception featuring a Tricentennial exhibit titled "Jackson's Bodyguard: Lawyers Who

Fought in the Battle of New Orleans," curated by New Orleans attorney Mary Ann Wegmann.

Judge Mary Ann Vial Lemmon chairs a committee devoted to preserving and presenting the vibrant history of the U.S. District Court for the Eastern District of Louisiana. The first phase of the project focused on the early years of the court and featured the Jackson exhibit.