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PRELUDE TO STATEHOOD:
THE SOUTHWEST TERRITORY, 1790-1796

A Dissertation
Presented for the
Doctor of Philosophy
Degree
The University of Tennessee, Knoxville

William Michael Toomey
May, 1991

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DEDICATION

This dissertation is dedicated to my parents

Mr. Virgil Dee Toomey

and

Mrs. Eula Dorflinger Toomey

Their support and encouragement has been invaluable
and is deeply appreciated

Acknowledgments

The successful completion of this study is due in large part to the assistance I have received from a variety of sources. I am particularly indebted to my advisor, Dr. John R. Finger. His fascination with the American frontier was the original incentive for my own exploration of that topic. I have benefited immensely from his support and encouragement since that time, as he calmly guided me through the complexities of graduate school and through this dissertation. His patience is truly remarkable, and the final work owes much to his influence and guidance. I am likewise indebted to the other members of my committee, Dr. Paul Bergeron, Dr. John Muldowny, Dr. Bruce Wheeler, and Dr. Leonard Brinkman. Their questions and observations regarding the manuscript have enabled me to examine the material in ways that I never imagined. Their friendship and encouragement, offered at times when it was most needed, has also been invaluable.

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to their facilities is much appreciated.

I have depended much on the understanding and encouragement of my family, especially my daughter, Jennifer. She has always assumed as a matter of course that I would complete this dissertation, although I doubt that she realized the importance of that confidence. In addition, I would like to thank my many friends and fellow graduate students for their companionship and encouragement during the past few years. They have been an invaluable source of support and have gladly fed, housed and entertained me on numerous occasions. Their friendship and compassion have enabled me to maintain some degree of perspective and a semblance of sanity.

ABSTRACT

The territorial period of Tennessee history, or the period from 1790-1796 when the region was more commonly known as the Southwest Territory, has generally been overlooked as an independent area of research. Yet these years constitute a time of clear transition, when the people of the region began to move beyond the restrictions of their frontier environment towards the obvious objective of statehood.

Ultimately, their efforts were successful; in fact, Tennessee was the first state to complete the transition from territory to statehood under the provisions of the Northwest Ordinance. But the process included much more than fulfilling the population requirements put forth in that document. As new immigrants arrived in the territory, they were able to impose control on their unpredictable frontier environment by utilizing traditional institutions, values and ideas which had represented stability in the East. Among these were religious and educational institutions, and especially the county courts, which operated in virtual autonomy and routinely addressed the basic needs and problems of the citizenry. At the same time, the county courts offset the need for the extensive application of federal authority. In fact, the only federal assistance which the citizens of the territory

expected was military support to counteract the attacks of hostile Indians. But for a variety of reasons, the federal government refused to provide any substantial military intervention in the Southwest Territory, prompting animosity and occasional defiance of federal directives on the part of the citizens.

In a similar manner, the territorial population exercised initiative in their own economic and social development. Official and personal correspondence, newspapers, and travelers' accounts, demonstrate this progress and make it clear that the people of the Southwest Territory were not content to remain in a subordinate role. Indeed, with little or no assistance from a seemingly disinterested federal government, it was the settlers themselves who directed their transition to statehood.

Preface

William Tatham arrived in Knoxville in the spring of 1793. As the capital of the Territory of the United States South of the River Ohio (or the Southwest Territory, as it was more commonly known), Knoxville accommodated a variety of visitors and immigrants in the early to mid 1790s. But the arrival of William Tatham did not go unnoticed by the townspeople; in fact, the Knoxville Gazette printed an announcement of Tatham's arrival and even suggested to its readers that "their prosperity will be enhanced by [his] useful work."[1]

The readers of the Gazette were already aware of the nature of the "useful work" which Tatham was about to begin, for the paper had some months earlier reported that he intended to produce "a History of the rise and progress" of the "south western territory of the United States," to be accompanied by a map of the region.[2] The initial prospects for Tatham's efforts seemed to point to a successful conclusion. His requests for information and cooperation from the citizenry should have been productive, for Tatham was much

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[1]Knoxville Gazette, March 23, 1793.

[2]Ibid., November 3, 1792.

travelled and respected and could count among his friends none other than Thomas Jefferson. More important, Tatham had some talent as a cartographer and had already produced one map of the west. Perhaps most significant was the fact that Tatham's sponsor and patron was the Governor of the territory, William Blount. Blount's interest in Tatham's activity was centered primarily on the proposed map, for the Governor of the territory was also an energetic land speculator and needed an accurate map of the region in order to promote interest in land sales.[3]

Despite these promising beginnings, Tatham was unable to bring his project to a successful conclusion. It is probable that at least some of his information found its way into the map of the Southwest Territory which was produced by Daniel Smith and published by Mathew Carey in 1793.[4] But the material which Tatham collected for his history of the territory was never used. The reasons for his failure are unclear, but were probably related to financial problems. It is certain that Tatham was charged in several debt cases in the Knox County courts and that he appeared to defend himself in none. He had obviously departed the territory in some

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[3]Knoxville Gazette, May 23, 1793; June 15, 1793; Samuel Cole Williams, William Tatham, Wataugan (Johnson City, TN, 1947), 37-38, 78-81.

[4]Daniel Smith [?], A Short Description of the Tennassee Government, or the Territory of the United States South of the River Ohio, to Accompany a Map of that Country (Philadelphia, 1793); Williams, William Tatham, Wataugan, 79.

haste, as is suggested by the items which were left in his room and eventually confiscated by the court. Among these were "some Small instruments for drawing drafts, a Quantity of Maps, an Instrument for measuring Roads," and "a few Sheets of White paper."[5]

The first attempt to produce a history of the "rise and progress" of the Southwest Territory had thus come to an abrupt end. The "usefulness" of such a work, however, is as obvious today as it was in 1793, if not more so. The transition of Tennessee from territory to statehood was the first such transition to be completed under the provisions of the Northwest Ordinance. The precedents which were established in the process are therefore important and could be revealing if compared to similar studies in later territorial experiences. But it is also important to remember that the evolution of the Southwest Territory into the state of Tennessee, which took place from 1790-1796, was occurring simultaneously with an equally important transition of government for the nation as a whole. It is perhaps not surprising to learn that federal officials, preoccupied with implementing their new Constitution, assigned a low priority to the Southwest Territory.

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[5]Transcription of the County Archives of Tennessee, Minutes of the County Court of Knox County, Book No. "O", 1792-1795 (Tennessee Historical Records Survey, WPA, 1941), August Session, 1794, Tennessee State Library and Archives, Nashville; see also ibid., October Session, 1794, and ibid., January Session, 1795.

But there were important changes taking place in the territory, changes which reveal much about the ways in which a frontier population is able to bring the harsher elements of their environment under control. It was necessary, for example, for the threat of Indian attacks to be eliminated; also, impediments to economic development had to be identified and, as much as was possible, removed. Just as important, institutions which the settlers had traditionally associated with stability in the east had to be transplanted to their new communities across the mountains. These changes were, in effect, the preconditions to statehood, but they were changes to which the federal government gave little or no direct encouragement. Instead, it was the citizens of the territory who initiated the necessary changes, and the details of their success are the details of the transformation from territory to statehood.

An examination of the sources which are available for a study of this period reveals another aspect of the usefulness of such a study, for there are few sources which deal exclusively with the Southwest Territory. Only recently has this important period in Tennessee history received attention as an independent area of study. The most extensive such effort is a book by Walter T. Durham, Before Tennessee: The Southwest Territory, 1790-1796, in which the author focuses

primarily on the Indian wars and political developments.[6] Also, the most recent edition of The Journal of East Tennessee History is devoted exclusively to the subject of the Southwest Territory.[7]

Prior to these studies, however, most information about the territorial period of Tennessee could be found only in larger studies of the state. Some of the earliest of these include two works by John Haywood, The Natural and Aboriginal History of Tennessee and The Civil and Political History of Tennessee, and J.G.M. Ramsey's Annals of Tennessee.[8] The latter of these is the better, although it draws heavily on Haywood's works in many places and thus repeats some exaggerations and inaccuracies. In fact, when Haywood's Civil and Political History of Tennessee was first published in 1823, many of the early settlers of the territory were still alive and at least one of these, William Martin, was not impressed with the book. Haywood, Martin wrote, was "wrong in a good many things, with facts - dates and details all jumbled together, and so distorted as not to be understood." In fact,

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[6]Walter T. Durham, Before Tennessee: The Southwest Territory, 1790-1796 (Piney Flats, TN, 1990).

[7]The Journal of East Tennessee History, 62(1990).

[8]John Haywood, The Civil and Political History of Tennessee (Knoxville, 1969 [1823]); Haywood, The Natural and Aboriginal History of Tennessee, Mary U. Rothrock, ed., (Jackson, TN, 1959 [1823]); James G. M. Ramsey, The Annals of Tennessee to the End of the Eighteenth Century (Kingsport, TN, 1967 [1853]).

Martin continues, when Haywood's history first appeared, "it was read only to be laughed at[.]"[9] Some care should be exercised, therefore, when citing these sources. Still, Martin's assessment notwithstanding, the efforts of both Haywood and Ramsey represent the first serious attempt to collect systematically the history of Tennessee's early years, and much information was retained that would otherwise have been lost.

Later studies which provide some information on the Southwest Territory are state histories, the best of which is Thomas P. Abernethy's From Frontier to Plantation in Tennessee.[10] There are also more recent local studies, such as Anita S. Goodstein's Nashville, which is an excellent examination of Nashville and its growth during and after the territorial years.[11] But the best secondary source of information for the Southwest Territory is contained in the biography of its governor, William Blount, by William Masterson.[12] In addition, there are more general works which

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[9]William Martin to Lyman Draper, July 7, 1842, in Draper MSS, 3XX4 (microfilm edition), State Historical Society of Wisconsin.

[10]Thomas P. Abernethy, From Frontier to Plantation in Tennessee: A Study in Frontier Democracy (Westport, CN, 1979 [1932]).

[11]Anita S. Goodstein, Nashville, 1780-1860: From Frontier to City (Gainesville, 1989).

[12]William H. Masterson, William Blount (Baton Rouge, 1954).

can be used to place the growth of the Southwest Territory in the broader framework of the development of the trans-Appalachian west, such as Malcolm J. Rohrbough's The Trans-Appalachian Frontier, and Richard C. Wade's The Urban Frontier.[13] More recent works have focused on the ideology of the Northwest Ordinance and its application in the Northwest Territory. This dissertation has benefited from the writings of Peter Onuf and Andrew Cayton, especially Cayton's The Frontier Republic: Ideology and Politics in the Ohio Country, Onuf's Statehood and Union: A History of the Northwest Ordinance, and The Midwest and the Nation: Rethinking the History of an American Region, jointly authored by Cayton and Onuf.[14]

A more detailed picture of the Southwest Territory is available in the correspondence of the principal figures in the territorial government, much of which has been collected and published. Volume 2 of The John Gray Blount Papers contains some candid observations by William Blount to his brother, as well as other correspondence which is directly or

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[13]Malcolm J. Rohrbough, The Trans-Appalachian Frontier: People, Societies, and Institutions, 1775-1850 (Belmont CA, 1990); Richard C. Wade, The Urban Frontier: Pioneer Life in Early Pittsburgh, Cincinnati, Lexington, Louisville and St. Louis (Chicago, 1959).

[14]Andrew Cayton, The Frontier Republic: Ideology and Politics in the Ohio Country (Kent, OH, 1986); Peter Onuf, Statehood and Union: A History of the Northwest Ordinance (Bloomington, IN, 1987); Andrew Cayton and Peter Onuf, The Midwest and the Nation: Rethinking the History of an American Region (Bloomington, IN, 1990).

indirectly related to territorial affairs.[15] The correspondence of General James Robertson, published in The American Historical Magazine, is also revealing.[16] The best collection of such correspondence, however, is in volume 4 of The Territorial Papers of the United States, which includes the majority of the official papers in the federal archives which relate to the Southwest Territory.[17] Further information, primarily relating to Indian Affairs, is contained in American State Papers.[18]

A very different picture of the Southwest Territory is found in the various county court records of the period. In these it is possible to formulate an image of the daily problems which confronted the inhabitants. Unfortunately, not all county court records from the territorial years are available; but of the eleven counties that existed when the territory was admitted to statehood, the records of seven have been examined and are used here. Complementing these are the pages of the Knoxville Gazette, which was the only newspaper

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[15]Alice B. Keith and William H. Masterson, eds., The John Gray Blount Papers (3 vols., Raleigh, 1952-1965).

[16]"Correspondence of Gen. James Robertson," American Historical Magazine, 1 (1896): 71-91, 188-194, 280-291, 390-396; 2 (1897): 59-86, 172-279, 355-375; 3 (1898): 74-83, 267-298, 348-394; 4 (1899): 66-96, 163-192, 247-286.

[17]Clarence E. Carter, ed., The Territorial Papers of the United States (28 vols., Washington, 1934-1950).

[18]Walter Lowrie and Matthew St. Clair Clark, eds., American State Papers, Class II, Indian Affairs (2 vols., Washington, 1832).

in the territory. The paper first appeared in November of 1791 and, with the exception of a few missing issues in late 1795 and early 1796, all of the issues from the territorial years are preserved. Other newspapers which contain information on the Southwest Territory are rare; but the New York Daily Advertiser does include some articles relating to the territory, especially during the period immediately before and after the 1789 cession, since New York was at that time the national capital.

The published records of travelers and visitors to the territory are also an important source of information. The best known of these is the journal of Bishop Francis Asbury.[19] But Andre Michaux's notes of his journey through the territory in 1795-1796 contain some valuable information, as does the account of his son, F. A. Michaux, who retraced much of his father's route in 1802.[20] Also helpful are the recollections of David Campbell of Virginia; his memories of his early days in Abingdon reveal much about the Southwest Territory, since Abingdon was a part of the territorial community.[21] Extensive

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[19]J. M. Potts. E. T. Clark, and J. S. Payton, eds., The Journals and Letters of Francis Asbury (3 vols., Nashville, 1958).

[20]"Journal of Travels into Kentucky," by Andre Michaux, in Reuban G. Thwaites, ed., Early Western Travels, 1748-1846 (32 vols., Cleveland, 1904-1907); "Travels to the West of the Alleghany Mountains," by Francois Andre Michaux, in ibid.

[21]"Recollections of David Campbell," in the Campbell Family Papers, Perkins Library, Duke University (microfilm edition, Tennessee State Library and Archives).

information on the territory can also be found in the Miscellaneous Papers of the Tennessee Historical Society, and the Draper Manuscripts.[22] In addition, there are a variety of unpublished journals, correspondence and other relevant information in the Tennessee State Library and Archives, the North Carolina State Library and Archives and the Southern Historical Collection at the University of North Carolina in Chapel Hill.

One source which must be included in any study of the American frontier are the writings of Frederick Jackson Turner. It was Turner's insight which first suggested that the frontier experience of the American people had been truly "significant."[23] "The existence of an area of free land," said Turner," its continuous recession, and the advance of American settlement westward, explain American development."[24] Among the foremost characteristics of this development, he continued, were American ingenuity, individualism, and especially American democracy. In fact, it was the frontier experience which actually separated the nation from its

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[22]Tennessee Historical Society's Miscellaneous Papers, Tennessee State Library and Archives, Nashville; Draper Manuscripts (microfilm edition), State Historical Society of Wisconsin.

[23]Frederick Jackson Turner, "The Significance of the Frontier in American History," a paper read at the meeting of the American Historical Association in Chicago, July 12, 1893; printed in Frederick Jackson Turner, The Frontier in American History (New York, 1962 [1920]), 1-38.

[24]Turner, The Frontier in American History, 1.

European origins. As Turner expressed it, "the advance of the frontier has meant a steady movement away from the influence of Europe, a steady growth of independence on American lines."[25]

The effect of Turner's analysis was dramatic, fostering a host of disciples who attempted to prove its validity. The evidence from the pre-statehood years in Tennessee, however, does little to sustain the contention that as the frontier moved westward, it "became more and more American."[26] Indeed, it is easier to prove just the opposite. If the earliest explorers and settlers in the region were forced to "accept the conditions" of their new environment,[27] it was only a temporary acceptance; instead, the primary objective of these frontier Americans was to conquer their environment. And the tools of conquest were the values and institutions of eastern society which were transplanted to their trans-Appalachian homes at the first opportunity. The research of Andrew Cayton has shown that the collective background experiences of a community were similarly important in the Northwest Territory. In fact, Cayton concludes that many of the conflicts which arose in that region "originated less in 'frontier conditions' or republican ideology than in the disparate cultures in which

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[25]Ibid., 4.

[26]Ibid.

[27]Ibid.

the participants matured."[28]

This dissertation will show the importance of those original cultures in the Southwest Territory, and the role they played in the transition from territory to statehood. The county governments, educational and religious institutions, and even the class structure which intensified during the years from 1790-1796, all originated in eastern -- which is to say, European -- society. There were admittedly some concessions to frontier conditions: courts were sometimes surprisingly lenient in cases of assault and "affrays"; or, when threatened with Indian attacks, sessions were sometimes abbreviated or canceled altogether. But these were temporary concessions; the clear trend during the territorial years was to recreate in the West the orderly societies of the East.

Such departures from Turner's frontier thesis are, of course, not new; skeptics and critics of Turner have been active since his ideas first appeared. But many of these same critics agree that, if examined in a broader interpretation, Turner's observations are undeniably accurate: the American frontier experience must have been crucial to the overall development of the United States. If nothing else, the frontier represents a transition and such periods are unquestionably significant. This was the case for the

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[28]Andrew R. L. Cayton, "Land, Power, and Reputation: The Cultural Dimensions of Politics in the Ohio Country," The William and Mary Quarterly, 47(1990): 266-286.

Southwest Territory. Although at first unintentionally, its citizens turned to their own background and experience to incorporate stability into the remnants of their frontier society. With little or no encouragement from a seemingly disinterested federal government, they set their own agenda for their territorial prelude to statehood.

Prelude to Statehood: The Southwest Territory, 1790-1796

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Abbreviations

AHM	American Historical Magazine
ETHS	East Tennessee Historical Society
NCSLA	North Carolina State Library and Archives, Raleigh
SHC	Southern Historical Collection, University of North Carolina, Chapel Hill
SHSW	State Historical Society of Wisconsin
THM	Tennessee Historical Magazine
THQ	Tennessee Historical Quarterly
THS	Tennessee Historical Society
TSLA	Tennessee State Library and Archives, Nashville

Chapter One

"We Shall be the Happiest People in America": Expectations and Reality

When the area that is present-day Tennessee was initially organized as the Territory of the United States South of the River Ohio, there existed specific expectations among those who would govern the region and also among those who would be governed. At first, the nature of these expectations was complementary. Federal authorities sought to expand the nation westward both to solidify its claims in that region and to raise revenue through the sale of vacant lands. For the people who lived in the Southwest Territory, federal authority represented at the very least a means to solve the problems of Indian hostilities. Additionally, they expected the federal government to pursue negotiations with Spanish authorities and gain commercial access to the port of New Orleans, which had been closed to American shipping since 1784. Early prospects for realizing these expectations were high; in fact, one resident believed that "the time is not very distant when we shall be the happiest people in America."[1] But this prediction would seem ironic before the end of the territorial period; by that time, federal authorities had begun to view the

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[1]"Letter from a gentleman in Nashville to his friend at New York, dated August 2," in New York Daily Advertiser, September 16, 1790.

Southwest Territory as a source of trouble rather than revenue, and the people of the territory had come to see themselves as betrayed and abandoned.

These attitudes, however, were still in the future in 1789 when the state of North Carolina ceded to the federal government all of its western lands from the crest of the Appalachian Mountains to the Mississippi River. Consisting of 42,244 square miles, the new territory was dominated in the east by the steep and rugged Appalachians. Rising in several places to heights of over 6000 feet, these mountains presented a definite obstacle to both immigration and commerce. In addition, the land at the foot of these mountains was broken and characterized by small coves, rendering it unsuitable for large-scale agriculture. But smaller acreage along the many small rivers of the east was productive, and for the early immigrants who moved there, such as the Embree family who settled along the Nolichucky River, the eastern part of the territory was characterized as a "pleasant fruitful land" and a "new paradise."[2]

Farther to the west, in the region presently known as the Central Basin, the land was more open, fertile and well-watered, promising even greater agricultural success. In fact, one contemporary observer claimed that the soil, climate and

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[2]Evan Embree to Abner Elleman, 1780, in The Embree Family Papers, Archives of Appalachia, East Tennessee State University, Johnson City, Tennessee.

general attributes of the area were as much superior to the eastern part of the territory as were "the fertile plains of Flanders to the barren deserts of Africa."[3] Dominating this area, and eventually giving its name to the settlements which dotted its shores, was the Cumberland River. The Cumberland River valley, including several tributaries, offered not only fertile farmland but also a potential route for commerce, since it flowed directly into the Ohio and thence into the Mississippi, and was navigable throughout much of its length.[4]

Both of these areas were well settled in 1790 when territorial administration began. The eastern settlements had been permanently inhabited since 1769 and organized by the North Carolina legislature in 1777 as Washington County. Increases in settlement compelled the division of Washington into Sullivan County in 1789, and the creation of Greene County in 1783 and Hawkins County in 1786. Together, these counties were organized as the Washington District, but they were just as often referred to as the Holston settlements, in reference to the Holston River which flowed through the region. At the time of cession, these settlements were described by Ramsey as extending "from the Virginia line on the east, in a peninsular shape, southwest to the waters of

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[3]New York Daily Advertiser, October 21, 1790.

[4]For a complete description of the physiographical characteristics of Tennessee, see Robert E. Corlew, Tennessee: A Short History (Knoxville, 1981), 1-14.

Little Tennessee, a distance of about one hundred and fifty miles in length, by a width no where more than fifty, and in some places less than twenty-five miles."[5] The first census taken in the territory revealed a population for this narrow strip of settlement of 28,649, an increase from approximately 2000 in 1775.[6]

The Cumberland settlements were separated from those of the Holston by the Cumberland Plateau and almost 200 miles of wilderness. The inhabitants had endured some difficult times since James Robertson led a migration of 300 settlers to the "French Lick" at Nashborough in 1779-1780.[7] Many difficulties were still ahead, but by 1791 these settlements had grown to contain 7042 inhabitants.[8] Officially designated by North Carolina as the Mero District, these settlements included Davidson, Sumner and Tennessee counties, organized in 1783, 1787 and 1788, respectively. Like their counterparts in Holston, the Cumberland settlements were a narrow strip of habitation, extending along the Cumberland River for about 85

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[5]J.G.M. Ramsey, The Annals of Tennessee to the End of the Eighteenth Century (Kingsport, TN, 1967 [1853]), 544.

[6]Clarence Carter, ed., The Territorial Papers of the United States (28 vols., Washington, 1934-1950) 4:81; Daniel Smith [?], A Short Description of the Tennessee Government (Philadelphia, 1793), 4.

[7]A.W. Putnam, History of Middle Tennessee (Knoxville, 1971 [1859]), 208, 337.

[8]Carter, Territorial Papers, 4:404-405.

miles and ranging from 12-25 miles in width.[9]

Together, these two communities contained a population in 1791 of 35,691 and were the only settled areas in the territory. They were connected by a horsepath known as the "wilderness road" but traveling along this route required the company of a sizable contingent of armed companions. Indeed, most citizens rarely strayed far from any settlement without such an escort, for the forests contained dangers both real and imagined. It was said, for example, that a creature resembling a dragon inhabited the Cumberland Mountains and had actually been encountered by a captain in the territorial militia.[10] Another unusual animal with monster-like characteristics supposedly roamed the mountains along the North Carolina border.[11]

But the people of the Southwest Territory did not need such fanciful stories to restrict them, for the lands beyond their settlements--indeed, most of the territory--was claimed by or actually inhabited by Indians. The area between the Cumberland settlements and the Mississippi River was claimed by the Chickasaws, a tribe that had caused some problems for the inhabitants of Cumberland in the past but had not been hostile since 1783. A small tribe, numbering approximately

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[9]William Blount to Henry Knox, January 14, 1793, in Ibid., 4:226-234.

[10]Knoxville Gazette, July 17, 1794.

[11]Ibid., August 27, 1793.

4000-6000,[12] the Chickasaw were divided between those who favored their traditional allegiance to the Spanish and those who sought closer ties to the United States. The Choctaw were a larger tribe who occupied lands to the south of the Chickasaw in what is now middle Mississippi. Numbering somewhere between 22,000 and 30,000, they were also considered peaceful, if only due to a misconceived notion of their poverty; a report to the Secretary of War in 1786 described the Choctaw as poorly armed, nearly naked, and "the most indolent creatures we ever saw."[13]

The Creek Nation was much closer to the settlements of the Southwest Territory, in the regions of present-day Alabama, middle and southern Georgia. The entire tribe contained perhaps as many as 30,000, but it was only the upper portion of the tribe which bordered the territory and these probably amounted to around 20,000. The Creek were considered to be hostile, although much of their hostility was directed at the settlements along the Georgia frontier. But they had

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[12]All estimates of tribal populations (with the exception of the Chickamauga) are taken from the report of Benjamin Hawkins, Andrew Pickens, Joseph Martin and Laughlin McIntosh to Richard Henry Lee, December 2, 1785 in American State Papers, Class II, Indian Affairs (2 vols., Washington, 1832), 1:38-39. The specific numbers given in the report are for warriors only, but the total populations are said to equal four times the number of warriors. See also Benjamin Lincoln, Cyrus Griffin and David Humphreys to Henry Knox, November 20, 1789, ibid., 1:78-79.

[13]Benjamin Hawkins, Andrew Pickens and Joseph Martin to John Hancock, January 4, 1786, in Ibid., 1:49-50.

frequently sent raiding parties into the territory in the past and were still regarded as a threat.

The most serious threat, however, came from the Cherokee Nation. These Indians occupied lands very near to the Southwest Territory, along the tributaries of the Tennessee River directly south of the Holston settlements. The Cherokee had openly aligned with the British during the Revolutionary War, but fared poorly against the expeditions which attacked their towns. By the late 1780s, the Cherokee population had been reduced to 10,000-13,000, but their proximity still made the white settlements uneasy. Even more disturbing was the Chickamauga faction of the Cherokee; these tribesmen had split from the main tribe in 1779 when it appeared that some sort of accommodation with the United States was inevitable. Relocating to the area just south of present-day Chattanooga, the Chickamauga maintained their hostility towards the white settlements from a strategic position which enabled them to harass and attack travellers on the Tennessee River. Often referred to as the "five lower towns" to distinguish them from the "upper towns" of the Cherokee, the Chickamauga were said to contain as many as 2000 warriors[14] and were perhaps the most constant source of hostility which would be directed at the citizens of the territory.

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[14]"Memorandum from the Secretary of War and Andrew Pickens," July 24, 1793, in Carter, Territorial Papers, 4:283-286.

It was in large part the threat from these various tribes of Indians that brought about the cession of North Carolina's western lands to the federal government. Hostilities had been frequent since the earliest settlement, although the several invasions of the Cherokee towns during the Revolutionary War had temporarily quieted that tribe. The end of war brought a renewal of sporadic raids and attacks, however, in many cases due to the advances of eager settlers who were no longer restrained by the restrictions of the British Proclamation Line. But the North Carolina state legislature was unable--the western settlers would say unwilling--to provide adequate military protection for its trans-Appalachian counties. Encouraged by similar cessions on the part of Virginia and New York, and dominated by businessmen and speculators who had successfully acquired millions of acres of western land, the North Carolina legislature ceded the state's western lands to the federal government in June of 1784.

The domination of the North Carolina legislature by the business interest was replaced in the autumn elections, partly as a result of their land-grabbing acts during the previous year. The new legislature repealed the cession before the end of the year and before it could be formally accepted by Congress. The businessmen and speculators were able to regain control of the legislature, but the inhabitants of the Holston settlements had met in the autumn of 1784 and, acting on what they felt was encouragement from Congress, organized

themselves as the state of Franklin. Since this new state would presumably have the power to issue land grants, the land-grabbing efforts of the speculators were now seriously jeopardized and it would be necessary to regain the allegiance of the Franklinites before the western counties could again be ceded to Congress.

Accordingly, the North Carolina legislature condemned the Franklin movement while at the same time adopting a conciliatory policy towards the rebellious westerners. Their efforts were only partially successful at first, for the Franklinites had launched a vigorous campaign against the Cherokee and compelled that tribe to surrender additional lands. Increasingly, however, North Carolina was able to create factions within the Franklin movement, factions which led to bitter feelings and animosities that would last for years. As the die-hard Franklinites saw their support waning, they began to enter into negotiations with Spanish officials at New Orleans regarding the possibility of seceding from the United States and joining the Spanish empire. Similar negotiations were also underway with leaders from the Cumberland settlements. Those settlers, along with the Franklinites, were outraged at John Jay's proposition in 1786 that the United States give up its right to navigate on the Mississippi River in exchange for other concessions. It was also believed that the Spanish might be able to bring about an end to Indian hostilities more effectively than either

North Carolina or Congress.

Ultimately, however, these negotiations came to nothing and, in 1788, the state of Franklin came to an end. In December of the next year, North Carolina once again ceded its western lands to the federal government and this time the cession was readily accepted by Congress. There were provisions contained in the North Carolina cession which (not surprisingly) required Congress to honor and protect all land titles; it was also stipulated that government in the new territory would be conducted under the provisions of the Northwest Ordinance of 1787, with the exception that Congress could not prohibit slavery in the southwest as it had done in the northwest. These provisions were acceptable to Congress and on May 26, 1790, an act was passed which created the Territory of the United States south of the river Ohio.[15]

For the citizens of the Southwest Territory, these and other provisions of the Northwest Ordinance must have seemed well suited to the problems which troubled their communities. That document specified, for example, that federal authority would be lodged in a governor, secretary, and three judges. But more significantly, these officials were required to actually reside in the territory they governed, a concept which must have seemed logical to the residents of the Holston and Cumberland settlements who, until now, had been separated

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[15]Carter, Territorial Papers, 3-8, 13-17, 18; See also Corlew, Tennessee, 72-78, 85-86.

by hundreds of miles of difficult terrain from their lawmakers. The Ordinance also contained guarantees of civil and religious liberties, the promise that "schools and the means of education shall forever be encouraged" and provisions for eventual self-government and statehood (although the exact process for achieving statehood was not altogether clear).[16]

If there was any aspect of the Northwest Ordinance which concerned the citizenry of the territory, it was the clause which stated that "the utmost good faith shall always be observed towards the Indians; their land and their property shall never be taken from them without their consent." Still, such a provision would obviously be difficult to enforce and, in addition, North Carolina's Cession Act had specifically included the condition that the federal government "Shall protect the Inhabitants against enemies[.]"[17] The federal government's definition of "enemies" was presumed to include hostile Indians, since a United States army had been sent into the Northwest Territory in October of 1790 on a campaign against warring Shawnee, Miami and other tribes. Another army would be sent the following year; although both armies would be defeated, it nonetheless demonstrated the apparent willingness of the federal government to protect even its most remote citizens from their enemies.

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[16]Henry Steele Commager, ed., Documents of American History (New York, 1958), 128-132.

[17]Carter, Territorial Papers, 4:7.

The Northwest Ordinance was similarly suited to the objectives of the federal government, but the nature of those objectives has been the subject of some debate. The document is clearly more than, as one assessment has labeled it, a "rather ordinary piece of noncontroversial legislation."[18] Indeed, perhaps the most traditional interpretation sees the Ordinance as nothing less than a reflection of the ideology of the American Revolution. This definition emphasizes the belief of the American colonists that their legislatures should be completely autonomous within the British empire, eventually achieving parity with Parliament. Parliament, of course, disagreed; but victory in the war allowed the American concept of colonial autonomy to be put into practice. As described by Frederick Merk, this concept "became the basis for the Northwest Ordinance of 1787, in which new communities arising in the West obtained increasing autonomy as they qualified for it by growth of population and ultimately achieved admission to the governing union as equal states."[19] In fact, says Merk, the Northwest Ordinance incorporates the high ideals of the Revolution so effectively that, taken together with the Land Ordinance of 1785 and the Bill of Rights, "these documents represent a veritable flowering of

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[18]Jack Ericson Eblen, The First and Second Empires: Governors and Territorial Government, 1784-1912 (Pittsburgh, 1968), 47.

[19]Frederick Merk, Manifest Destiny and Mission (New York, 1963), 5.

genius--a genius for converting revolutionary idealism into practical devices of government."[20] The incentive for these documents, Merk continues, was nothing more than "the thrilling prospect . . . of an expanding republican society" and "an image of American freedom expanding into the wilderness."[21]

Such an explanation of the Northwest Ordinance would be convenient, for it implies that Congress expected little more from the West than for "American Freedom" to expand there. Yet Congress must have been aware that such an expansion would be accompanied by very real dangers. The most potent of these was the possibility that an expanding republican society would bring the United States into conflict with the monarchies of either Great Britain or Spain. Both of these nations controlled huge areas of the North American continent; each would very likely be uncomfortable with the prospect of having large numbers of America's most restless and energetic citizens living along borders that were in many cases still in dispute. Their desire to discourage American expansion was as obvious as their friendship for the various Indian tribes whom they regarded as a sort of buffer between themselves and American growth. The Spanish had made their position especially clear by their decision to close the lower

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[20]Ibid.

[21]Ibid., 5-6.

Mississippi River to American commerce. Until this decision was reversed, economic growth in the American West would be slow, difficult and costly. But such a reversal was unlikely if Spain felt threatened by the approach of radical republican ideology. In addition to the problems of international confrontation, there were some in Congress who accepted the theories of Baron de Montesquieu which clearly stated that republican forms of government could not prosper if the area to be governed was very large. Since the United States was already large by European standards, some Congressmen felt that expansion into the west with the obligation of creating additional states in that region was a risky proposition.

Despite these fears, Congress was willing to settle its western lands as quickly as possible, and the role of the Northwest Ordinance during this process was crucial. While it is certainly true that in the aftermath of the Revolution the prospect of an expanding republican society remained thrilling, it is just as certain that the prospect of seemingly unlimited revenue from the sale of federal lands became equally attractive. Acquisition of western lands by the federal government meant that the young nation now had its first real opportunity to decrease a national debt which by 1790 had already reached nearly $54,000,000. But the sale of western lands, as it encouraged immigration, would also stimulate the growth of a western economy which would be dependent upon eastern supplies and markets. According to

Peter Onuf, in Statehood and Union, such economic interdependency between East and West would create economic ties that were more effective and enduring than a relationship based on political ideology alone.[22] As expressed in another study, "the establishment of a stable political order was inseparable from plans for economic growth."[23]

Congress was convinced, however, that these new regions must be populated with the right type of settler. Squatters, indolent and potentially savage, had no place in the congressional image of the west; nor did speculators who would jeopardize federal control of land sales. In order to attract the sober and industrious citizen (preferably New Englanders) that Congress wanted, it was necessary to assure that individual ahead of time that he would not be forced to live in an indefinite colonial status. The prospective settler must also be certain that his basic civil and religious liberties would be secure, that educational opportunities would be available and that representative government would be established at some point in the future. The Northwest Ordinance would accomplish these things and, at the same time, generate the revenue envisioned by the Land Ordinance of

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[22]Peter Onuf, Statehood and Union: A History of the Northwest Ordinance (Bloomington, Ind., 1987), 1-20.

[23]Andrew R.L. Cayton and Peter Onuf, The Midwest and the Nation: Rethinking an American Region (Bloomington, Ind., 1990), 9.

1785.[24]

Events surrounding the North Carolina cession would seem to confirm the idea that revenue was just as important as ideology in shaping congressional attitudes towards the West. In July of 1790, for example, Hugh Williamson, Representative from North Carolina, addressed the House to urge an amendment that would increase the amount of his state's debt which was to be assumed by the federal government. In order to justify this increase, he reminded his fellow lawmakers that North Carolina "has just given you every acre of her vacant territory." The cession, said Williamson, amounted to "at least ten millions of acres" and was bound to produce no less than $3,000,000.[25] Williamson continued his arguments the next day, during the course of which he referred to the original reasons given by Congress in encouraging the western cessions. "The federal government," he said, "called upon the states to give up their vacant territory, in order that general harmony might pervade the Union, that you might be able to extend a uniform system towards the Indian nations, and that you might be assisted in discharging the national debt."[26] Clearly, Williamson had been led to believe that federal expectations for the west were little involved with ideology. Instead, more

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[24]Onuf, Statehood and Union, 28, 53.

[25]New York Daily Advertiser, July 10, 1790.

[26]Ibid.

tangible and practical results were hoped for, not the least of which was "discharging the national debt."

It remained, then, for Congress to ascertain the exact amount of land which was available for "discharging the national debt." Unofficial information regarding the marketable federal land in the Southwest Territory was made available to Congress in an article which appeared in the New York Daily Advertiser on April 1, 1790. Entitled "Of the Extent and Value of the North-Carolina Cession" this source claimed that the territory contained over 24 1/2 million acres of land. Almost eight million acres, however, had either been sold, designated as military reserves or otherwise appropriated. There remained over 16 1/2 million acres, but five million of that was classified as "mountainous or barren." Still, it was alleged that the federal government retained 11,606,645 acres of land which was described as "fit for cultivation and sale."[27] If sold at one-half dollar per acre, as suggested in the article, Congress would thus have at its disposal well over $5,800,000. Such an inducement would easily justify an active federal involvement in the development of the Southwest Territory.

In order to produce a more precise and official inventory of its western holdings, Congress directed the President in March of 1791 "to cause an estimate to be laid before Congress

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[27]Ibid., April 1, 1790.

at their next session, of the quantity and situation of the Lands" at their disposal in both the Northwest and the Southwest Territory.[28] The task was assigned to Thomas Jefferson, Secretary of State, who soon discovered that information regarding boundaries and land claims in the Southwest Territory was not easily obtained. Correspondence with officials there, as well as in North Carolina, often produced vague and incomplete responses, forcing Jefferson to make estimates in some cases. Still, by November he was able to accumulate enough information to submit the reports to Congress. Jefferson's findings, however, were surprising and disappointing. There were not 11,606,645 acres of land as promised in the Daily Advertiser article; nor were there "10 millions of acres" as claimed by Hugh Williamson. Instead, Jefferson's report revealed that a combination of grants through the North Carolina land office, military reserves, Indian treaties and a variety of other prior claims had accounted for virtually all marketable land in the Southwest Territory. All that remained was about 300,000 acres south of the French Broad and Big Pigeon Rivers. These, said Jefferson, were "the only Lands open to . . . Disposal, within the Southwestern Territory, which can excite the attention of Purchasers." And even there, he added, "we are told three hundred Families have already set down . . . without Right or

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[28]Carter, Territorial Papers, 4:48.

License."[29]

Jefferson's Land Report of 1791 meant that Congress must redefine its expectations for the Southwest Territory. Its policies there, as in all the west, were based on the prospect of land sales, but now they learned that very little land was available to them for that purpose. Land sales in the Southwest Territory would instead be controlled by speculators. And the small amount of land which did remain available for sale was already occupied by squatters. The Southwest Territory was thus the domain of the two types of individuals deemed least desirable by Congress, and the possibilities of attracting truly desirable settlers seemed non-existent. But if Congress was discouraged by this revelation, they had only to read the second part of Jefferson's report which described available land in the Northwest Territory. "There remains at the Disposal of the United States," it concluded, "upwards of twenty-one Millions of Acres, in this Northwestern Quarter."[30] Even this amount was lower than had been expected, but it was more than enough to allow Congress to implement its policies with reasonable expectations of success.

Expectations for the Southwest Territory were left unclear. Obviously, federal authority would continue and the

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[29]Ibid., 93.

[30]Ibid., 99.

Northwest Ordinance would still apply; but the practicality of implementing that document was debatable, since it had clearly been designed to complement the Land Ordinance of 1785.[31] The lack of federal land meant that there would be no need to initiate the surveys and other provisions contained in the Land Ordinance; but more importantly, it meant that there would be no land sales to reward congressional attention. There was thus little incentive for an indebted federal government to authorize expenditures such as punitive military campaigns in the region. If accounts of raids and depredations discouraged land sales in the Southwest Territory, it would be the speculators who suffered, not the federal treasury. Moreover, an aggressive Indian policy there might actually encourage the southern Indians to seek an alliance with the tribes in the Northwest Territory, where the United States was already having difficulty achieving military superiority. Worse yet, the southern Indians might, if hard pressed, call upon their Spanish friends and trading partners at New Orleans for help. The extent to which Spain would be willing to lend assistance was unknown, but their opposition to American expansion was common knowledge. It had to be assumed, therefore, that if the Indian "buffer zone" between the Spanish and American frontiers was threatened, Spanish military intervention was at least a possibility.

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[31]Onuf, Statehood and Union, 53.

The Southwest Territory had clearly become a dilemma for federal policymakers: obligated to govern an area that could no longer fulfill their original expectations, they must also be mindful of the possibility that too much government would hamper their development of the Northwest. As a result, the Southwest Territory was assigned a low priority by federal policymakers, for the region was no longer a potential source of revenue; indeed, it had become a potential source of trouble.

CHAPTER TWO

Foundations for Government: The County Courts in the Southwest Territory

On the tenth of October, 1790, newly-appointed Governor William Blount arrived in the Territory of the United States south of the river Ohio. With his arrival and the establishment of the temporary capital at the home of William Cobb in the forks of the Holston and Watauga rivers, the administration of federal authority began. Blount was initially concerned when he failed to receive any written and specific directives to guide his administration,[1] for the task before him was enormous: as Governor he was expected to implement a system of government where no such system had previously existed and to find solutions for problems which had existed--and been ignored--for too long.

To assist the governor in his administration, President George Washington had, under the authority of the Northwest Ordinance of 1787, appointed a secretary, three federal judges and two brigadier-generals of militia. For the office of territorial secretary, Washington selected Daniel Smith, an established and respected citizen of the Cumberland settlements. His official duties would be to record the daily activities of the territorial government, and on those

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[1]William Blount to John Gray Blount, November 7, 1790, in Alice B. Keith and William H. Masterson, eds., The John Gray Blount Papers, (3 vols., Raleigh, NC, 1952-1965), 2:131-132.

occasions when Blount was required to be absent from the territory Smith would serve as acting governor. For the territorial judges, John McNairy, David Campbell and Joseph Anderson were chosen. McNairy and Campbell were both lawyers within the territory and had previous experience as superior court judges, although Campbell's service had been acquired in the Franklin judicial system. Joseph Anderson, from Delaware, had no experience as a judge and was actually a replacement for the original appointee, William Peery of Maryland who, in declining the position, described himself as "beyond the meridian of life" and seemed reluctant to move to the frontier.[2] But Anderson was a trained lawyer and, after surviving some minor allegations concerning his accounts as an army officer during the Revolution, was eager to establish himself in "One of the New States."[3] All three men were thus qualified and the superior courts over which they presided established a much needed system of appeals within the territory. For the vital position of brigadier-general of militia, Washington wisely deferred to the advice of his new governor (as well as many others) and selected John Sevier of the Holston settlements and James Robertson from Cumberland. Both men were community leaders and experienced Indian

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[2]William Peery to George Washington, December 24, 1790, in Clarence Carter, ed., Territorial Papers of the United States (28 vols., Washington, 1934-1950), 4:40.

[3]Joseph Anderson to George Washington, June 11, 1790, in Ibid., 4:28.

fighters, and these skills would be extremely valuable during the period of territorial government.

But the dominant personality within the territory for the next six years would be, of course, William Blount. Washington's choice for governor was easily justified and even quite logical by virtue of Blount's past political experience, for he had served many years in the state legislature of North Carolina. His appointment was thus acceptable to the group which had actually ceded the territory to the federal government. Blount had also been a member of the Confederation Congress as well as a delegate to the Constitutional Convention of 1787 and his signature on that document further increased his stature. Just as important as his political background was Blount's aristocratic bearing, for he was an established and wealthy member of the social elite of North Carolina with a stylish flair for show. Years later, a friend would recall that Blount was "always dressed well, fond of display, of parade, of applause . . . extravagant in style of living - yet liberal and hospitable."[4] One of Tennessee's earliest historians would likewise emphasize the touch of "class" which the territorial governor brought to the frontier, describing the parties and balls held at the Blount "mansion" and their social impact on a frontier with few such

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[4] Recollections of John Hillsman, Tennessee Historical Society's Miscellaneous Files, Tennessee State Library and Archives, Nashville.

semblances of civilization.[5] In addition to these qualifications, Blount was known as a strong advocate for the western country and its citizens and had often championed their cause in the North Carolina legislature.

Just as well-known, however, was the reason for Blount's enthusiasm regarding the frontier; Blount was an active and energetic businessman and his most extensive business was speculation in western lands. Over one million acres of the land he was now being sent to govern were personally owned by the new governor and he jointly owned another million or so acres with his brothers Thomas and John Gray Blount. To some observers this represented a potential conflict of interest, especially as concerned the locations of the Indian boundaries, for Blount's appointment as governor carried with it the office of Superintendent of Indian Affairs for the South. A letter to the editor of the New York Daily Advertiser, for example, suggested that the public interest would be better served if "the person appointed to conduct the business was not so deeply interested in land speculation."[6]

Others, especially Blount's enemies (of whom there were many), worried that the new governor would use his broad appointive powers to create a powerful political machine in

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[5]James G. M. Ramsey, The Annals of Tennessee to the End of the Eighteenth Century (Kingsport, TN, 1967 [1853]), 645-646.

[6]New York Daily Advertiser, July 15, 1791.

the territory, for with the exception of the presidential appointees, every other territorial official would be selected by William Blount. For his part, the new governor saw nothing improper in stocking the county and territorial offices with friends and relatives and proceeded to fill vacancies and newly-created territorial offices on that basis. He would later candidly admit that "it is a principle with me never to be departed from if I can avoid it not to stand between a Friend and a Benefit."[7] Blount just as frankly admitted the probability that his new position would improve the value of his many territorial acres. "My Western Lands," he wrote to a friend, "had become so great an object to me that it had become absolutely necessary that I should go to the Western Country, to secure them and perhaps my Presence might have enhanced there Value. - I am sure my present appointment will."[8]

Yet despite these concerns, Blount served the citizens of the territory well as governor, for his interests as administrator generally coincided with his interests as businessman. Political stability and economic prosperity were desirable not only for William Blount the administrator and speculator, but for all citizens of the Southwest Territory.

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[7]William Blount to John Sevier, July 6, 1798, in Tennessee Historical Society's Miscellaneous Files, TSLA.

[8]William Blount to John Steele, July 10, 1791, Wagstaff, ed., Steele Papers, 1:67-68, 69. Quoted in Carter, Territorial Papers, 4:30-31, fn.

At least one newspaper on the eastern seaboard praised the new governor, noting that his "appointment gave universal satisfaction, and that his conduct is highly approved of by every gentleman of his government; no man can be more popular, or possess in a greater degree, the confidence of the people."[9]

These presidential appointees represented the federal government for the entire duration of the Southwest Territory. To assist them, the Northwest Ordinance also provided for the creation of a territorial legislature when the population of the territory included 5000 free adult males. Few doubted that the Southwest Territory satisfied that requirement, and the first territorial census of September, 1791, did in fact reveal a total of 6,271 free adult males. Blount was convinced, however, that the people of the territory did not want an assembly, as they believed it would certainly result in higher taxation. Such a conviction coincided nicely with Blount's own disposition for total control. Accordingly, there would be no territorial legislature until February of 1794.[10]

This territorial reluctance to create a legislature may have been due, as Blount claimed, to a fear of increased taxation. But it is also possible that the people of the Southwest Territory felt no need for representative government

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[9]New York Daily Advertiser, September 1, 1791.

[10]Carter, Territorial Papers, 4:80-81; William H. Masterson, William Blount (Baton Rouge, 1954), 209-210.

because they had in fact been governing themselves in virtual autonomy through their county courts. Created and then essentially ignored by the North Carolina legislature, these county governments had been functioning in some cases for over a decade, routinely and effectively addressing the needs and problems of the citizenry. Indeed, their presence and effectiveness could easily have obscured the advantages of a territorial assembly.

One of the first priorities of the Blount administration, therefore, was to recognize the authority of these county governments. The Governor and his entourage visited Washington, Sullivan, Hawkins and Greene counties from October 22 to November 22, 1790, and on December 15 Blount met in Nashville with officials from Davidson, Sumner and Tennessee counties. In each case, Blount read the congressional acts which created the territory as well as the presidential acts regarding his own appointment, and also officially transferred the authority of the county governments from the state of North Carolina to the federal government, filling various vacancies and positions in the process. This procedure was important not only in that it introduced the citizens of the territory to their new governor, but also because it allowed Blount to appoint a huge number of supporters to the "grass-roots" level of government. His eagerness to take advantage of such opportunities has already been noted; but while these appointments carried obvious advantages for Blount personally,

they also encouraged a smooth transition to the new territorial government by creating a group of loyal county officials who would support its policies. Additionally, in instances where it seemed proper, Blount prudently retained long-term officials, especially those who had clearly established themselves as community leaders; their gratitude became an important asset during Blount's administration.

At the same time, Blount felt it was appropriate to find positions for long-time supporters of key territorial officials such as Sevier and Robertson. In the case of the latter this presented few problems, but the partisans of John Sevier had generally been members of the Franklin movement, since he himself had been governor of that state. His followers were numerous, and the appointment of so many former Franklinites angered some who had viewed the movement as treasonous and fought against it. Some petitions were circulated in protest, but Blount understood the advantages of aligning Sevier and his followers behind the territorial government. The leaders of what had once been a rather large and popular movement would bring not only the allegiance of their former constituents but valuable experience in county organization as well. Thus John Sevier and his followers were assured of a sizable representation in the county and territorial governments.[11]

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[11]Ibid., 188-190.

But the most important reason for Blount's prompt recognition of the county governments was obviously to give sanction and authority to the most basic and practical form of government within the territory. The presence of such established systems of government presented Blount with a situation which would confront few other territorial governors. While most territories would be created from largely unsettled regions, Blount's government was imposed on a region which had become accustomed to self-government on a variety of levels. In addition to the abortive Franklin movement, the people of the Southwest Territory had gained political experience through their county courts and only rarely had there been any interference from the North Carolina legislature. Confronted with this tradition of self-government, the almost dictatorial powers granted to territorial governors under the Northwest Ordinance remained largely unused by William Blount during his administration.[12]

Instead, Blount wisely chose to enlist the support of, rather than impose his authority upon, the county courts of the Southwest Territory, for their importance to the territorial community was readily apparent.[13] In addition to

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[12]Malcolm J. Rohrbough, The Trans-Appalachian Frontier: People, Societies, and Institutions, 1775-1850 (Belmont, CA, 1990), 52.

[13]Blount's interaction with the county courts contrasts somewhat with that of Governor Arthur St. Clair in the Northwest Territory. Indeed, it has been suggested that St. Clair's attempt to assert his authority over the county courts was at least partly responsible for the problems he

offering the widely-scattered settlers a chance for social interaction, the quarterly sessions of the county courts attracted the local businessmen, providing them with an opportunity to make contacts, exchange information, initiate transactions and settle old debts. And, especially in the case of the latter, if settlement became difficult, the county court was a readily available source of arbitration. Stockley Donelson, one of the more active businessmen of the territory, certainly understood the importance of attending the county courts when, delayed in Richmond by "Disappointments, Hendrances & Illfortunes" he wrote to an associate, "I fear I shall suffer by not being at the Genl. Court [in] Jonosboro and Knox[.] Jonesborough is over I must push to get to Knox and want you there very much[;] I fear on my not attending [I] Shall be cast [?] in Two Suits."[14]

The primary function of the county courts was to serve as a source of authority in the resolution of local problems and disputes. In fact, one historian, in a reference to the Davidson county court which could easily be applied to all of the county courts in the territory, has called it the "chief institution" of the Nashville community, and "the only

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encountered during his administration. See Andrew R.L. Cayton, "Land, Power, and Reputation: The Cultural Dimension of Politics in the Ohio Country." The William and Mary Quarterly, 47(1990): 266-286.

[14]Stockley Donelson to William Terrell, March 31, 1795, Miscellaneous Papers, North Carolina State Library and Archives, Raleigh.

institution charged with overall competence for the community's concerns."[15] The most important officials of these "chief institutions" were the Justices of the Peace. Appointed by the governor, these men generally constituted the social elite of their respective communities. Meeting quarterly throughout the year, the justices heard a variety of cases, ranging from petty quarrels to an occasional horse theft and, rarely, murder. The number of justices appointed for each county varied, but at least three were required at each session before any court business could begin. The laws also allowed a sort of "small-claims court" for cases involving sums of less than twenty dollars, and these could be heard by a single justice.

In lieu of any other guidelines or codes with which to operate, the county courts continued to dispense justice under the laws and statutes of North Carolina, the standard source being James Iredell's Revisal of the Laws of North Carolina. For a broader view of the law, the justices relied upon Sir William Blackstone's Commentaries on the Laws of England. Both of these lawbooks were influential in the county courts of the Southwest Territory and, in the case of the latter, well beyond. In fact, one historian has stated that Blackstone's

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[15]Anita S. Goodstein, Nashville, 1780-1860: From Frontier to City, (Gainesville, Fla, 1989), 12.

Commentaries was "the bible of American lawyers."[16] Blount County was fortunate enough to receive a set of lawbooks from its namesake, whereupon it was ordered "that the thanks of the court be present[ed] to his Excellency Governor Blount for his attention and liberality in presenting it with Martins Juce & Iredell's revisal of the Laws of North Carolina and that the clerk present the same."[17] Knox County received no such "attention and liberality" from its namesake and was obliged to purchase "Irdell's revisal of the Laws of North Carolina, Ruffheads Dictionary, Blackstone's Commentarys; and such Blank Books as are necessary for the Records of this Court."[18]

In addition to the justices, the county courts relied heavily on the services of a clerk and a sheriff, whose activities were virtually constant from the beginning of each session to its conclusion. Indeed, the preparation and delivery of legal writs, summons, subpoenas, etc. could keep each of these individuals occupied for much of the year. As compensation for their efforts, the county courts (and later,

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[16]Louis B. Wright, Culture on the Moving Frontier (Bloomington, Ind., 1955), 206; see also Daniel J. Boorstin, The Americans: The Colonial Experience (New York, 1958), 201-202.

[17]Records of Blount County, Tennessee, County Court Record, Book No. 1, 1795-1804 (Copying Historical Records Project, WPA, 1936), March Session, 1796, TSLA. All Court Records cited are available in TSLA.

[18]Transcription of the County Archives of Tennessee, Minutes of the County Court of Knox County, Book No. "O", 1792-1795 (Tennessee Historical Records Survey, WPA, 1941), January Session, 1793.

the territorial legislature) were guided by the laws of North Carolina, which stipulated that these officials be paid by commission. The clerk's fee, for example, for indictments, including "charging the prisoner and entering his plea," was seventy-five cents. For issuing licenses for marriages, taverns, etc. his fees usually averaged around a dollar. Similarly, the sheriff was allowed seventy cents per arrest, sixty cents for "putting a person in the stocks and releasing," as well as two dollars per day for attending court when in session, and so on.[19] While some counties seem to have paid their clerks and sheriffs on this basis, most found such guidelines too extensive and instead compensated the "ex-officio" services of these two important officials with an annual fee which sometimes went as high as $75.00 but more commonly averaged around $50.00. Exceptional situations could be and often were still rewarded with a commission, however, especially during sessions when tax lists were prepared and taxes collected, or at any time when their services were particularly difficult or time-consuming. The sheriff was especially susceptible to such instances, as when Sampson Williams, Sheriff of Davidson County, received approximately $53.00 "for his trouble and Expences in Driving Seventeen head of cattle, paying there ferriages and keeping of them Twelve

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[19]Edward Scott, ed., Laws of the State of Tennessee, Including Those of North Carolina Now in Force in This State, From the Year 1715 to the Year 1820, Inclusive (2 vols., Knoxville, 1821), 1:484-489.

days," pursuant to an attachment case.[20]

In addition to the clerk and sheriff, the county courts required the services of a solicitor to prosecute cases on behalf of the county or territory, a register to record routine records such as deeds and wills, and a straymaster and rangers to collect and maintain the loose livestock which were common in most counties. Deputy sheriffs and constables were also necessary to assist the courts with enforcement, and some counties included a coroner and, in at least one case, a standard-keeper.[21] Unlike the clerk and sheriff, the responsibilities of these officials were not so extensive as to preclude their being paid with commissions, and the occasional references to their pay which are contained in the county records suggests that this was done. Unfortunately, specific references to these officials in the court records are infrequent; thus, while their importance to the county court system is obvious, the details of their activities are not.

Another group which was essential to the operation of the court were the members of the jury. Summoned by the sheriff or constables, these twelve men (although more were usually summoned) were, as juries had always been in the English

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[20]Transcription of the County Archives of Tennessee, Minutes of the County Court of Davidson County, Book B, part I, 1791-1794 and part II, 1794-1797 (The Tennessee Historical Records Survey, WPA, 1941), January Session, 1794.

[21]Knox County Court Records, January Session, 1795.

judicial system, the most vital part of the county courts. While the justices were often considered among the elite of their communities, this was not necessarily true for the jurists; their only requirement was that they be freeholders in their county. Although jury cases were traditionally heard at the beginning of each session, this was not always possible and the members of the jury were expected to serve for the duration of each session or until dismissed by the justices.[22] Jury duty was apparently no more popular in the 1790s than it is today, for the records contain several instances of fines issued for "failing to appear when summoned." These fines ranged from twenty to forty shillings and from one to two dollars, but were often remitted if the juror eventually arrived in court or if the "reasons shown" for his absence were adequate. Greene County, for example, excused one juror from his fine when he argued that "he was not well and his horse broke out of pasture" and another was released because "he had burned his feet."[23]

Jurors were not the only ones guilty of non-attendance at the county courts. At least one reference is made to a county solicitor who failed to appear and prosecute a case for

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[22]Jury members were sometimes reluctant to remain for the entire session. See Records of Jefferson County, Tennessee, Record Book No. 1 (Court Minutes), 1792-1798 (Copying Historical Records Project, WPA, 1936), May Session, 1795.

[23]Tennessee Records of Greene County, Minutes of the Court of Pleas and Quarter Sessions, 1783-1796 (Historical Records Survey, WPA, 1936), February Session, 1796.

the territory and thus forfeited his bond.[24] And Sumner County court was unable to begin its July 1791 session for two days while they waited for a third justice to arrive. Similar problems in Davidson County prompted the court there to institute a system of rotation for the justices which would have required that they attend only every third term. But due to the "Negligence of some in not attending to hold court when it was their turn in Rotation, whilst others thought it not incumbant on them when it was not their Turn," it was only with the "Greatest Difficulty that court can be holden During the time Requested for the Doing Justice to Suitors." The system was therefore ordered "Dissolved and Discontinued."[25]

In fairness to the justices, there were situations in which their failure to attend can be understood. In January of 1796, for example, the only justice of the Davidson County court to arrive at the courthouse on the first day of the session was John Nichols, "none of the other members of the worshipful Court attending by Reason of the inclemency of the Weather."[26] Although the other two justices did arrive on the following day, it was determined then that court should be held at the house of William Terrill Lewis on that day and at the house of James Maxel on the following day, both of whom,

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[24]Davidson County Court Records, January Session, 1796.

[25]Ibid., April Session, 1794.

[26]Ibid., January Session, 1796.

perhaps not coincidentally, were licensed to keep taverns at their homes. This situation had occurred twice previously in Davidson County; once in January of 1792 and again in January of 1794 when, during the session, it was ordered that the court adjourn to "the house of Howel Tatum Esqr. in Nashville called the Big-house Tavern . . . At which they meet immediately."[27]

This almost annual pilgrimage from the courthouse to the most convenient tavern during periods of inclement weather reveals a problem which Davidson County shared with many other counties: the inadequacy of their county buildings. The Davidson County courthouse, for example, was a drafty building without doors or window shutters and would obviously have been uncomfortable during periods of cold weather, thus discouraging attendance by justices, jurors or anyone else. Orders for its repair were accordingly given (but apparently never carried out) in April of 1792, when David Hay was directed to "Repair the Courthouse by Making Two Doors Well fixed and hung, three window Shutters, Well hung and the house well Chinked." And, since the building had apparently not been used for some time, it was also necessary to order "the Sects and Clerks Box and Table Repaired and the house Washed Sweeped and Cleansed."[28] Other counties faced the same problem and

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[27]Ibid., January Session, 1794.

[28]Ibid., April Session, 1792.

often found it more convenient to meet in local taverns or the homes of private citizens until their courthouses could be repaired or, in the case of some of the newly created counties, built. Sumner County, for example, was forced to hold court variously at the homes of Elmore Douglas, John Dawson and Pierce Wall before finally settling in at the house of Ezekial Douglas in July of 1793, where they remained throughout the territorial years.

As serious as was the lack of a courthouse, many counties also were without adequate "gaols," or jails. The person most directly affected by this problem was, of course, the sheriff. William Cage, Sheriff of Sumner County, clearly stated this problem to the justices when, in the July session of 1791, he entered into the county record "his protest against the Goal by reason of the insufficiency thereof."[29] The justices were sympathetic to his predicament and appointed special commissioners to investigate the problem, but there is no indication in the county records that a new jail was built during the territorial years.[30] Similarly, Nicholas Perkins Hardiman, Sheriff of Davidson County, entered "his Protest Against the Sufficiency of the Goal of this County" in April of 1794, shortly after his appointment, and again in July of

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[29]Tennessee Records of Sumner County, County Court Minutes, vol. I, 1787-1791 and vol. II, 1791-1796 (Historical Records Project, WPA, 1936), July Session, 1791.

[30]Ibid., October Session, 1791.

1795. His protests were still without results in January of the next year, but in this instance he decided to send "John Boyd Jnr. his Deputy Sheriff," perhaps hoping that a new face might prove to be more persuasive. But Boyd's "protest Agt. the sufficiency of the public Goal of this County" was no more productive.[31]

Despite the indifference which these two cases suggest, most counties of the territory were, in fact, eager to construct new or larger public facilities, even though the lack of adequate county buildings actually presented few problems with which the county governments could not contend. Lengthy incarcerations due to criminal activities were rare anywhere in the United States during the years prior to the "discovery of the asylum."[32] Additionally, the lack of a courthouse could be remedied by the use of taverns or the homes of private citizens. But spacious, well-built courthouses and sturdy, secure jails gave a definite semblance of heightened efficiency to the county governments and were clearly desirable. And, perhaps more importantly, these

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[31]Davidson County Court Records, April Session, 1794; July Session, 1795; January Session, 1796. Note the spelling of "Hardiman" as opposed to "Hardeman," the spelling used in Nicholas Perkins Hardeman, Wilderness Calling: The Hardeman Family in the American Westward Movement, 1750-1900 (Knoxville, 1977). The use of "Hardiman" is consistent, however, throughout both the Davidson County Court Records, and Carter's Territorial Papers, and is therefore used here.

[32]David J. Rothman, The Discovery of the Asylum: Social Order and Disorder in the New Republic (Boston, 1971), 57-62.

buildings could also be a source of community pride, an indication to the citizens--as well as anyone else who cared to notice--that the frontier environment was under the control of an established system of government.

Accordingly, several counties began enthusiastic construction projects. The announcement that bids for the construction of the public buildings of Knox County which appeared in the March 9, 1793 edition of the Knoxville Gazette was soon followed by a light-hearted poem which parodied the announcement.[33] Earlier, in August of 1791, Greene County laid off "Six acres of ground . . . to include the public lot and springs for prison bounds" and Jefferson County, less than a year after its creation, appointed commissioners to "fix on the place for building Court house prison and stocks."[34]

But progress on these projects was generally sporadic. In Jefferson County it took over two years before the justices issued an order to begin construction.[35] Even Washington County, the oldest county in the territory, did not report progress on the construction of an adequate prison until May

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[33]Knoxville Gazette, March 9, 1793; April 6, 1793.

[34]Greene County Court Records, August Session, 1791; Jefferson County Court Records, January Session, 1793.

[35]Jefferson County Court Records, February Session, 1795.

of 1795.[36] And, one year after Knox County announced it would accept bids for construction of its county buildings, a visitor to Knoxville observed that there was a courthouse but no prison.[37] One individual would later recall that this courthouse was poorly built and inadequate and that it had become "highly obnoxious by its dilapidation to the citizens." Indeed, a young lawyer became so disgruntled that he "determined to remove the universal pest by fire," and the building was destroyed by arson shortly after the territorial period, "to the great satisfaction of the town."[38]

A reasonable explanation for this lack of progress can be seen in the Davidson County Court Records of July 1792 when special commissioners were appointed "to Contract for Building a Prison and Goalers Room." The commissioners were authorized to begin construction, the order continued, "as soon as a sufficient Quantity of Money, property, or Securities therefore shall have been lodged in their hands for that purpose."[39] Obviously, the quantity of funds which the

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[36]Tennessee Records of Washington County, County Court of Pleas and Quarter Sessions, Book No. 1, Section II, 1787-1798 (Copying Historical Records Project, WPA, 1938), May Session, 1795.

[37]Abishai Thomas to John Gray Blount, October 26, 1794, in Keith, The John Gray Blount Papers, 2:447-448.

[38]Thomas W. Humes, Half Century of Knoxville (Knoxville, 1852), 60. Cited in Mary U. Rothrock, ed., The French Broad-Holston Country: A History of Knox County, Tennessee (Knoxville, 1946), 52.

[39]Davidson County Court Records, July Session, 1792.

commissioners had received by January of 1796 was, like the county jail described so persistently by the sheriff, insufficient.

The scarcity of funds, although common to most counties, is most clearly seen in the counties of the Cumberland settlements. Davidson County, for example, is described in the county records of July, 1794 as being "considerably in Debt and Still Accumulating more."[40] Likewise, Sumner County was routinely allocating piecemeal payments during the early portion of the territorial years to former county officials, some of whom had served as early as 1787. Part of the explanation for this scarcity of funds in the western counties lies in their geographical location--separated by nearly 200 miles of wilderness from the Holston settlements, the inhabitants of the Cumberland settlements were obliged to accompany travelers through this region with an armed escort. Both counties make various references to the added expense thus incurred, but Sumner County, located at the western edge of the wilderness, seems to have been most preoccupied with supplying and paying "the guard."[41] The wages which Sumner County was obliged to pay to the members of the guard ranged from sixteen shillings per day for a lieutenant colonel to seven shillings for non-commissioned officers, while privates

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[40]Ibid., July Session, 1794.

[41]Sumner County Court Records, October Session, 1793.

received provisions only.[42]

In addition to the necessary costs of the guard, the counties of the Cumberland settlements incurred the same type of expenses which were common to the counties of Washington and Hamilton Districts. Salaries or commissions for county officials, as already noted, constituted the largest expense; but the county courts were also responsible for a variety of miscellaneous expenses. Knox County, for example, debated the "propriety of allowing Mileage to Witnesses who attend County Courts," and, after some deliberation, determined that it was necessary to pay witnesses one dollar per thirty miles.[43] Jefferson County reported that "Six Grand Jurors tickets" cost $83.33 & 1/3 cents, and Elijah Robertson was allowed by the court of Davidson County, "Sixty Dollars for a Horse with which he furnished the Indians."[44] These costs, as well as those for the occasional auditor, laborer or special commissioner, could be extensive enough; but in addition, each county assumed responsibility for its orphans and its poor, the administration of deceased estates, as well as the construction and maintenance of county roads. All of these, if handled improperly, could entail much expense to the county and the justices were obliged to constantly seek ways to

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[42]Ibid.

[43]Knox County Court Records, May Session, 1794.

[44]Jefferson County Court Records, February Session, 1794; Davidson County Court Records, April Session, 1792.

alleviate as much expense as possible.

To offset these expenses, the county courts had two primary sources of income: taxation and fines. The first of these was based on land and on the number of "polls," or adult males, in each household. The rates fluctuated in each county throughout the first three years of territorial administration, but by 1794 most counties were charging 50 cents per poll and 16 & 2/3 cents per 100 acres. Sumner County was somewhat of an exception, in that its poll tax and land tax remained constant throughout this period (12 & 1/2 cents per poll and 5 cents per 100 acres). Even after the tax rate was standardized by the territorial legislature in 1794 at 12 & 1/2 cents per white poll, 25 cents per black poll and 12 & 1/2 cents per 100 acres, and a tax on stud horses added, Sumner still maintained its lower tax rate. But Sumner County, as already noted, was obligated to support on a fairly constant basis a militia unit to escort families to and from the county and it appears that another tax, at least equal to the poll and land tax, was levied for this purpose. Even with this added responsibility, however, Sumner and (occasionally) Davidson Counties were able to maintain a rate of taxation which was noticeably lower than that charged by the counties of the Holston communities, certainly a necessary inducement for new settlers who were concerned about their safety in the

exposed and dangerous counties of the Mero District.[45]

Regardless of the rate charged, the process of collecting the tax was not always a simple one. Part of the reason for this lay in the fact that "the law of the State of North Carolina Appears to be Obscure and Doubtful, Respecting the Laying of the County Tax," as noted by the court of Davidson County in July of 1794.[46] And, since the territorial legislature was about to meet, the court "Earnestly Request[ed] the Representative of the People of this County to use his Endeavers . . . to procure a law for the laying and collecting a County Tax in Davidson in a clear and concise manner."[47] Nor was Davidson County the only court which was confused about what should and should not be taxed. Greene County had earlier decided by unanimous agreement that a North Carolina law imposing a tax on marriage licenses had "become obselete" and "ought not to be collected."[48] The Sumner County court was likewise uncertain as to "whether the clerk has a right to collect law tax on deeds," although after some

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[45]The county courts addressed their tax rates at various times during each year, and their revisions are found throughout the records. The territorial tax rates are found in Edward Scott, ed., Laws of the State of Tennessee (Knoxville, 1821), 1:489, 499, 502, 510-511.

[46]Davidson County Court Records, July Session, 1794.

[47]Ibid.

[48]Greene County Court Records, May Session, 1792.

consideration the question was "resolved in the negative."[49]

For most counties, the only taxes which were clearly allowed were the poll tax and the land tax. The first step in the process of collection involved the compilation of lists from each household of their taxable property. One or two justices were assigned to circulate within the "bounds" of each of the county's militia captains collecting these tax lists, and those who failed to submit such lists were subject to a double tax. Once the lists were in the hands of the county clerk, the amount due was computed and the sheriff began the actual process of collecting the tax. But here again problems could occur. The land tax due from non-resident owners, of whom there were many, was especially troublesome to collect, since the complex and rapid nature of land transactions often made it difficult to ascertain for certain who might be the current owner of any large, vacant tract of land. Certainly there were those who took advantage of this situation to avoid paying taxes, but at the same time there were some nonresident land owners who were themselves unsure as to exactly how much land they owned or exactly where it was located. One such individual was William Lenoir of Wilkes County, North Carolina; although his records are generally quite precise, he was nonetheless forced while preparing his 1794 tax list for Wilkes County, to include a reference to

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[49]Sumner County Court Records, October Session, 1791.

"440 Acres Somewhere in the westward Territory."[50] Davidson County finally realized the futility of attempting to collect from these individuals and ordered that the sheriff be "Exonerated" from that responsibility, "unless some future Law Enable him to Receive the same."[51]

Even those who resided within the territory frequently exchanged land more quickly than the sales could be recorded. Sumner County recognized this problem and decided that if any landowner could "sufficiently prove that he has conveyed away any part of said land . . . the Sheriff shall look to the person to whom the land is conveyed or distrain on the tax."[52] Similar situations could occur with other property, as when two individuals "both Returned the same Stud horse as Taxables," and the court allowed one of them a "drawback" of four dollars, the rate for a stud horse.[53] Drawbacks, as remedies for mistakes, were not uncommon in the courts of the Southwest Territory; indeed, there were several instances where individuals were released completely from taxation "for reasons shown to the court." In one such instance, the sheriff was instructed not to collect taxes on six different tracts of land, ranging in size from 640-12,000 acres, their only

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[50]Lenoir Family Papers, Southern Historical Collection, University of North Carolina, Chapel Hill.

[51]Davidson County Court Records, April Session, 1796.

[52]Sumner County Court Records, April Session, 1790.

[53]Davidson County Court Records, July Session, 1795.

explanation being that "those Deductions and Allowances ought in Justice to the holders to be made."[54]

The lack of hard cash with which to pay taxes presented another problem. The courts were sympathetic to this difficulty, since they themselves were often without cash and compelled to pay their debts with certificates. These were basically nothing more than promises by the court to pay the bearer at some future date. The individual could retain the certificate until that time or, as commonly occurred, use it as a form of currency. Most courts accepted their own certificates in payment of taxes, a policy which was advantageous for the courts in that it alleviated some of their debt. But payment by certificates offered no solution to the lack of hard cash. Davidson County tried briefly to discourage the practice by charging a rate which was eight times higher if payment was made with certificates.[55] This obviously clumsy policy was soon discontinued and certificates continued to be accepted at face value. In April of 1792, for example, Elijah Robertson was allowed "Sixty Dollars for a Horse with which he furnished the Indians."[56] Four years later he presented the certificate to the court as payment for his county tax of nine dollars, ninety-three and 3/4 cents, and

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[54]Ibid., October Session, 1795.

[55]Ibid., April Session, 1792.

[56]Ibid.

was issued another certificate for the balance.[57]

While certificate payments solved some problems, they also created others. The Davidson County Court encountered one such situation when, after a fire at a storehouse which was serving as a depository for the county records, it instructed the sheriff to "take no certificates in payment of the County tax where the credits that may have been Entered thereon appear to have been defaced or Erased . . . by Reason that numbers of papers which would have shewn the Just credits are burnt[.]"[58]

It is difficult to say exactly what would have been a typical return from taxation for the counties of the Southwest Territory. The records of Davidson County, however, show a return of $588.54 and 1/2 cents for the year 1795.[59] But 1795 had been one of the occasional years when Davidson County's tax rate was about half that of the eastern counties; moreover, Davidson County was among the smaller counties in terms of population. Thus, $588.54 and 1/2 cents is probably significantly below the average return on taxation for most counties of the territory and it is easy to see why Davidson County was "Considerably in Debt and Still Accumulating

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[57]Ibid., April Session, 1796.

[58]Ibid.

[59]Ibid.

more."[60]

The other source of income for the county courts came from fines for a variety of offenses, including sabbath-breaking, profane swearing, fornication, committing an "affray," assaults, contention and quarreling, and many others. These fines could be as low as 1 cent or as high as $60, although the larger fines were often reduced. Samuel Patton, for example, who was fined twenty-five dollars by the Jefferson County Court for an "insult offered to said court while in Sessions," later saw his fine reduced to one dollar after "consideration" by the court.[61] And Pearce Wall, who was also fined the sum of twenty-five dollars for "Sabbath breaking swearing & disturbing of public worship & insulting Two justices of the Peace," also had his fine "Mitigated & reduced to fifteen dollars."[62]

In some cases, however, the steadfast refusal of the courts to "mitigate" can be seen quite clearly. Sumner County, for example, ruled that William McAdams should be fined ten shillings "for profane swearing in hearing of the court," but also ruled "that he be kept in custody of the Sheriff untill the said fine is Paid," after which it was quickly recorded

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[60]Ibid., July Session, 1794.

[61]Jefferson County Court Records, August Session, 1794.

[62]Sumner County Court Records, April Session, 1796.

that "Wm. McAdams pays the fine aforesd."[63] In some rare instances it is even possible to see the motivation behind the offenses, as when the Sumner County Court received a fine of seventeen shillings, six pence from James Bone for "profane swearing" at the same time that a fine of twenty-five shillings was received from Susannah Bone (probably his daughter) for "being pregnant with an illegitimate child."[64]

But it can also be seen that the sums gathered from fines, although certainly welcome, were probably not large. Jefferson County reported that "the amount of money paid into the clerks office for fines & forfeitures for the year 1792 shows a total of 10 pds, 9sh., 9p."[65] or about $26.50. Indeed, the extremely large fines which the courts occasionally levied, and the frequency with which they were willing to reduce or even remit those same fines, suggest that their purpose was not to raise revenue; instead, they served as a deterrent and a means of maintaining the authority of, and respect for, the county courts. The instances of assaults or affrays, the cases of profane swearing, contention and quarrelling, as well as a variety of other transgressions, were certainly not condoned by the courts. But neither could these offenses be harshly condemned in the frontier atmosphere

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[63]Ibid., April Session, 1791.

[64]Ibid.

[65]Jefferson County Court Records, August Session, 1793.

of the Southwest Territory, as is obvious by the infrequency of severe punishment.

There were some offenses, however, which the courts took very seriously indeed. The stocks and whipping post were employed on several occasions, and the most frequent crime punishable by such measures was "petit larceny." When James Salmon was found guilty of this offense, the court ruled that he "Shall Receive Fifteen Lashes on his bare back" and, as further punishment, it was ruled that "the Defendant Remain in custody of the Sheriff untill the costs of prosecution are paid."[66] The severity of this type of punishment was variable, depending on the nature of the crime as well as the disposition of the criminal. Nathaniel Holley, who was labeled a "culprit" by the Sumner County Court, was ordered "taken to the Publick whipping Post & there receive thirty nine lashes on his bare back well laid on."[67] Likewise, an admission of guilt could temper the sentence of a court, as in the case of Robert Taylor, who told the Jefferson County Court that "he can not deny but that he stole the goods mentioned in the Indictment." Upon this confession the court ordered that he only "receive five lashes on his bare back"[68] with no reference to how "well laid on" these lashes should be.

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[66]Davidson County Court Records, July Session, 1793.

[67]Sumner County Court Records, April Session, 1792.

[68]Jefferson County Court Records, May Session, 1795.

There were also offenses, although rare, for which the punishment was even more severe. Horse theft was the most common of these serious crimes; and when the penalty is considered it is easy to understand why a guilty verdict was invariably appealed to the superior court. When Thomas Nelson, for example, was found guilty of horse theft, it was ordered that he "shall stand in the Pillory one Hour and shall be publickly whipped on his bare back with thirty nine Lashes well laid on, at the same time shall have both his ears nailed to the Pillory and cut off, and shall be branded on the right cheek with the letter H of the length of three quarters of an Inch and the breadth of half an Inch, and on the left cheek with the letter T of the same Dimensions as the letter H in a plain visible manner and that the Sheriff of Knox County see this sentence put in Execution tomorrow between the hours of twelve and two O'clock P.M."[69]

Of course, not everyone who was brought before the county courts was guilty and the task of determining who was innocent fell to the twelve men of the jury. In some instances this was not simple, particularly when the jury members themselves were not clear as to the fine details of the law. In the case of Ezekial Abel, for example, who was charged with being involved in "An Affray," the jury was still uncertain after returning

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[69]Tennessee Knox County Oyer and Terminer Court, Hamilton District Superior 1793-1798 (Nashville [?], Historical Records Survey, n.d.), April Session, 1796.

from deliberation. "If an assault may Justify one man for to Strike another," it reasoned, "then we find the Defendant not Guilty[.]" But, the jury continued, "if the Law will not Justify him in such case, then we find him guilty, and we pray the oppinion of the court thereon."[70] In some situations, the jury might go beyond a not guilty verdict, as in the case of John Merian, who was charged with stealing "one Linnen Bag containing Two Bushells of corn of the value To wit the sd Bag of Two pence and the sd. Two Bushels of Corn Two pence." Not only did the jury find him not guilty, it was also ordered by the court "that John Rains the prosecutor pay costs, it appearing to them a Malicious Prosecution."[71]

Although the administration of law and order was clearly an important function of the courts, it was not the most time-consuming. Instead, the courts directed the majority of their attention to the non-criminal needs and concerns of the citizens of their communities, many of which reflected the problems and dangers associated with a frontier environment as well as the complications which accompanied a growing community. Most courts, for example, devoted what seems at first to be a surprisingly large amount of time to the administration of estates; but the isolated nature of the

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[70]Davidson County Court Records, July Session, 1793. The opinion of the court was that the law did indeed justify the defendant, and the justices ruled in his favor.

[71]Ibid., July Session, 1795.

territory, as well as the constant toll of Indian attacks, produced a large number of estates to be administered. And in the absence of easy access to eastern markets and the even more pronounced lack of hard cash, the physical possessions (especially land) which one had accumulated during a lifetime were valuable commodities.

As they did with criminal cases, the justices of the county courts relied on the precedents of North Carolina statutes in the often complicated and lengthy process of estate administration. The procedure was simplified to some extent if there was a will which could be proven to be "good," and it was a rare and apparently reluctant jury which determined that a will was unacceptable.[11] But the most important step taken by the court came when it approved or appointed an administrator for the estate. Familiarity with the affairs of the deceased was desirable and, if no specific individual was named in a will, the court selected a close friend, business associate or relative, in many cases selecting the widow to serve as administrator of her late husband's estate. This was one of only a few situations in which women were allowed to serve as court appointees. But since the widow's information regarding her husband's business and financial situation was often the most extensive

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[11]In some cases, however, a will was not accepted by the courts. See Washington County Court Records, November Session, 1795.

available, the court seldom hesitated to take advantage of her knowledge, if she were willing to serve as administrator.

To this person would be granted the necessary "letters of administration" authorizing him or her to carry out the orders of the court. Of these there could be many, the first of which called for an inventory of the goods of the estate, including both perishable and non-perishable goods. The former, which could include such things as livestock or harvested crops, would be sold as soon as possible either to satisfy any pressing needs of the family or to be added to the assets. It was then necessary to determine what debts were owed by the estate in order to "expose to sale" enough goods to satisfy those demands. Finding the creditors of the deceased seldom posed a problem; indeed, the administrator often found himself involved in several lawsuits to defend claims against the estate. But the administrator was also expected to determine the extent to which others were indebted to the estate and that could prove to be a formidable task. It was not uncommon for administrators to place an advertisement in the Knoxville Gazette, requesting those indebted to the estate to come forward and settle their accounts, although the effectiveness of such seemingly desperate measures is difficult to ascertain.[73] Final disposition of the estate, in the absence of a will, was left

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[73]Knoxville Gazette, May 19, 1792; October 6, 1792; January 20, 1793; June 5, 1795; June 19, 1795.

to the court; if the deceased were financially secure, and if the administrator had done his job well, there would be compensation for any expenses which he had incurred while fulfilling his responsibilities. Still, the possibility always existed that his only compensation would be service to a departed friend or relative; or worse, an administrator might be consigned to years of complicated and expensive legal battles to defend the estate.

The courts recognized the problems faced by the administrators and generally tried to cooperate as much as possible. The Sumner County Court, for example, upon receiving an inventory long after it was ordered to be returned, noted that the administrator "has also offered reasons why he has failed to make a return of the said inventory . . . which reason the court deem sufficient to induce them to receive the same at this time."[74] The court also served as a source of authority to assist the administrator in recovering assets for the estate, as in the case of Andrew Paul, admn of James Paul, dec'd vs. Joseph Wear. In this instance the court determined that "the Defendant doth detain two Red Cows, with white faces, One Black and White Cow, and one Silver Watch . . . and that the Said Cows and Watch are of the price of thirty Nine dollars," whereupon the defendant was ordered to surrender the

[74]Sumner County Court Records, January Session, 1796.

cows and watch or their equivalent value.[75]

Perhaps the most important function of the administrator was the sale of goods to satisfy the claims against the estate, for his decision as to what to sell and what to retain could have significant consequences for the heirs. In their orders authorizing such sales, the courts often reminded the administrators that they were only to sell such items "as will least injure the Interest of the Orphans,"[76] or those which were not "Specific Legacies."[77] In a few cases, the court went so far as to specify exactly what articles were to be sold, even when they were not sure what the items were designed for. Eve Cassellman, for example, as Administrator of her husband's estate, was given a list of items to be sold which included "a number of Small Tools for something."[78]

In the final disposition of the estate following the sale, the courts divided the assets "Equally according to Quantity and Quality"[79] between the heirs, and then appointed guardians for the upbringing and welfare of these minor children. The most obvious need was that someone be responsible for the routine care of the orphans; a family

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[75]Knox County Court Records, May Session, 1794.

[76]Davidson County Court Records, October Session, 1793.

[77]Ibid., April Session, 1795.

[78]Ibid., July Session, 1792.

[79]Ibid.

member was often appointed, sometimes (but not always) the mother of the children. In the case of the orphans of Edwin Hickman, for example, the court ordered that "Joel Rice and Elizabeth Rice his wife, Mother of the sd. orphans, and late relic of the aforesd. Deceased is appointed Guardians for the Nature and Tuition of the said Orphans, untill they arrive at such an age as the Law admitts them to Chuse their own Guardians."[80]

The courts also recognized the need for "special guardians" to represent minor children in legal matters. John Shute, for example, was designated special guardian to Solomon Clark "for the purpose of Receiving a deed of conveyance."[81] Nor was it was uncommon for the widow of the deceased to bring a "suit of dower" against the estate. Indeed, in instances where the widow was not provided for in her husband's will, it was her right under North Carolina law to have her original dowry or a fair percentage of whatever contribution she had made (at least one-seventh of the total estate) resurveyed in order that it might be separated from the estate and returned to her. However, this was apparently not done unless the widow demanded that right, as shown by the court records of Sumner County where it is noted that "Catherine Shaver widow of the late Michael Shaver dec'd comes into court and enters her

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[80]Ibid. July Session, 1793

[81]Ibid., April Session, 1796.

dissent to the last will and testament of the aforesaid deceased and claims the right of her dower agreeable to law."[82] The courts of the Southwest Territory were not bound by legalities, however, nor were they unsympathetic to the plight of the widow. In situations where it was necessary, the justices were generally willing to provide for her welfare, as in the case of Ann Walles, who was "allowed a reasonable compensation for the support of her self and child out of the estate of John Walles Dec'd."[83]

With the estate settled to the satisfaction of all concerned parties, and the potential legal problems of the minor heirs provided for, the only remaining responsibility of the court was to the administrators. The case of John Hardin of Sumner County reveals both the time and expense involved in administering an estate as well as the willingness of the court to compensate those appointees whenever possible. In October of 1790, Hardin's administration of the estate of William Price, Sr. came to a close after three and a half years. During that time, he had not only paid five pounds, sixteen shillings and four pence worth of accounts for the estate from his own resources, he had also taken the responsibility of caring for William Price, Jr. during the

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[82]Sumner County Court Records, July Session, 1793. See also Greene County Court Records, February Session, 1791.

[83]Blount County Court Records, March Session, 1796.

entire period. Fortunately, the estate was in good financial shape and the court was able to reimburse Hardin for the accounts he had paid. Also, he was "allowed the sum of thirty one pound ten shillings . . . for keeping the said orphan." In addition the court ordered "that John Hardin be allowed three pounds for administering on the estate of William Price."[11] Such an award was fairly common in estate settlements, the financial condition of the deceased permitting, and while it was hardly enough by itself to make the position of administrator very rewarding, it was more than a token payment. It does seem to have been a fairly flexible sum, based to some extent on the financial condition of the administrator himself.

Although the courts of the Southwest Territory were anxious to compensate their administrators whenever possible, many administrators received nothing for their efforts. But compensation for their administrators was not the primary concern of these county courts, despite the fact that theirs was often a difficult and time-consuming task. Instead, the courts were committed to the resolution of all financial obligations of and towards the estate and to the future well-being of the surviving family members, especially the heirs.

Another group whose well-being was of concern to the county courts were those who, for one reason or another, were

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[11]Sumner County Court Records, October Session, 1790.

unable to care for themselves. Every county had its share of individuals whose welfare depended on the charity of the courts, as well as its own methods for dealing with such cases. But the primary objectives were remarkably similar, for each of the county courts displayed a genuine concern for the condition of the unfortunate and at the same time, a determination to absolve the county of as much cost as possible.

Orphans were the single largest group of recipients of county welfare. There was obviously no need to provide for those whose parents had left adequate resources; court-appointed guardians would assure their maintenance and protect their estate until the orphans arrived at legal age. But for the children of tenants or those whose indebtedness had left their estate insolvent, the county courts were obligated to assume responsibility. Likewise, some courts would intervene and classify as orphans those children who had lost only their father, since the mother alone might experience difficulties in providing for the family under the sometimes harsh conditions of the frontier. But regardless of the circumstances surrounding the situation, it was the plight of the orphans which prompted the courts to take the first action. When it was brought to the attention of the Greene County justices that "the orphans of John Goforth decd . . . are in a desolate distressing condition," the widow was ordered to appear at the next court and to show "why the said

boys should not be bound to trade and the females suitable employment until they arrive at full age."[85]

In deciding that the orphans of John Goforth should be "bound to trade" the justices of Greene County were typical of all counties in the Southwest Territory; it was common practice for orphans, both male and female, to be "bound out." The time when women would practice a trade or skill outside the home had not arrived by the 1790s and thus young girls in the territory were bound out to learn domestic skills. Sally Norton, for example, was ordered by the Washington County Court to be "bound unto John Hunter until She arrive at the age of Eighteen years to learn to sew - Spin & Nitt."[86] Male orphans were commonly bound out to the age of twenty-one to learn specific skills from local craftsmen. In either case, the measure had clear advantages; not only would the orphans be clothed, fed and cared for during their term (at no expense to the county), but at the end of that time they would have acquired the necessary skills which would enable them to function within and contribute to their community.

The directives given by the court to the master in such cases were generally limited to learning the particular trade, although in some instances the courts were more specific in their directives. David Hopkins, for example, a thirteen-year-

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[85]Greene County Court Records, February Session, 1796.

[86]Washington County Court Records, May Session, 1794.

old orphan in Greene County, was bound out with the understanding that he be taught "the trade of chair making & to read write and cypher as far as the rule [or multiples] of three."[87] Davidson County in particular was very careful that there be no doubt concerning what was expected of the master during the apprenticeship. In one instance it was ordered that an apprentice be taught "the Art trade or Mystery of Making of hats" and also that he be given "three months schooling[.]" Additionally, it was ordered that, at the conclusion of the apprenticeship, he be given "a Decedent [decent] suit of Cloathing on and Another off of him."[88] In situations where it was not certain that the master would indeed continue in his craft, the justices could be extremely precise. In the case of a four-year-old orphan who was being bound to a blacksmith, it was ordered that he receive the standard schooling during his apprenticeship and suit of clothes when the term was over. But it was also ordered that if the master should not continue as a blacksmith and thereby "fail in giving the said apprentice his trade he shall then in Lieu thereof give him a horse and saddle worth fifty Dollars."[89]

The courts were also aware that the practice of bonding orphans to apprenticeships carried certain advantages for the

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[87]Greene County Court Records, August Session, 1795.

[88]Davidson County Court Records, April Session, 1796.

[89]Ibid., July Session, 1794; April Session, 1792.

masters, some of whom were quite willing to avail themselves of this ready source of relatively cheap labor. Thomas Murry, a carpenter in Davidson County, had no fewer than four orphans, all of them 14-15 years of age, bound out to him from January of 1792 to April of 1796. But while the county justices were willing, perhaps even eager, to allow Murry to thus expand his business, they were also determined that the orphans leave his care with something more than a knowledge of carpentry. Their orders to Murry became progressively more detailed until, in April of 1796, he was told that his most recent apprentice must not only be trained and educated, but at the conclusion of the term, the apprentice was to be given "a Jack Plane Long Plane & Smoothing plane a saw and hammer and a common suit of cloathing on him & another off."[90]

The courts jealously guarded their authority over the orphans of their counties. If they discovered a child who had somehow escaped their control they attempted to rectify it, as in the case of George Watwood, who was summoned to appear before the Sumner County Court and "to bring with [him] an orphan boy named William Winters to show cause how he came to possession of said boy."[91] Allegations of "ill usage" were even more troubling to the courts, and in several instances the justices appointed individuals to investigate such charges.

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[90]Ibid., April Session, 1796.

[91]Sumner County Court Records, October Session, 1793.

If the investigation did indeed suggest abuse, there was no hesitation in ordering a master to appear and answer the charges. Or, should the situation warrant it, as in the case of Michael Foster of Knox County who was charged with "misusasage of Francis Ogden an orphan," the court could order that one of its appointees "take into his possession the Said orphan and bring him before this Court."[92] In extreme cases the relationship could be terminated altogether, as in the case of William Edwards, who was called before the Sumner County court to "show cause if any he hath why David Cooper & John Cooper shall not be released from their apprenticeship on and of illegal treatment."[93]

For the most part, however, the courts seem to have been fairly tolerant; in the case cited above, for example, William Edwards was eventually exonerated of all charges. This tolerance, as well as its limits, are evident in the case of Francis Armstrong of Davidson County. In January of 1793, after it had been "suggested" to the justices that "Francis Armstrong, ill in treats Sundry Orphans under his care," he was ordered to appear before the court.[94] Upon his arrival, Armstrong seemed offended by such accusations; he immediately surrendered one orphan and promised to bring two others at the

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[92]Knox County Court Records, May Session, 1793.

[93]Sumner County Court Records, January Session, 1791.

[94]Davidson County Court Records, January Session, 1793.

next session. His actions apparently surprised the justices, for they were reluctant to terminate his guardianships, but did agree that custody of the children would revert to the county.[95] Armstrong failed to appear at the next session, however, and the court did not pursue the matter. In fact, the two orphans were still in his care in April of 1795, more than two years after his treatment of them had first been brought into question and after one of the orphans, a young girl, had been convicted of fornication.[96] At that time he was once more ordered to appear before the court with the orphans and "there make it appear that the sd. orphans are well treated and provided for by him as they ought to be or otherwise to show cause why they the sd. orphans should not be placed by the court under the care of some Judicious persons."[97]

The final disposition of the injudicious Armstrong does not appear, but the patience of the courts, as well as the genuine concern for the welfare of the orphans, are both obvious. The success of their efforts can be seen by the scarcity of instances in which the counties were actually required to make financial allowances for orphans. Polly Deloach, an orphan in the care of Joseph Hooper, is one such rare case. Hooper, apparently unable to provide for the girl

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[95]Ibid., April Session, 1793.

[96]Ibid., October Session, 1794.

[97]Ibid., April Session, 1795.

from his own resources, was allowed eight pounds for her support in 1793, twenty dollars for 1794 and $31.70 "for Boarding Schooling and cloathing the Orphan Polly Deloach for the year 1795."[91] But as already noted, Polly Deloach was the exception; in the majority of cases the county courts were able to ensure that the orphans for whom they assumed responsibility were well cared for, learned a trade and were protected from abuse, all at little or no expense to the county.

Orphans were not the only group of children whose welfare concerned the courts, for the majority of counties reported a variety of cases of illegitimate births. There was a significant degree of flexibility in the disposition of these cases, but again, the primary goal in every situation was that the county not be held financially responsible for the upbringing of a child who, without a father, might become a financial burden to its mother and eventually to the taxpayers. The justices of Knox County expressed this desire clearly in the case of Samuel Hannah who was charged by "Clary Ogden, of this County Single Woman with being the Father of her Bastard Child." When brought before the court, he was ordered to "find Security to discharge and Save harmless the Overseers of the Poor and the Inhabitants of the County from all costs, charges and trouble whatsoever by reason of the

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[91]Ibid., January Session, 1794; January Session, 1795; January Session, 1796.

Birth, Maintenance of, and bringing up of the Said Child."[99]

The amount which was required to "save harmless" the county could range from nothing at all to $500. If the mother was found guilty of "having a base begotten child and refusing to declare the father",[100] she became responsible not only for the security, but could also be forced to pay a fine of twenty-five shillings for fornication, and another identical fine on behalf of the anonymous father. In instances where the father was identified, the courts held him responsible for his fornication fine and whatever security was ordered.[101]

With the security deposited, the courts could easily give financial assistance when and if it was needed. Jefferson County, for example, ruled that Fanny Inman be awarded "the sum of ten dollars for the support and maintainance of her child begotten on her body by William Lea and that the security of the said William be charged with the same."[102] If there was no security to be had, however, the courts could order support paid directly to the mother or, as happened in at least one instance, rule that the father be given custody of the child.[103] Greene County used a combination of these two

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[99]Knox County Court Records, January Session, 1793.

[100]Jefferson County Court Records, May Session, 1793.

[101]Greene County Court Records, November Session, 1795.

[102]Jefferson County Court Records, November Session, 1793.

[103]Greene County Court Records, August Session, 1794.

approaches when the justices ruled that the mother maintain custody of the child for three years, during which time the father was ordered to pay her a total of thirty-three and one third dollars.[104] Occasionally the courts had difficulty enforcing their orders for support. One father, for example, was fined three dollars, twelve and 1/2 cents and ordered to pay seven pounds, ten shillings (about $18.75) in support to the mother.[105] But when the receipt for this sum was finally submitted to the court, it was dated April 11, 1795, almost two years after the original order was issued.[106]

As was the case with orphans, the justices were aware that illegitimate children could be susceptible to abuse. One such child was actually removed from a home because it had been "inhumanely used[.]"[107] The concern of the county courts for the welfare of these children is clear. Just as obvious is the determination of the courts to resolve the problems of illegitimacy at a minimal expense to the county. While the fines and security deposits which the justices levied for fornication and illegitimacy may be seen as a means of encouraging a strict code of moral conduct on their communities, it is also evident that such a system effectively

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[104]Ibid.

[105]Jefferson County Court Records, May Session, 1793.

[106]Ibid. May Session, 1795.

[107]Greene County Court Records, August Session, 1794.

reduced the financial obligation which the court might have to assume in the event of an illegitimate birth.

If the courts of the Southwest Territory were able to escape financial allowances for most orphans and illegitimate children, such was not the case with the occasional instances of poverty which they encountered. Although uncommon, there were some impoverished individuals whose financial welfare depended on their county courts. One such person was Philip Barker, who was described by the Washington County court clerk as "an object of charity" and was "allowed forty dollars for his support for the year 1796 to be paid out of the county tax."[108] The amount awarded could vary,[109] but in most poverty cases the justices seem to have expected that their assistance would be temporary, and it was usually ordered that the support would only continue "until next court."[110] In one instance, however, Jefferson County paid three different individuals various sums "out of the County monie" over a three year period for "keeping and maintaining Daniel Fox."[111]

The only other type of welfare case in the Southwest Territory was that of "Jane Ewing, lunatic" for whom a

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[108]Washington County Court Records, February Session, 1796.

[109]Ibid., November Session, 1796.

[110]Jefferson County Court Records, August Session, 1793.

[111]Ibid., February Session, 1794; May Session, 1794; May Session, 1795.

guardian was appointed by the Blount County Court.[112] Her case, along with those of the many orphans, illegitimate children and impoverished of the territory, reveals the desire of the various county courts to locate and provide for those whose circumstances warranted it. All of the courts attempted to dispense with these cases in such a way as to minimize their own expense, but there is no doubt that the welfare of the individual was the motivating factor, and if the situation required it, there was no hesitation in providing whatever funds were necessary.

Another common feature of the county courts was their concern for internal improvements, expressed most often through orders for the construction and maintenance of roads. Once it was brought to the attention of the justices (usually by means of petition) that a road was needed, they first appointed a jury of twelve men to determine the most practical route for the new road or to determine what improvements to an existing road might make it serviceable. Jurists were not always unanimous, and sometimes concluded that the court take no action at all if it appeared that the existing road was "the nearest and best way we can get thus."[113] Even when the jury did recommend that a new road be built, the justices

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[112]Blount County Court Records, September Session, 1795; December Session, 1795.

[113]Greene County Court Records, November Session, 1790; February Session, 1796.

sometimes rejected their recommendation, or else accepted it and later reversed themselves, ruling that a previous order "be Discontinued and the Order Rescinded and Void."[114]

More often, the jury determined (and the justices agreed) that some sort of construction was needed. Routes through private lands were avoided if it was possible to do so, and the landowners compensated if it was not.[115] Construction could not begin, however, until the justices appointed an overseer for the project. This individual was expected to supervise the workers and to keep the road in repair once the work was completed. This latter responsibility was particularly important in the various towns of the territory where increased immigration caused deterioration of the streets.[116] Orders to overseers were usually simple and straightforward, the primary directive being to "avoid & shun bad places."[117] In some cases, however, the overseers were given very specific descriptions as to what their road should look like when completed. Overseers of a series of roads in Sumner County, for example, were instructed that the roads were "to be cleared out twenty feet wide, the distance measured and sign

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[114]Davidson County Court Records, April Session, 1792.

[115]Ibid., July Session, 1793; Jefferson County Court Records, August Session, 1794.

[116]Davidson County Court Records, April Session, 1792; Ibid., April Session, 1793; Jefferson County Court Records, November Session, 1794.

[117]Sumner County Court Records, January Session, 1791.

posts set up at the forks of the road with indexes pointing each way. The measurement to begin at Bledsoe's Lick and the number of miles thence marked at the end of every mile."[118] The courts might also request cooperation from neighboring counties in coordinating their road-building efforts, particularly if the objective of a proposed road was in that county. In one such instance, the Sumner County Court, after ordering a road to be viewed and laid out, also ordered "that the clerk write in behalf of the court to the court of Logan county [Kentucky] requesting it to order a road from the end of the aforesaid road to the salt works upon highland creek."[119]

Although it occasionally happened that the construction of a road required the services of an independent contractor,[120] it was more common for the road to be built, and especially maintained, under the supervision of the overseer and whatever citizens of the county that the court designated to serve under his authority. Sometimes those living along the proposed route were chosen as laborers, or in other cases it was ordered that "the petitioners for said Road Work theron."[121] A more frequently used means of obtaining road

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[118]Ibid., April Session, 1792.

[119]Ibid., April Session, 1796.

[120]Ibid., January Session, 1791.

[121]Davidson County Court Records, July Session, 1792.

workers was to designate "the hands in the bounds" of a particular militia company or even the men of that militia company itself to work on the road.[122] Thus, while the most visible function of the militia was obviously to contend with Indian hostilities, it can also be seen that the justices used the "bounds" of the various militia companies as the primary divisions within the counties, not only for purposes of road building, but also for taxation, as has already been seen.

Although the decisions concerning the construction and maintenance of county roads consumed much time in the courts, these roads represented the extent of internal improvements within the counties. On one occasion, however, the justices of Davidson County considered the rather grand scheme of building a bridge over French Lick Branch to replace an earlier bridge which had either been destroyed or fallen into disrepair. But after failing to coerce the original bridge-builder to assume responsibility for the project, it was decided that, "Considering the Exigencies of the County, no Bridge be Built there at the present at the Expense of the Publick."[123] Indeed, the "exigencies" of most counties in the territory were such that they, like Davidson County, confined themselves to the essential task of building, repairing and

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[122]Ibid.; Jefferson County Court Records, May Session, 1795.

[123]Davidson County Court Records, April Session, 1793; July Session, 1793; April Session, 1794.

maintaining roads.

The county courts of the Southwest Territory also devoted much effort to the regulation of certain essential businesses within their communities. Grist mills were the most common of these, and each county had several that were designated as "publick mills." Operators were allowed to charge one-sixth the value of what they ground as their fees, but they were also required to be "accountable for all damages that any person or persons may sustain by reason of erecting a dam and overflowing any land."[124] Even James White, the founder of Knoxville, was unable to escape this accountability, and, responding to a petition from several townspeople, the Knox County court issued an order that White's "upper Mill Dam . . . be broke down."[125] Ferries and taverns were likewise controlled by the courts; owners of these businesses were required to be licensed and to submit a security deposit "for the faithful execution of their undertaking." Specific rates for the services they offered were then set by the courts and revised from time to time as necessary, thus removing the possibility of inflated prices. The patrons of these establishments could thus benefit not only from reasonable prices, but also from the knowledge that they would be dealing with responsible individuals for services that were essential

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[124]Sumner County Court Records, July Session, 1794.

[125]Knox County Court Records, November Session, 1793.

to the overall growth and welfare of the community.

In addition to the services and responsibilities which have already been described, the county courts also functioned as mediators for personal disputes. Although the courts heard an occasional case of slander or issued a restraining order to keep the peace between quarrelling neighbors, the most frequent type of personal cases involved property or land disputes. Garnishment cases were common; creditors frequently took their debtors to court hoping to be awarded whatever assets, including outstanding debts, which the debtor may be trying to conceal. One such case in Knox County reveals some of the difficulties which often accompanied a garnishment in the frontier environment of the Southwest Territory. John Chisholm, summoned to testify as to what he owed Thomas Evans in the case Dennis Murphy vs. Thomas Evans, swore "that he owes the Defendant nothing." But he went on to admit that "Some time past, a Barrel Supposed to contain from Twenty to Thirty gallons of Whiskey the property of the Defendant, was lodged in his hands." Unfortunately for the plaintiff, however, Chisholm added "that in his absence the Said Whiskey was made use of by his family."[126]

Business transactions were also recorded by the courts, bills of sale and deeds of conveyance (or sometimes deeds of gift) being the most frequent. There were many such entries

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[126]Ibid., October Session, 1794.

in the court records, for land as well as other forms of property exchanged hands briskly throughout the territorial period. Entering these required the testimony of the witnesses to the document, however, and here again the conditions of the Southwest Territory sometimes presented the courts with problems. In Sumner County, for example, Roger Gibson's attempt to prove a bill of sale from Michael Shaver was complicated by the recent death of Shaver at the hands of Indians. The transaction was further complicated because the witnesses to the contract were wounded in the same attack, forcing the court to dispatch two justices to the bedside of the injured men to take their deposition.[127]

Personal records were also maintained by the county courts, most of which were "marks" for livestock. These forerunners of brands were essential for determining ownership of the animals which escaped or were allowed to wander and forage in the woods. Andrew Jackson's mark, for example, was entered by the court of Davidson County as "a Crop off each Ear, and Two slits in each ear, Downwards."[128] Other types of individual records, while not frequent, reveal the unique problems with which some citizens of the territory had to contend. James Todd, for example, appeared before the Davidson County Court and "made oath that a certificate of thirteen

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[127]Sumner County Court Records, July Session, 1792.

[128]Davidson County Court Records, July Session, 1794.

pounds Ten shillings Granted to him for his Services on the Road from the Settlement of Holston to this Country he has lost or so Mislade that he cannot have the benefit of the same."[129] In another instance, Gasper Faught testified that he "did Raise a false Report, on Mary Walker, Young Woman, that I had Carnil Knowledge of her body, which Report I do hereby acknowledge to be false and Groundless."[130] And, in a society where a missing ear could imply criminal tendencies, the outcome of any vicious fight was wisely recorded, as happened in Knox County when "Jacob Koose appeared and made Oath, that John Guldman in a fight bit off the Ear of John Aldridge."[131] A similar situation occurred in Davidson County when, after an "affray" between William Pillow and Abraham Denton, it was recorded that "in fighting the said Pillow bit off the upper End of Abraham Denton's Right Ear, upon which said Pillow came into open court together with Abraham Denton, and the said Pillow openly Declared that he bit off his Ear as aforesd. without any intention of injuring the said Denton."[132]

Obviously, then, the inhabitants of the Southwest Territory expected much of their county courts. And, despite the handicaps of inadequate buildings and indebtedness which

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[129]Ibid., April Session, 1794.

[130]Knox County Court Records, January Session, 1793.

[131]Ibid., April Session, 1795.

[132]Davidson County Court Records, October Session, 1793.

some counties experienced, and the occasional "insult offered to the court," such expectations were generally fulfilled. But this was not a development which was unique to the territorial years; the county courts had already established a tradition, previously noted, as being "the only institution charged with the overall competence for the community's concerns."[133] Until the election of the territorial assembly in 1794, the county courts sought and received no interference from the territorial government. Even then, the influence of the assembly was limited to the clarification and standardization of tax laws and court procedures. Instead, the county courts relied on the precedent of North Carolina law and on their own past experience. Even the new counties created during the territorial period followed very closely the models and examples of the counties from which they had been organized, recognizing that the parent counties had clearly established their ability to deal competently with the needs and problems of everyday life in their communities.

Upon this tradition the federal government exerted very little influence. Indeed, when William Blount attempted in March of 1793 to enact a law which would have siphoned the amounts collected by the county courts for fines and forfeitures, as well as some tax revenues, into the hands of the territorial government, he discovered that, like the

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[133]Goodstein, Nashville, 12.

colonial assemblies of a few years earlier, the county courts did not easily relinquish their right to taxation. The law required the clerk and register of each county court to deposit a bond of five hundred dollars, "conditioned for the due collection of the monies arising from fines and forfeitures, and taxes as aforesaid,"[134] but when these two officials of Sumner County dutifully attempted to deposit their bonds, it was noted that "the bonds are objected to by the court."[135] Davidson County went beyond objections and refused to allow the clerk and register to deposit their bonds. After considering the law, the court "was opposed, and on argument the Court were unanimously of oppinion that the Act afsd. was not a Law of this Territory and Expressly forbid the Clerk and Register afsd. from Collecting any Tax in consequence of any matter or thing contained in the said Reputed Act."[136]

These acts of defiance were most evident in the counties of the Mero District, where any cash expenditure by the county governments was no simple matter. Although the amounts collected for fines and forfeitures were not large, they were still occasionally needed and used for specific purposes by the Cumberland courts. Sumner County had, in January of 1790,

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[134]Scott, Laws of the State of Tennessee, 1:455-456.

[135]Sumner County Court Records, July Session, 1793.

[136]Davidson County Court Records, July Session, 1793.

ordered "that the money . . . arising on fines & amendments due to the county be applied to the clerk Sheriffs exofficio services for the two preceeding years."[137] And later, even after the enactment of Blount's tax law, when Sumner County had collected seventy-five shillings in fines as a result of illegitimate children, it was immediately ordered "that Philip Trammell be paid the foregoing fines . . . in part of what the county is indebted to him for extra services as constable."[138]

But if the counties of Cumberland refused to allow federal intervention in matters of taxation, there were nonetheless some instances in which they, as well as every county in the territory, desperately required federal assistance. A clue to this need can be seen in the Sumner County Court Records for October, 1792, where the only entry for that session reads, "Court adjourned till court in course."[139] The problem is clarified by a similar entry in the Davidson County Court Records for the same session, when, after conducting some brief business for one day, the clerk recorded that "The Court did nothing of consequence at the Aforesd. Term, but just meet & Adjourn the same day to court in course, by Reason of the incursion of the Indians in the

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[137]Sumner County Court Records, January Session, 1790.

[138]Ibid., January Session, 1794.

[139]Sumner County Court Records, October Session, 1792.

Country at this time."[140] For the citizens of the Southwest Territory, government was a balance between the traditional services provided by their county courts and the fundamental service of protection which they expected from federal authorities. The efficiency and success of the former created expectations of similar results from the latter; but these expectations would prove difficult and sometimes impossible to fulfill.

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[140]Davidson County Court Records, October Session, 1792.

Chapter Three

The Indian "Problem": Treaties and Tactics

William Blount's appointment as governor of the Southwest Territory also included the position of Superintendent of Indian Affairs for the South. While the former title was certainly the more noticeable and prestigious, it was actually the latter responsibility which occupied the majority of his attention during the territorial years. Blount had anticipated the difficulties of these additional responsibilities when, shortly after his appointment, he wrote to his brother that the duties of Governor would be "easey enough[;]" but he added that "those of Superintendent of Indian Affairs will be laborious and disagreeable"[1] and his initial suspicions were well-founded. Indeed, it was Blount's administration of Indian affairs which would eventually produce the strongest criticism from his superiors in the War Department, and also from the people he governed. Blount's attempts to escape this crossfire of complaints would have significant consequences for the Southwest Territory and would actually be one of the primary forces behind the movement towards statehood. William Masterson, Blount's biographer, was obviously not overstating the fact when he noted that "the Indian problem was . . . the

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[1]William Blount to John Gray Blount, June 26, 1790, in Alice B. Keith and William H. Masterson, eds. The John Gray Blount Papers (3 vols., Raleigh, NC, 1952-1965), 2:67-72.

keystone of all policy."[2]

The nature of that policy, however, would become the object of much debate for the next five years. The citizenry of the Southwest Territory advocated, and at times demanded, an active military solution to the irritating and often lethal Indian attacks which continued to plague them. But federal authorities were reluctant to commit the government to military intervention in the territory, for although they admitted that some attacks by Indian "banditti" did occur, they refused to believe that these sporadic attacks constituted a true Indian "problem."

Despite these divergent views, the early period of territorial administration was one of optimism for all concerned. Many within the territory firmly believed that the power and prestige of the United States government alone would be enough to dissuade the Indians from further acts of aggression or, if not, a federal army would surely be forthcoming to chastise the offenders. If this latter decision was made, however, it would come from the War Department, which was responsible for the administration of both territorial affairs and Indian affairs. While officials in that department were, like the citizens of the territory, optimistic that any difficulties with the southern tribesmen could be resolved, they preferred that it be done through the

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[2]William H. Masterson, William Blount (Baton Rouge, LA, 1954), 195.

treaty process.

Such a policy carried several advantages for the government, not the least of which was related to the assumption that successful treaties would avoid open warfare in the South. In fact, the determination to avoid an Indian war in the South was to become the central element of federal policy regarding Indian relations in that region, primarily because the federal government was already committed to an Indian war with the tribes in the Northwest Territory. Fighting two wars at the same time was not only unwise from a strategic point of view, it also would strain the meager resources of the young nation. Additionally, any acts of aggression against the southern Indians might encourage them to ally themselves with the northern tribes, an event which the latter group was already striving to achieve. Another potential alliance which the federal government had to consider was one between the southern Indians and the Spanish. While the Spanish may or may not have been willing to go to war with the United States on behalf of their friendship with the southern Indians, they might consider such an option to protect the international "buffer zone" which those tribes occupied.

The deterrents to military intervention in the South were complemented by the lack of incentives. One of the primary motives for federal control of western territories was the sale of public lands, but very few public lands remained to

the federal government in the Southwest Territory; private speculators had already appropriated all but about 300,000 acres and squatters had claimed much of that.[3] Moreover, if warfare in the South could be avoided, the war effort in the North (which was not progressing well) could be augmented by idle militia from the Southwest Territory; some federal officials even hoped that the southern tribesmen might be induced to participate, sending some of their warriors to fight against the Indians to the north.[4]

Not surprisingly, then, the federal government preferred to avoid a costly and time-consuming war in the South and optimistically began to arrange for a series of treaties with the various southern tribes. In July of 1790 Alexander McGillivray, chief of the Creek Nation, arrived in New York for this purpose. He was treated as something of a celebrity, receiving extensive coverage in the New York papers.[5] A treaty was concluded on August 7, 1790 which, among other things, set definite boundaries for the Creeks, promised an end to hostilities and an exchange of prisoners, and (secretly) made McGillivray a brigadier general with an annual salary of

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[3]Report of the Secretary of State to the President, November 8, 1791, in Clarence E. Carter, ed., The Territorial Papers of the United States (28 vols., Washington, 1934-1950), 4:85-100.

[4]Henry Knox to William Blount, January 31, 1792, in Ibid., 4:115-117.

[5]New York Daily Advertiser, July 22, 1790; August 4, 1790; August 14, 1790.

$1200. The United States received nothing more than the possibility of future trade relations and a promise of peace, which was sufficient for the moment.[6]

Although the Treaty of New York was concluded before Blount officially began his duties, his authority as Indian Superintendent did include the Creek Nation, as well as the Chickasaw and Choctaw tribes living along the Mississippi River. In addition, he was responsible for maintaining peaceful relations with the Cherokee Indians, who occupied lands along the tributaries of the Tennessee River to the immediate south of the territory. Admittedly, the Treaty of Hopewell had already been signed with the Cherokee in November of 1785, but its provisions had often been ignored by both sides. The most flagrant violation existed south of the French Broad River, where extensive encroachments by white settlers had taken place on lands supposedly guaranteed to the Cherokee. Despite the promises of peace contained in the Hopewell Treaty, raids and harassment by the Indians had continued (along with the occasional retaliation by the settlers), and it was apparent that some revision of that document was required.

Accordingly, among the earliest instructions which Secretary of War Henry Knox sent to the new Governor was a

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[6]Walter Lowrie and Arthur St. Clair Clarke, eds., American State Papers, Class II, Indian Affairs (2 vols, Washington, 1832), 1:81-82; John Walton Caughey, McGillivray of the Creeks (Norman, OK, 1959), 40-45.

directive to arrange a conference with the Cherokee and reaffirm or revise the boundaries of the Cherokee Nation as stipulated in the Hopewell Treaty. But he soon discovered that Blount's "idea of a boundary [was] materially different from the one suggested in his instructions."[7] Indeed, Blount proposed that the Treaty of Hopewell be replaced with a new treaty which would have the Cherokee cede large portions of their lands to the United States, possibly as far south as the Muscle Shoals region on the Tennessee River.[8] Although not entirely opposed to the idea of a new treaty, Knox was decidedly uneasy about the "grasp as is proposed by Governor Blount," and citing the possible adverse repercussions from the other southern tribes, the Secretary of War recommended against it.[9]

Despite Knox's misgivings, Blount proceeded on the assumption that he would produce a new treaty. He accordingly issued invitations to the Cherokee chiefs to meet with him at White's Fort, the future site of Knoxville. But he soon discovered that the process of negotiating with the Cherokee would not be a simple task. Continuing raids and retaliations, for example, posed a serious threat to the conference. The

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[7]Henry Knox to George Washington, March 10, 1791, in Carter, Territorial Papers, 4:50-51.

[8]Lowrie and Clark, ASP, 203-206.

[9]Henry Knox to George Washington, March 10, 1791, in Carter, Territorial Papers, 4:50-52.

Cherokees were particularly concerned, because they believed that settlers in pursuit of raiders sometimes failed to distinguish between their intended targets and any peaceful hunting parties they might encounter. One such incident took place in the spring of 1791, when Colonel James Winchester of Sumner county attacked what James Robertson described as "a friendly Camp" and killed one of its members. Intervention by Robertson, however, convinced the nearest relations of the dead Indian that he had "died like a man and not by him self" and they were therefore "willing to put it of[f] till after the treaty."[10]

A more serious threat occurred on March 26, when a group of thirty-two adventurers and would-be settlers departed from the territory, sailing down the Tennessee River with the intention of establishing themselves at Muscle Shoals. A settlement at this location, where shallow waters required a portage at certain times of the year, had long been the dream of many individuals, including William Blount; but this group, with a dubious grant from the state of Georgia and led by the determined Zachariah Cox, was the first to make the attempt. Despite his earlier support for such a settlement, Blount now recognized the threat which these individuals represented to his treaty. The Cherokee were already disturbed by encroachments along their borders and their probable reaction to this

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[10]James Robertson to Daniel Smith, June 6, 1791, in Ibid., 4:59.

newest incursion deep within their lands was the cause of some concern. Blount also retained some hope that the Indians might be induced to cede the Muscle Shoals region at the upcoming treaty, but knew they would not do so if Cox and his companions were settled there prior to the negotiations. Earlier encroachment attempts had resulted in presidential proclamations forbidding settlement in Indian lands. Blount now attempted to enforce these and seemed genuinely concerned about the possible consequences of Cox's expedition: "What opperation the Conduct of these People may have on the Treaty," he worried, "is impossible for me to tell."[11] But Cox's enterprise was short-lived; he and his companions arrived at the Shoals and built a blockhouse but were immediately faced with the probability of an overwhelming Indian attack. Outnumbered, they decided to continue down the Tennessee and their threat to the treaty was averted.[12]

In addition to these problems, Blount was forced to counteract his own reputation as a successful (some would say greedy) land speculator. The columns of newspapers as far away as New York carried letters complaining that "the person appointed to conduct the business" between the Cherokee and the United States was "so deeply interested in land specula-

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[11]William Blount to Daniel Smith, April 17, 1791, in Ibid., 4:55-57.

[12]James G. M. Ramsey, The Annals of Tennessee to the End of the Eighteenth Century (Kingsport, TN, 1967 [1853]), 549-551.

tion."[13] Closer to home, Andrew Pickens, whose South Carolina plantation of Hopewell had been the scene of the earlier treaty with the Cherokee, now warned that tribe that William Blount "loved land, and would have all their lands."[14]

But it was the traders and other non-Cherokees who resided within that nation that presented Blount with his most serious obstacle to a treaty. Many of these people were Spanish sympathizers with decidedly anti-American sentiments who spread rumors among the Cherokee, leading them to believe that the real objective of the conference was to kidnap or kill the influential chiefs who would attend. Blount was forced to dispatch individuals of influence - including James Robertson - into the Cherokee nation to counteract these rumors. Even at this early stage of his administration, however, Blount was making contacts of his own among the Cherokee. One such individual was Joseph Martin, a trader who lived in the nation. When Blount received information that Bloody Fellow and John Watts, two influential chiefs, had somehow been offended, he wrote to Martin that he was "very sorry for the Offence" and "at a loss how to remove it." Aware of his own limitations, Blount also noted that "if I was to write to them I do not suppose it would have any good Effect." He therefore solicited Martin's assistance in convincing the

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[13]New York Daily Advertiser, July 15, 1791.

[14]Masterson, William Blount, 198.

chiefs that "no offence has been intended" and he urged Martin to "assure the Indians in the strongest Terms of good Treatment."[15]

Another trader, John Whitney, arrived at the treaty grounds and discovered that "the Indians appeard timmid and backward in cumming forward," because "some evil minded persons had indeavourd to impress on the minds of the Indians that he [Blount] had no Authority from Congress and that his intentions was, to call them together- that the white people might kidnap them[.]" Whitney's influence with the chiefs was also enlisted; and after six days among the Indians and "much difficulty," he was able to convince the chiefs that the rumors were untrue and that Blount's authority was genuine. His success was made easier, however, after Blount had demonstrated his authority by having three of the "evil minded persons" arrested and "confined to the stocks."[16]

As a result of these efforts, Blount was eventually able to meet with over 700 representatives of the tribe, including several (but not all) of the influential chiefs. The two sides first came together on June 23, 1791 and it was obvious that both the Governor and the Cherokees seemed eager to make an

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[15]William Blount to Joseph Martin, June 16, 1791, in Philip M. Hamer, ed., "Letters of Governor William Blount," The East Tennessee Historical Society's Publications, 4(1932): 122-137.

[16]John Whitney to William Lytle or Absolom Tatum, June 28, 1791, William Lytle Papers, Southern Historical Collection, University of North Carolina, Chapel Hill.

impression. Blount, attired in what Ramsey called "full dress," which included a sword and military hat, received the Cherokee with the type of military flourish and ceremony to which they had become accustomed in their relations with the British. The Cherokee reciprocated with a performance of the "Eagletail dance" which, according to Whitney, had not been performed for a white audience since the days of the Revolution.[17]

The atmosphere became much more serious, however, when Blount announced his intentions to the chiefs. Despite the initial unwillingness of the Cherokees to negotiate a new treaty, Blount was finally able to produce such a document on July 2, 1791. Although he was unable to convince the chiefs to part with any lands near the Muscle Shoals region, the Treaty of Holston did contain promises of good will and peace between the two cultures and an agreement to exchange prisoners at a future date. Additionally, the Cherokees agreed to allow safe passage for travellers through the wilderness and on the Tennessee River. More important, Blount was able to convince the chiefs to part with their claims to the land south of the French Broad, despite the fact that some of the chiefs had apparently been led to believe that the United States was prepared to remove the settlers from that disputed area. As compensation for this concession, the Cherokee were

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[17]Ibid.; Ramsey, Annals of Tennessee, 554-557.

to receive "useful implements of husbandry" to assist them in reaching a "higher degree of civilization," as well as an annual payment of $1000.[18]

The New York Daily Advertiser reported the signing of the Treaty of Holston in its edition of August 10 and concluded with the observation that the Cherokee "are now entirely satisfied with the liberality of the United States."[19] But while a good representation of Cherokee chiefs had indeed signed the treaty, some of them were clearly not "entirely satisfied" with its terms. Their dissatisfaction increased sharply when the tribe received its copy of the Holston Treaty; according to the chiefs, the final document included some provisions to which they had not given their consent at the treaty grounds. The tribe therefore determined to send six influential chiefs with their grievances to Blount's superiors. These delegates arrived unexpectedly in Philadelphia in January of 1792. Although initially surprised, Knox was not averse to meeting with them, for he was anxious to discuss the possibility of using some Cherokee warriors in the army fighting the northern tribes. The Secretary of War had earlier expressed such an idea to Blount, who revealed some skepticism. But with the Cherokee chiefs in Philadelphia, Knox now reminded Blount of "the importance of having some or

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[18]Carter, Territorial Papers, 4:60-66.

[19]New York Daily Advertiser, August 10, 1791.

all of the southern tribes with our troops in the field," since "their passion for war will constrain them to join the other side if they do not ours."[20]

It was instead the Cherokees who set the agenda for the conference, which was primarily devoted to the Cherokee request to revise some aspects of the Holston Treaty. The most significant of these revisions increased the annual stipend to $1500 since, according to one of the chiefs, the $1000 which Blount had promised was so small that it "would not buy a breech clout for each of my nation," and far less than McGillivray and the Creeks had received "for a worse tract."[21]

The chiefs also indicated to Knox that they felt they had been misled or at least intimidated by Blount at the Treaty of Holston. Accordingly, one of their requests was that "a person of reputation should be commissioned . . . to reside in the Cherokee nation, who should at once be their counselor and protector."[22] In response to this appeal, Leonard Shaw was appointed as Deputy Agent to the Cherokee. Knox seems to have been impressed with his selection of Shaw and described him to Blount as a "worthy young gentleman . . . who from the purest motives is desirous of being employed in the Indian

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[20]Henry Knox to William Blount, January 31, 1792, in Carter, Territorial Papers, 4:115-117.

[21]Lowrie and Clark, ASP, 203-206.

[22]Henry Knox to William Blount, January 31, 1792, in Carter, Territorial Papers, 4:115-117.

department." In addition, Knox pointed out that Shaw was "amiable and well informed and has been educated at Princeton college" and therefore, Knox concluded, "this opportunity has been given him for the exercise of his talents."[23]

Thus satisfied, the chiefs returned home in April accompanied by Shaw and "loaded with presents" which, according to Blount, amounted to over $5000.[24] Knox was likewise satisfied with the results of the Philadelphia Conference but he was also aware of the attitudes which prevailed towards the Cherokee among some of the citizens of the Southwest Territory. In order to avoid any incidents, Knox at first decided to send the chiefs home through Charleston, the same route by which they had arrived. But as the cost of their visit was already approaching $10,000,[25] he decided on the cheaper route through the Southwest Territory. Blount was carefully and specifically instructed to insure that the chiefs were "shielded from all insult, or injury" as they returned home through his government.[26] Such fears, however, were not realized; the chiefs arrived in Knoxville on April 21 and left two days later for Coyatee, where a general

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[23]Ibid.; Knox to Blount, February 16, 1791, Ibid., 4:118-119.

[24]William Blount to James Robertson, April 1, 1792, ibid, 4:132-136. Blount to Daniel Smith, April 27, 1792, ibid, 4:143-145.

[25]Ibid.

[26]Knox to Blount, February 16,1792, ibid., 118-119.

meeting of the tribe was to be held for the purpose of disbursing the goods which had been brought from Philadelphia.[27] The Knoxville Gazette reported that they were "generally treated with civility & attention" as they travelled through the territory.[28]

In a further effort to solidify the good relations between his people and the Cherokee, Blount decided to attend at Coyatee for the dispersal of the goods, arriving there a month later. He was well received by the Indians, who flew the flag of the United States in his honor. The first day was spent in the "seasonable drinking of whiskey", which necessitated a second day devoted to recuperation. On the third day, Blount delivered an address to the assembled tribesmen. He first responded specifically to some of the complaints raised by the chiefs in Philadelphia concerning his conduct at the Holston Treaty, and also clarified some points contained in the treaty. The Indians seemed impressed and promised to formulate a reply from the Cherokee council meeting which was scheduled to convene at Estanaula on June 23.[29]

At least one of the participants in the Coyatee Conference was not impressed, however; Leonard Shaw, in his

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[27]Blount to Smith, April 27, 1792, ibid., 4:143-145.

[28]Knoxville Gazette, May 5, 1792.

[29]Lowrie and Clark, ASP, 267-268; Masterson, William Blount, 222-224.

first official capacity as deputy agent to the Cherokee, observed that some aspects of the Governor's actions did not coincide with those "purest motives" which, according to Knox, had induced him to serve in the Indian department.[30] But if Shaw was disillusioned with some of the actions of the Governor, Blount was similarly unimpressed with the new deputy agent. "It is to be lamented," he wrote to Robertson, "that Mr. Shaw has no sort of influence with the nation, and I believe I may truly say with no individual resident in it." As a final insult, Blount added that Shaw, who had quickly married into a Cherokee family, "is even the ridicule of his ugly Squaw."[31]

Blount was nonetheless optimistic about the "appearances of peace and friendship" which he perceived at the Coyatee Conference, and confident that the ensuing Estanaula Conference, which would be attended by a number of his supporters, would further strengthen relations with the Cherokees.[32] The Governor was thus able to turn his attention to the Chickasaw and Choctaw, whose continued friendship was equally crucial. Blount's request to arrange a conference with those tribes was approved by Washington and scheduled to be

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[30]Ibid., 224.

[31]William Blount to James Robertson, May 26, 1792, in "Correspondence of Gen. James Robertson," The American Historical Magazine, 2(1897): 63-66.

[32]Ibid.

held at Nashville on or around the first of June 1792.[33]

Once again, however, Blount was confronted with complications. In this case, the primary problem involved the presents which were considered necessary for any negotiations with Indians. As Blount would later remark, "it is next to impossible to preserve their friendship without occasionally bestowing some presents,"[34] and in this instance he was sent over $8000 worth of merchandise for that purpose.[35] The transportation of such a large amount of goods to Knoxville was slow and, as Blount wrote to Robertson, "when here Heaven knows how they are to be got to Nashville."[36] As there was not yet an adequate wagon road through the wilderness, the preferable route would be down the Tennessee River; but an "uncommon drought" had significantly lowered the water levels and might present a danger to the heavily-laden boats.[37] Even more alarming was the fact that, despite the recent treaties of friendship with the Cherokee and Creek, some small-scale attacks continued. More specifically, Blount had received

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[33]Henry Knox to William Blount, March 31, 1792, in Carter, Territorial Papers, 4:131-132.

[34]William Blount to Henry Knox, November 10, 1794, ibid., 4:364-370.

[35]Henry Knox to William Blount, April 22, 1792, ibid., 4:137-142.

[36]William Blount to James Robertson, May 8, 1792, in "Correspondence of Gen. James Robertson," AHM, 2(1897): 59-61.

[37]William Blount to Henry Knox, July 4, 1792, Carter, Territorial Papers, 4:157-159.

clear warnings from the Chickamauga, whose towns were very near the Tennessee River, that "a boat passing the Tennessee must abide by the consequences."[38] The flotilla of presents, Blount feared, would perhaps offer too tempting a target.

At one point Blount had begun to consider the possibility that he would be forced to use packhorses to get the essential presents through the wilderness to the Cumberland River and then carry them down to Nashville in canoes,[39] but such a measure was ultimately unnecessary. Blount eventually decided that although the low waters might present "some difficulties" for the boats, these problems could be overcome "by the activity of the Crews who are in my opinion uncommonly good."[40] Blount also informed Knox that the Cherokee had agreed to provide an escort for a portion of the journey, and that a part of two militia companies which were being raised in the Washington District for the defense of the Cumberland settlements (where most of the recent attacks had been concentrated) would be transported aboard the boats carrying the presents for the Nashville Conference. Thus the goods would be well protected during their shipment and as Blount pointed out to Knox, who was increasingly showing concern over

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[38]William Blount to James Robertson, May 8, 1792, in "Correspondence of Gen. James Robertson," AHM, 2(1897): 59-61.

[39]Ibid.

[40]William Blount to Henry Knox, July 4, 1792, in Carter, Territorial Papers, 4:157-159.

expenses, transporting the troops by water rather than overland would be less costly.[41] With these arrangements, the boats departed Knoxville on July 2, 1792 with Blount's hope that they would be "unattacked by any party sufficient to take them."[42]

Although Blount had informed Knox that it appeared unlikely "the attempts to raise a company of Cherokees to oppose the Shawaneese will be attended with success,"[43] the Secretary remained optimistic. He instructed Andrew Pickens to accompany Blount to the Nashville Conference to help recruit the Indians and to command the company which Knox still hoped could be raised.[44] Pickens agreed and, along with the Governor, departed for Nashville on the 4th of July, taking the overland route through the wilderness. Upon their arrival Blount discovered that, once again, anti-American agents had been at work among the Indians. In fact, these agents had been so successful among the Choctaw that only a token number of representatives from that tribe attended the

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[41]William Blount to Henry Knox, June 2, 1792, ibid., 4:153-154; Blount to Knox, July 4, 1792, ibid., 4:157-159.

[42]William Blount to Arthur Campbell, July 1, 1792. Draper Manuscripts, 13S40 (microfilm edition), State Historical Society of Wisconsin.

[43]William Blount to Henry Knox, March 5, 1792, in Carter, Territorial Papers, 4:129-130.

[44]Henry Knox to Andrew Pickens, April 21, 1792, ASP, 251-252.

conference.[45] The Spanish agents enjoyed considerably less success among the Chickasaw. That tribe was factionalized between those who supported the United States and those who favored relations with the Spanish, but the former group, led by Piomingo and described by Blount as "much the stronger party," produced a sizable showing at the Nashville Conference. This "American" party, as they were called, assured the Governor that "in case of a war with the Creeks and Cherokees . . . the Chickasaws would be a party"[46] and there was little reason to doubt this promise; a small contingent of warriors under Piomingo had in fact participated in St. Clair's campaign against the hostile Indians of the Northwest Territory during the previous year. The negotiations which took place from August 7-11 thus did little more than strengthen an already existing friendship; yet it would be a friendship upon which Blount and the United States could "safely rely," as one observer opined, "notwithstanding they are red people."[47]

Even as the Nashville Conference was breaking up, however, Blount was aware that his efforts during the last year and a half had not been entirely successful. In fact, it was reported from the Cumberland settlements that "while the

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[45]William Blount to Henry Knox, September 20, 1792, in Carter, Territorial Papers, 4:172-174.

[46]Ibid.

[47]Knoxville Gazette, September 24, 1792.

talks were actually holding," for the Treaty of Holston, "the Indians Killd nine of Our Citizens and Stole fifty or Sixty head of Horses, and Still Continue their depredations."[48] When confronted with these accusations, the Cherokee first blamed the Creeks, although "they Acknowledged that some of their Young men were with them."[49] The Cherokee also maintained that some of their hostile warriors "had been to the Northward and did not [kn]ow of the Peace."[50]

While the chiefs were able to offer fairly convincing explanations for these transgressions, attacks continued to escalate in the spring of 1792 and citizens of the Territory were losing their lives and their property. Perhaps most discouraging was the evidence which Blount submitted to Secretary of War Knox which implicated the Creeks in the most recent attacks.[51] This was especially disappointing to Blount, for the Creek had been relatively calm since the Treaty of New York. Indeed, as recently as November seven members of that tribe had been fed and had their guns repaired at the home of James Robertson, who reported that they showed "every mark of

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[48]Memorial from the Civil and Military Officers of Mero District to the President of the United States, August 1, 1791, in Carter, Territorial Papers, 4:72-73.

[49]Ibid.

[50]William Blount to James Robertson, September 21, 1791, ibid., 4:82.

[51]Ibid.

frendship, and I can not doubt the Reallity of it."[52]

But the spring and summer of 1792 suggested a very different reality as raids and attacks began to escalate. The source of this recent unrest among the Creek and Cherokee was readily evident to Blount and others within the territory, for they attributed much of the blame to the influence of the new Spanish Governor of Louisiana, Hector, Baron de Carondelet. Carondelet assumed his post in December of 1791 and quickly convinced himself that the restless and energetic settlers in the Ohio River Valley were a threat to Spanish interests. He therefore sought to discourage such settlement by encouraging Indian hostilities. His policy represented an "abrupt departure" from that of his predecessor, Estaban Miro, who had considered the Indians to be "expensive and worthless allies."[53] Nonetheless, Carondelet pursued his new policy; by guaranteeing the Indians all the supplies they would need for their warfare, he was able to score particular success among the Creek and Chickamauga and, to a lesser degree, the Cherokee.

The ability of the Spanish to influence the Indians was, of course, well known to the citizens of the territory. As the attacks became more frequent, for example, the inhabitants of

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[52]James Robertson to Daniel Smith, November 14, 1791, in ibid., 4:102-103.

[53]Arthur P. Whitaker, The Spanish-American Frontier: 1783-1795 (Boston, 1927), 165.

Tennessee County dispatched a petition to James Robertson, requesting that one possible solution would be to send an express to the Spanish commandant at New Madrid, "Setting forth to him that it is his people that does the Mischief in our Country."[54] Other residents of the territory, perhaps less naive, began to suspect that the Spanish were not only aware of what "their people" were doing, but they were actually encouraging it. Andrew Pickens had this fact confirmed to him at the Nashville Conference, where he learned from the Chickasaw that "the Spaniards are using all their influence with the Southern Indians to engage them against the United States." In fact, he continued, there was "no doubt" that the Creek would soon conclude a treaty with the Spanish and be given "a large quantity of ammunition for the purpose of going to War."[55]

A crucial element of the Spanish success was their close association with the trading firm of Panton, Leslie and Co. Indeed, Blount rarely complained of the activities of the Spanish without some reference to "their Instrument Mr. Panton."[56] William Panton, a Scotsman living in Georgia, had been a British sympathizer during the Revolution when his

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[54]Petition of Tennessee County to James Robertson, February 1, 1792, in Carter, Territorial Papers, 4:117-118.

[55]Andrew Pickens to Charles Pinckney, September 13, 1792, in ibid., 4:169-170.

[56]William Blount to Henry Knox, November 8, 1792, in ibid., 4:208-216.

lands were designated for confiscation and he was forced to flee to Spanish Florida. Along with Robert Leslie, he opened a successful trading firm. Shortly after the war, he arrived at a unique arrangement with Spain which allowed him to retain his British citizenship and, more importantly, his British business connections while supplying the Spanish government with the necessary tradegoods for their relations with the Indians. The company had stores in St. Marks, Pensacola and Mobile and, thanks in part to the policies of Carondelet, grew rapidly after 1792; its capital value in 1794 was estimated at $400,000.[57]

Much of this wealth had come at the expense of the citizens of the Southwest Territory and not surprisingly had generated some ill-will towards the trading firm of Panton, Leslie & Co. The Knoxville Gazette, after a spring and summer of raids and attacks, informed its readers that the recent hostilities were certainly due to the influence of Carondolet, but "it is due to Mr. Panton, . . . to add, he has well acted his part!!!"[58] Blount at one point was even led to believe that not only Panton's but Spanish objectives as well were "mercantile rather than national." The financial rewards of a war between the United States and the Southern Indians were obvious for Panton; but Blount suspected that the Spanish were

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[57]Whitaker, Spanish-American Frontier, 38-40, 177-180.

[58]Knoxville Gazette, October 6, 1792.

also "interested with Panton in trade." This possibility was, at least for Blount the businessman, one more explanation for the Spanish continuing to "cherish and support . . . a refugee Tory . . . whose interest and inclination is to keep the southern Indians more or less in a state of warfare with the United States."[59]

Another disruptive element among the southern Indians was the occasional white adventurers, most notably William Augustus Bowles. Initially supported by a group of merchants jealous of Panton's monopoly over the Southern Indians, this onetime soldier, painter and actor now envisioned himself at the head of a confederacy of the southern Indians. He eventually achieved a significant degree of influence among the Creeks and, to a lesser extent, the Chickamauga. In the fall of 1791 he had generated enough support to challenge the authority of Alexander McGillivray, suggesting that the chief's signing of the Treaty of New York represented a capitulation of Creek interests to the United States government or, worse yet, to the land companies intent on acquiring Creek lands.[60] The rise of Bowles was obviously a threat to the Spanish, for they depended heavily on their relationship with McGillivray; but the United States also

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[59]William Blount to Henry Knox, May 23, 1793, in Carter, Territorial Papers, 4:259-261.

[60]J. Leitch Wright, Jr., William Augustus Bowles: Director General of the Creek Nation (Athens, GA., 1967), 58-60.

discovered that Bowles' influence was such that he was able to prevent the running of the Creek boundary line as stipulated by the Treaty of New York. Both governments were therefore pleased when he was captured by the Spanish in April of 1792. The erroneous reports of his "death by hanging" which subsequently appeared in several newspapers, including the Knoxville Gazette, were little more than wishful thinking; he was instead exiled to the Philippines.[61] But his disruptive efforts, followed by McGillivray's death in February of 1793, left the Creek nation without effective leadership and more susceptible to the aggressive directives of Carondelet.

In addition to these external forces, there were also important internal factors at work among the Indian tribes which served to stimulate hostilities. One of these was a traditional toleration--and in some cases encouragement--of individual or collective acts of war, even when formal treaties existed. An influential chief might be persuasive enough to prevent most of the young men in his town from raiding the white communities, but if some of them chose to do so, their actions were not necessarily condemned or judged to be "illegal." Blount explained this concept to his superiors as a "want of Government both in the Creeks and Cherokees." The result, he maintained, "is such that all the Chiefs in either nation can neither restrain nor punish the

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[61]Knoxville Gazette, November 17, 1792; Wright, William Augustus Bowles, 60-70.

most worthless fellow in it from nor for a violation of the existing treaties let the enormity of it be ever so great."[62] This fact was emphasized by the Knoxville Gazette when the death of Alexander McGillivray was reported. He called himself "King of Kings," said the paper, but was "unable to restrain the lowest fellow from committing atrocities or to punish the fellow afterwards . . . . He might persuade or advise- all the good an Indian King or Chief can do."[63]

Indeed, social advancement within the tribes had traditionally been associated with the opportunities for recognition which warfare provided. Daniel Smith noted this fact and attributed it to "Their mode of education," which, he said, teaches them "that not one of their nation can distinguish himself but by feats of war."[64] The Cherokees had told the earliest visitors to their country that war was their "beloved occupation" and they could not live without it.[65] Some of the warriors of the Cherokee as well as the Creek were apparently still finding it difficult to live without war in the 1790s.

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[62]William Blount to Henry Knox, Nov. 8, 1792, in Carter, Territorial Papers, 4:208-216.

[63]Knoxville Gazette, April 20, 1793.

[64]Daniel Smith to Thomas Jefferson, October 27, 1792, in Carter, Territorial Papers, 4:198-199.

[65]John Haywood, The Natural and Aboriginal History of Tennessee up to the First Settlements Therein by the White People in the Year 1768, Mary U. Rothrock, ed. (Jackson, TN, 1959 [1823]), 222.

For many of the southern Indians, the war against the settlements of the Southwest Territory represented more than restless young men seeking social advancement; in many cases it was a question of survival. Several southern tribes, including the Creek and Cherokee, had traditionally regarded the region of the Cumberland River as common hunting grounds and the white settlers around Nashville were thus viewed as intruders. The Chickamauga, after their establishment near the area below present-day Chattanooga, were particularly reliant on the hunting in the Cumberland River valley and even more concerned that the growing white population would eventually destroy the game on which they depended.

For other tribesmen, the settlements of the Southwest Territory represented a potential source of wealth; they conducted raids for the purpose of stealing horses. In fact, as Blount explained to Knox, "Horse Stealing is the grand Source of Hostility between the white and red people in this district." As proof, the Governor offered the testimony of one of his informants living in the lower towns of "looked out mountain and running water" who had witnessed 60 Creeks returning from north of the Tennessee River, all mounted on stolen horses.[66] And, in the event that the Secretary of War should doubt that these horses actually were stolen, the Governor added that "People who are accostumed to See horses

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[66]William Blount to Henry Knox, May 5, 1792, in Carter, Territorial Papers, 4:148-149.

raised by the Indians can distinguish them generally from those raised and fed by the whites as they can an Indian from a white man."[67]

But the Indians were motivated by more than the "fondness of riding fine, stolen horses," which the Knoxville Gazette suggested.[68] As Blount explained to Knox, there were living among the Creek and Cherokee "White people . . . and the Half Breeds who are numerous and mostly traders." It was these individuals, he said, who "encourage the Indians to steal Horses from the Citizens of the United States to the end that they may purchase them." Once these raiding parties returned to their nation with the stolen horses, Blount continued, "those who encouraged the stealing of them become the purchasers of them and shortly after knowing the quarter from whence they were taken carry them out of the nation in a different direction and sell them at a great profit."[69] Such easy profits were an obvious motivation for horse theft, but Knox perhaps simplified the situation best when he noted in a report to Washington that the Indians considered the settlers to be "intruders . . . and therefore they have a

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[67]Ibid.

[68]Knoxville Gazette, September 24, 1792.

[69]William Blount to Henry Knox, November 8, 1792, in Carter, Territorial Papers, 4:208-216.

right to steal horses and in case of opposition to kill."[70]

This attitude was reflected by the white settlers who fiercely defended their property and in some cases seemed to revel in the death of an Indian. Indeed, in many instances, it appears that the causes for hostilities were incidental; both sides contained elements for whom the conflict had become extended, personal and bitter. Blood revenge had long been a traditional right of the Indian and was quickly becoming accepted as such among many of the white settlers. After more than twenty years of sporadic warfare, many friends and relatives had been lost on both sides, and such animosities were not easily put aside.

One idea which was becoming increasingly easy to put aside, however, was the notion that the power and might of the United States government would overawe the Indians and discourage acts of aggression. The southern Indians were obviously aware that the United States was preoccupied with its war against the Indians in the Northwest Territory and the Knoxville Gazette reported that the Spanish were using this fact to their advantage. Not only were the Spanish providing the Creek and Cherokee Indians with supplies and weapons, the paper reported, but they were also "advising and stimulating them to go to war against the frontier inhabitants of the United States," and they were being urged to do so while the

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[70]Henry Knox to George Washington, July 28, 1792, in ibid., 4:159-161.

United States was "engaged with the northern tribes."[71]

Additionally, the United States Army was doing very little to generate any respect for itself. The campaign against the northern tribes had already suffered a setback in October of 1790 with the defeat of General Josiah Harmer. A more serious reversal occurred in November of 1791 when a second expedition--this time commanded by Arthur St. Clair, the Governor of the Northwest Territory--was ambushed and routed, suffering over 600 casualties. This last defeat was particularly embarrassing and led some observers--including newly-appointed Spanish Governor Carondelet--to believe that the United States was not capable of militarily subduing the northern or, by inference, the southern Indians. The tribes of the Northwest Territory quickly attempted to capitalize on this success and Blount believed that the "alteration of sentiment and conduct" among the Cherokee was at least partly due to "their intercourse with the Creeks and Shawaneese since the defeat of General St. Clair."[72] In a less formal letter to James Robertson, Blount seemed even more concerned: "This unfortunate Affair with General St. Clair," he wrote, "has in my opinion made Attention to the Indian more indispensably

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[71]Knoxville Gazette, October 6, 1792.

[72]William Blount to Henry Knox, March 5, 1792, in Carter, Territorial Papers, 4:129-130.

necessary than heretofore."[73] The situation was not yet critical, but as Blount later admitted, "One more defeat . . . will make our situation a very disagreeable one."[74] Andrew Pickens was likewise aware of a more belligerent attitude among the Creek and Chickamauga. Admittedly, he said, the problems with the Indians are "of an old date," but they were now being intensified by the "misfortunes in the northern Campaigns the last two years." The best solution would be a "vigorous campaign" against the Creek, he concluded, since treaties would prove ineffective until that nation was "chastized by the Arm of Government."[75]

Blount had in fact been led to believe that the "arm of government" would eventually be extended on behalf of his government. Secretary of War Knox informed him in August of 1791 that the northern campaign had prevented any troops from being sent to the Southwest Territory, but the Secretary believed that "immediately after the expedition . . . one or two [companies] could be spared."[76] Blount passed along this welcome news to his subordinates, telling Robertson that "It

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[73]William Blount to James Robertson, January 2, 1792, in ibid., 4:108-109.

[74]William Blount to Arthur Campbell, July 1, 1792, Draper MSS, 13S40 (microfilm edition), State Historical Society of Wisconsin.

[75]Andrew Pickens to Charles Pinckney, September 13, 1792, in Carter, Territorial Papers, 4:169-170.

[76]Henry Knox to William Blount, August 18, 1791, ibid., 4:76-77.

is my opinion that some of the [troops] now over the Ohio in Service will be sent to this Territory and none raised here."[77] By January he was able to inform Daniel Smith that some arms had arrived, more were expected within ten days, and that "Some regular Troops are ordered to this place and probably will be here in this Month."[78] But as the enormity of St. Clair's defeat became obvious, it became equally evident that rebuilding the army and subduing the northern Indian tribes would leave very few federal troops available for service elsewhere. In April Blount learned that the company, originally ordered to the Southwest Territory, had been sent instead to Georgia, since the activities of Bowles among the Creek were causing dissension among that tribe and, as Blount informed Robertson, "the greater danger appeared in that quarter."[79]

In the absence of federal troops, Blount was informed that he must rely on the territorial militia for protection from the steadily increasing Indian attacks. While an obvious threat could be counteracted with whatever force was necessary, Knox still made it clear that two companies should be sufficient under normal circumstances, and informed Blount

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[77]William Blount to James Robertson, Sept. 21, 1791, ibid., 4:82.

[78]William Blount to Daniel Smith, January 6, 1792, ibid., 4:111.

[79]William Blount to James Robertson, April 1, 1792, ibid., 4:132-135.

that the President "requests" he not call up "any excessive number." Additionally, the Governor was instructed that these troops were to be used only "for the defensive protection of your government."[80] Blount loyally supported these directives in the belief that they were only temporary; he carefully instructed his subordinates to ensure that the militia avoid any operations which might be interpreted as offensive, and to "make examples" of any citizens who encroached on Indian lands.[81]

While the policy of employing a limited number of militia for defensive purposes only may have appeared as the best - and perhaps the only - solution available to the federal government, it was not popular with the inhabitants of the territory. On a practical level they believed that once this policy became known to the Indians (as it surely would be), it would actually encourage the tribesmen to engage in raids and attacks, for they would now be free from pursuit as soon as they had returned to their side of the boundary. There were also other consequences of the policy, for the citizens of the Southwest Territory soon came to realize that although they had been compelled to raise a company for St. Clair's campaign

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[80]Henry Knox to William Blount, March 31, 1792, ibid., 4:131-132.

[81]William Blount to James Robertson, January 2, 1792, in "Correspondence of Gen. James Robertson," AHM, 1(1896): 280-281; Blount to Robertson, April 1, 1792, in Carter, Territorial Papers, 4:132-136.

in the Northwest Territory, there would be no help forthcoming in their own struggle against the southern Indians. Moreover, that struggle was now being restricted to "defensive measures only." Those who would volunteer for offensive campaigns against the hostile Indians were being restrained, and even the popular James Robertson felt the heat of their frustration: an anonymous letter to the General informed him that inasmuch as Robertson had attempted to stop a volunteer company that was "going against the Indians . . . in order to retaliate for the damage they are daily doing us," he was compelled, he told Robertson, to wish the volunteers "great success and you gone hence and a better in your room."[82]

This federal policy was obviously the result of a variety of factors, but with its implementation can be seen the first awareness among the citizens of the Southwest Territory that their new territorial designation had not significantly altered their status within the federal government. Indeed, they were increasingly coming to believe that their problems were being ignored and they themselves were being abandoned or even sacrificed by federal authorities. This was admittedly not a new attitude in the Cumberland settlements: a letter to the editors of the New York Daily Advertiser in September of 1790 had expressed displeasure with the recent Treaty of New

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[82]"A Citizen of Mero District" to James Robertson, July 10, 1792, in "Correspondence of Gen. James Robertson," AHM, 2(1897): 68-69.

York, particularly the provision that prisoners be exchanged in Georgia instead of Cumberland. This was an indication, claimed the letter, of the type of treatment which the Cumberland settlements might expect from Congress in the future.[83]

Nor was this attitude confined to the Southwest Territory: a citizen from the Northwest Territory, writing to the same paper, found it "astonishing" that the United States, which had successfully settled issues of government and finance, "should have failed in that easy part of government, the protection of its frontiers."[84] But in the Northwest Territory, the government seemed at least to be taking measures (albeit unsuccessful ones) to alleviate the problems experienced by the inhabitants there, while the attacks taking place to the south were seen by the federal authorities as "mischief" carried out by a few "banditti." For the people of the territory, however, the constant attacks with their accompanying deaths and property loss represented much more than mischief, and they were beginning to "entertain an opinion," as Robertson claimed the Indians did, "that the United States are not warmly interested for our wellfare."[85]

Nonetheless, Blount's orders were quite clear: the only

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[83]New York Daily Advertiser, September 17, 1790.

[84]Ibid., June 13, 1791.

[85]James Robertson to William Blount, August 25, 1791, in "Correspondence of Gen. James Robertson," AHM, 1(1896): 191.

immediate defense against the increasing number of Indian attacks would be the territorial militia. Their organization, like the county governments they protected, was based on the precedents of North Carolina statutes as well as practical experience.[86] Each county was divided into the "bounds" of the various militia captains who were expected to requisition the men under their command when required. The total strength of a company usually averaged around seventy officers and men; and if the entire strength of a county were called up, a sizable contingent could be produced. A general muster of the Knox County militia, for example, as reported by the Knoxville Gazette, brought together an effective force of "one thousand and eight, well-equipped with arms; mostly good rifles."[87]

The cost of mobilizing such a force for field duty, however, would have been prohibitive. Instead, the minimum number of troops which could adequately meet the threat was called up, sometimes from several different companies and in units as small as ten to fifteen men. The length of service could likewise vary in proportion to the immediate need; one month was generally recognized as the limit beyond which effectiveness was jeopardized, but some companies were kept in the field for ninety days. Each militiaman received the

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[86]"An act for the establishment of a MILITIA (passed by the general assembly of North Carolina, at Fayetteville, 1786 --Published at the request of several of our readers.)" Knoxville Gazette, April 21, 1792.

[87]Ibid., March 27, 1795.

same rate of pay as that received by regular troops, six and two-thirds dollars per month,[88] as well as his ammunition. But, as Knox informed the Governor, "the President was . . . not authorized to allow the militia any clothing"[89] and most militiamen were dressed like John Davis of Sullivan County in a "pair of homemade overalls and a white hunting shirt."[90]

The soldiers were at first required to provide their own rations, for which they would be reimbursed at the rate of eight cents per day, with officers entitled to double that amount. Provisions were eventually provided by private contractors, but only after some complaints had arisen, such as that voiced by Colonel James Winchester, who claimed that a soldier had enough to do without "running about half the time after provisions." The men were understandably willing to do this, he noted, since "it furnishes them with an excuse to leave their duty, [and] . . . they may get a little more wages for doing less real service."[91]

As this complaint implies, members of the militia were not always enthusiastic about leaving their families and

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[88]Andrew C. Holt, "The Economic and Social Beginnings of Tennessee," Tennessee Historical Magazine, 7(1922): 269.

[89]Henry Knox to William Blount, March 31, 1792, in Carter, Territorial Papers, 4:131-132.

[90]Knoxville Gazette, November 23, 1793.

[91]James Winchester to James Robertson, August 13, 1793, in "Correspondence of Gen. James Robertson," AHM, 2(1897): 369-370.

businesses. Service was technically mandatory and a draft could be authorized if necessary, but even then exemptions and substitutions were often allowed. Unless there was an immediate threat the process of raising militia for service could be difficult. On one occasion, Blount was forced to admit to Robertson that a detachment of less than twenty men which was to be sent to Mero would arrive later than expected, due to delays in recruitment. When the commander of this small force finally did depart Knoxville, he was still understrength and Blount could only hope that Robertson would "have address enough to induce Volunteers to join him to make up his number."[92] Even when troops had been raised, it was not always certain that they would remain at their posts; in one instance Blount found it necessary to remind Robertson that "no man is to draw pay or receive rations who is not actually in the field altogether unconnected with his domestic business."[93]

Despite such problems with enlistment and provisions, the militia was generally an effective fighting force when given the opportunity, even if their tactics were not in the best military tradition. William Martin, a participant in the Indian wars of the territorial period, would later recall that "In those wars, military etiquitte was but little observed--

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[92]William Blount to James Robertson, July 21, 1794, ibid., 3(1898): 353-354; Blount to Robertson, July 28, 1794, ibid., 354-355.

[93]William Blount to James Robertson, October 27, 1792, ibid., 2(1897): 82-84.

the great matter was, to get men into the field, and when fighting came on, everyone fought for himself; officers and all." But if the officers issued few orders in the heat of battle, Martin would still remember their crucial role. The best officers, he said, "were those that fought best: a good deal like the Indians, leaders rather than commanders." In fact, he continued, any failure on the part of an officer to lead in this fashion "would be marked as cowardice, and the officer cashiered, not by a court martial but by acclamations."[94]

Despite this effectiveness on the part of the militia, the nature of the "defensive measures only" policy meant that they were not generally called up until after an attack had taken place. The role of the militia was thus limited to the pursuit of raiders or sometimes garrison duty in the several blockhouses and stations on the frontiers of the territory. Scouts, or "spies," would range into the borderlands in small groups of as few as two, looking for traces of Indian activity. In situations where Indian activity had been frequent or was expected, the militia would patrol in advance of the settlements, hoping to intercept the Indians in their approach, or scour the woods in something similar to "search and destroy" missions, seeking out the base camps from which

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[94]William Martin to Lyman Draper, July 7, 1842, Draper MSS, 3XX4, SHSW.

raids were being launched.[95]

While the militia might occasionally discover an Indian camp, or overtake a raiding party, pitched battles were not common in the Southwest Territory. Instead, it was the isolated individual or family which most often confronted the Indians, for the tribesmen preferred to attack in small parties of ten to twenty (although this number could--and did --vary widely), and to hit isolated targets where they might be reasonably assured of success. Even a force as large as 600 Creek warriors, which had reportedly crossed the Tennessee in the spring of 1793 and was heading for the settlements, might appear "alarming", said Blount, until "it is recollected that their mode of warfare is never to risque their persons."[96] Thus the typical target was the isolated homestead (preferably where there were few or no male members), the farmer plowing his fields or searching for stock in the woods, the express rider travelling alone through the countryside, or the child who had wandered too far from home.

Such attacks, including incidents of horse theft, could number as high as ten to fifteen per month during the most intense periods of Indian activity and take place at any point

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[95]Thomas Lawrence Connelly, "Indian Warfare on the Tennessee Frontier, 1776-1794: Strategy and Tactics," ETHS Publications, 36(1962): 3-22.

[96]William Blount to James Robertson, April 14, 1793, in "Correspondence of Gen. James Robertson," AHM, 2(1897): 359-361.

within the territory, although the larger portion was directed at the Cumberland settlements. They were carried out suddenly and with little mercy for the victims; scalping was standard and mutilations not uncommon, provided there was an opportunity for doing so in safety. Occasionally the Indians would take captives, knowing that ransom was a distinct possibility. The Knoxville Gazette, for example, reported the ransom of "young Gillespie" at "two hundred and fifty pounds of leather (equal to eighty-three dollars and thirty-three cents) and a fifteen pounds sterling horse."[97] If ransom was not the immediate objective, however, the captive might be killed (sometimes following torture) but was more commonly kept alive and treated as a slave. Treatment of captives could vary widely; Alice Thompson, who was held captive in the Creek nation for two years, was purchased soon after her arrival by a white trader for the equivalent of $266.66 in deerskins and thereafter treated fairly well. But another captive, a Mrs. Caffrey of Nashville, was not so fortunate. In addition to being constantly forced to perform menial tasks, she was "frequently scratched and torn with Gar-Teeth, by way of punishment."[98] By the end of 1793 there were reportedly twenty-two known captives (although many more were suspected) living in the Creek Nation, "who are being treated as slaves, and

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[97]Knoxville Gazette, October 6, 1792.

[98]Ibid., October 11, 1794.

sold from master to master, at as high a price and in the same manner as negroes are sold."[99]

The people of the Southwest Territory were not unfamiliar with the tactics and characteristics of Indian warfare. Indeed, Indian hostility on the southwestern frontier had been more or less constant since the earliest settlements. But the transition to federal authority had raised some hope that the Indian problem could be solved, perhaps through the treaty process, but if not, then through military might. The spring of 1792 brought with it a noticeable increase in Indian activity, clear evidence to the citizens of the territory of the inadequacies of the treaty process. And, with the hesitancy of the War Department to employ its military might in the southwest, the early optimism which had accompanied their new territorial status was quickly dissipating.

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[99]Ibid., December 19, 1793.

Chapter Four

"We Shall Hav a Bloodey War": The Spread of Hostilities, 1792-1794

Despite the best efforts of the War Department to negotiate peace with the southern Indians, raids and attacks had clearly begun to intensify by the spring of 1792. Most hostilities were conducted by the Creek and the Chickamauga, with some involvement from the upper towns of the Cherokee and even occasional participation from the Shawnee and other northern tribes. As early as February, some citizens of Tennessee County recognized that they had "much to Dread from the Indians as the Spring Season Approaches; The Recent Murders & ravages Committed by them on our Frontiers," they said, "too evidently proves their Intentions on this quarter."[1]

An article in the Knoxville Gazette confirmed these fears the next month, reporting that the lower towns of the Chickamauga were apparently set to join the Shawnees and Creeks in hostilities against the United States. These towns, the article noted, were "all quite detached from the other towns of the Cherokee, being divided by the Chatanuga Mountain." By aligning with the Creek they had further

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[1]Petition of Tennessee County to James Robertson, February 1, 1792, in Clarence E. Carter, ed., The Territorial Papers of the United States (28 vols., Washington, 1934-1950), 4:117-118.

separated themselves from their kinsmen, for the article said that the Little Turkey, Principal Chief of the Cherokee, was "not happy with these towns and forbids his nation from interacting with them."[2] In April the Gazette printed a letter from Cumberland which said that the Indians had "commenced hostilities against this country upon every quarter."[3] As attacks also began to increase in Holston, Blount reacted by calling up additional militia until he had authorized five companies--around 350 men--on active service by the first of June.[4] Knox was not particularly pleased with this decision on the part of the Governor; five companies, he wrote, "amounted to a pretty formidable force" and should be able to deal with the "banditti" responsible.[5]

Despite this added force, the Indians continued their attacks throughout the summer. The June 26 attack on Zeiglar's Station, in which four people were killed, eighteen captured and the station destroyed, was described in a letter to the Gazette as "the boldest stroke ever made by Indians in this quarter." But the threat of attack had been constant since the end of winter, the writer claimed; so constant, in fact, that

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[2]Knoxville Gazette, March 24, 1792.

[3]Ibid., April 21, 1792.

[4]William Blount to Henry Knox, June 2, 1792, in Carter, Territorial Papers, 4:153-154.

[5]Henry Knox to William Blount, August 15, 1792, ibid., 4:162-164.

"while one man worked, another was obliged to keep centry."[6]

Watching these developments, federal officials sadly concluded "that all the conferences at Coyaette and Estanaula amounted to nothing." As Knox observed, "it is really painful to reflect after all our efforts for peace with the southern Indians, that affairs in that quarter are so critical. It would seem," he continued, "that a few more sparks would light up a pretty general flame." But Knox also warned Blount that such a development would be considered by the federal government, and by the general population, as a "very great, and . . . insupportable evil." Finally, Blount was told that "Everything depends upon your exertions to avert the event of a war, that will be reluctantly entered into and at best but illy supported." [7]

It was generally believed within the territory that the most likely possibility of an Indian war in the South was with the Creeks. These Indians, referred to by one writer as "this savage and faithless tribe,"[8] generally received the blame for the majority of attacks which took place in the spring and summer of 1792. Their frequent hostilities led one resident to claim that "it is an undoubted truth that the Creeks have killed, scalped, captivated and plundered the defenseless

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[6]Knoxville Gazette, August 25, 1792.

[7]Henry Knox to William Blount, August 15, 1792, in Carter, Territorial Papers, 4:162-164.

[8]Knoxville Gazette, August 25, 1792.

citizens of this district, as tho' they had received an annuity for so doing."[9]

But on September 11, Blount sent information to Knox which informed the Secretary of War that "the five lower towns of the Cherokees have declared War against the United States," and a force of around 800 warriors, which included at least 100 Creeks, had left their nation four days earlier apparently bound for Cumberland. Blount had been convinced for some time that the Chickamauga were participating in hostilities, but the unprecedented formality of "This declaration of War," he told Knox, "was very unexpected, and has given great alarm to the Frontiers[.]"[10]

While Blount was obviously surprised by the formality of a declaration of war as well as by the size of the attacking force, he was also chagrined to learn that the leader of the invaders was John Watts, who was described in the Gazette as a "stout, bold and enterprising man, about 40 years of age, the life and spirit of the junior part of the Cherokee nation,"[11] and a man who Blount himself had once called a "Champion for Peace." Watts had only recently assumed leadership of the Chickamauga, and the Governor had firmly believed--and so informed Knox--that Watts was "well attached

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[9]Ibid., September 24, 1792.

[10]William Blount to Henry Knox, September 11, 1792, in Carter, Territorial Papers, 4:167-168.

[11]Knoxville Gazette, October 20, 1792.

to the United States," and would certainly encourage the Indians "to desist from murdering and horse-stealing."[12] Instead, the newly-appointed chief of the Chickamauga was at the head of a large force of invaders with yet another surprise in store. Aware that Blount had informants among his tribe, Watts correctly assumed that the Governor knew the Indian objective to be Nashville and would have it defended accordingly. In an attempt to regain the advantage, he now induced the Glass and Bloody Fellow, two influential Cherokee chiefs, each to write letters to Blount. Both of these chiefs were well known to Blount, particularly Bloody Fellow, who had recently returned from the Philadelphia Conference and had even more recently conferred with Blount at Coyatee. They now claimed to have confronted the warriors and convinced them to stop their invasion, sending them home "to mind their hunting."[13]

As a reasonable amount of time for covering the distance from the Tennessee River to the Cumberland settlements had already elapsed without an attack, the Governor was duped into believing the crisis had passed and immediately instructed Robertson to disband the extra militia called up for the emergency. Robertson, however, was not so easily convinced

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[12]William Blount to Henry Knox, March 5, 1792, in Carter, Territorial Papers, 4:129-130.

[13]The Glass to William Blount, September 10, 1792, in "Correspondence of Gen. James Robertson," The American Historical Magazine, 2(1897): 69-71.

that the Indians had abandoned their campaign; his own informers had in fact told him just the opposite and he chose to ignore Blount's orders to disband the militia.[14]

Nashville was thus well-prepared for an attack which never came, for the cooperation between the various factions of the attacking force was breaking down. This "Difference in opinion as to the mode and place of attack," Blount would later conjecture, "probably was the cause of the delay[.] I know no other way to account for it and it is a rock on which large parties of Indians have generally split when consisting of more than one Nation."[15] Unable to agree on the best method of attacking Nashville, the Indians instead fell on Buchanan's Station, four miles south of their original target, on the night of September 30. But even this secondary objective was not to be realized, for their forces were amazingly unable to capture a station which contained no more than nineteen defenders. After extensive assaults had failed, and John Watts himself had been seriously wounded, the attackers withdrew and the campaign was over.[16]

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[14]William H. Masterson, William Blount (Baton Rouge, 1954), 228-230.

[15]William Blount to Henry Knox, October 9, 1792, in Carter, Territorial Papers, 4:195-197.

[16]Masterson, William Blount, 230; Walter T. Durham, Before Tennessee: The Southwest Territory, 1790-1796 (Johnson City, TN, 1990), 83-84.

As soon as Blount recognized his error, he called up an additional seven companies of militia which put a total of fourteen companies of infantry and one company of cavalry on active service.[17] Blount believed that an offensive campaign against the Indians was now inevitable, but Washington and Knox were reluctant to admit the inevitability of such a drastic step. In a long letter which came very close to an open reprimand, Blount was clearly told that "the extension of the Northern Indian War to the Southern Tribes would be a measure into which the Country would enter with extreme reluctance." Knox still seemed convinced that there was an explanation for the Indian hostilities, particularly their anger towards the Cumberland settlements. He suspected that some sort of encroachment onto Indian lands had taken place, although Blount had denied such charges in the past. Knox still curtly pointed out to the Governor that "the Indians are dissatisfied about the Cumberland business and the President is exceedingly desirous of knowing the cause of it." As to the amount of militia which Blount had called up, Knox continued, it "might at the moment of danger have appeared to be necessary and justifiable by the occasion--But Sir it is of the highest importance that they should not have been retained in service any longer than circumstances rendered indispensible . . . This is a point to which I am directed to

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[17]William Blount to Henry Knox, September 27, 1792, CArter, Territorial Papers, 4:175.

request your serious attention."[18]

Knox further informed the Governor that "it has appeared at this distance that rather a greater force" had been kept in the field than was necessary for "defensive protection," and then, despite his admitted "distance," proceeded to dictate to Blount the number of troops which he was to keep on active duty. One company was authorized for Cumberland, augmented by twelve to fifteen scouts, and for the Holston settlements a similar contingent of scouts to complement a company of regular troops being raised in Salisbury, North Carolina for service in the Southwest Territory. In addition to these troops, Blount was told to expect shipment of some arms and ammunition, as well as two small cannon (although they were without carriages and even if serviceable would not be especially suited to the type of warfare being conducted in the territory). Finally, Blount was challenged to direct his efforts towards understanding the grievances of the Chickamauga, who were described by Knox as "the germ of the evil," and thereby finding a means of pacifying them. This, said the Secretary, would be "a noble field for your talents."[19]

As the news of the continued restraints imposed by the federal government became widely known, Blount was instead

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[18]Henry Knox to William Blount, November 26, 1792, ibid., 4:220-226.

[19]Ibid.

required to expend most of his talents in quieting the frustrations of his fellow citizens. The best means of accomplishing this, from Blount's perspective, would be to remove the shackles of the "defensive measures only" policy. He had earlier warned his superiors of the possible consequences of a continuation of this policy, on one occasion quoting a letter from Andrew Pickens, whose opinion seemed to carry some weight among federal authorities. Indian raids and attacks had become so widespread and alarming, said Pickens, that "If there is not a stop put to it, I know not what the frontier inhabitants may be provoked to do."[20] Blount had also asserted that many individuals within the territory believed retaliation to be an integral part of Indian policy; being restricted to defensive measures was so irritating that "The People even the most exposed would prefer an open War to such a situation[.]"[21]

Now, in the aftermath of Buchanan's Station, Blount continued his efforts to induce some action from the federal government. Hoping to find a sympathetic ear within the administration, Daniel Smith was encouraged to write a detailed letter to Secretary of State Thomas Jefferson. There were, said Smith, no readily recognizable causes for the

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[20]Andrew Pickens to William Blount, April 28, 1792, quoted in William Blount to Henry Knox, May 16, 1792, ibid., 4:150-152.

[21]William Blount to Henry Knox, May 16, 1792, in Carter, Territorial Papers, 4:150-152.

recent Indian attacks; the citizens of the territory had not violated the terms of the Treaties of New York and Holston, nor did the Indians claim any violations had occurred. Indeed, the people of the territory had done their best to insure the success of what Smith described as the "experiment of good treatment to the indians on all occasions . . . fully relying that in case the experiment failed of producing a return of similar good conduct in the Indians that the federal government would in due time redress their wrongs." That time, Smith warned, had now arrived. A "well directed war against the hostile part" of the tribes, he claimed "would be mercy, as it would check the evil before it becomes too general."[22]

Until such time as the government might choose to act, however, Blount attempted to calm the populace through anonymous letters in the Knoxville Gazette which congratulated them on their good conduct since the treaties of New York and Holston, despite the hostile actions of the Indians. Blount also reminded the people that Congress could yet declare war and had not met since the situation in the territory worsened.[23] That the populace of the Territory was becoming restive and unpredictable was obvious. Even before the attack on Buchanan's Station, the people of Holston were described as "much exasperated," needing only "the smallest

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[22]Daniel Smith to Thomas Jefferson, October 27, 1792, ibid., 4:198-199.

[23]Knoxville Gazette, November 3, 1792.

encouragement to turn in upon the [Cherokee] Towns down the river," and it was feared "that nothing but another war with the Cherokees will [satisfy] them."[24] But following the Chickamaugan September offensive, the frustrations of the territory reached the columns of the Knoxville Gazette. William Cocke, no friend of the Blount administration, summed up these feelings in a letter which claimed that the treaty process, or "gift policy" as he called it, was clearly ineffective. Instead, he maintained that "fear is the best and only assurance of the friendship of the Indian" and advocated a "sudden, indiscriminate, well-directed attack on our enemies--I mean the Cherokee Indians."[25]

Not all citizens were so belligerent. Isaac Mayfield and John Campbell of Davidson County, for example, firmly embraced the government's policy of strict defensive measures by drawing up a contractual agreement between themselves for "mutual defense against the common enemy." According to the terms of this contract, Mayfield was obliged to assist Campbell "With all the force or help he can Rouse Within himself Towards Erecting & finishing a good Sufficient block house."[26] Others, however, devised more malevolent means of

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[24]Martin Armstrong to Daniel Smith, August (?), 1792; Tennessee Historical Society Miscellaneous Files, Tennessee State Library and Archives, Nashville.

[25]Knoxville Gazette, October 6, 1792.

[26]Agreement for Mutual Defense, October 29, 1792; THS Misc. Files, TSLA.

defense, as Robertson proudly reported to Blount. The Governor had initially refused to allow the use of scouts, or "spies," due to the comparatively high rate of pay which such dangerous work required. But now, said Robertson, "we have fell on another method to find out Bodys Coming in." As he described it, "a subscription is maid up of upwards of one hundred dolars per skelp, as far as twenty for those that go out for the purpose of makeing discovery of the motions of the indants."[27]

Blount's greatest fear was that the aroused populace would invade the Indian lands in retaliatory expeditions, with or without the blessings of government. While it was generally understood that the Indians responsible for hostilities were Creek and Chickamauga, both of whom lived well to the south of the territory, many citizens refused to make any distinction between hostile and friendly Indians. Generally believed to be among the latter group, the upper towns of the Cherokee were nonetheless viewed with suspicion, particularly when it was rumored that some of the young men of the upper towns participated in raids within the territory. The Creek soon learned to capitalize on these feelings and often returned from their raids through the upper Cherokee towns, placing further suspicion on those Indians. Perhaps more significantly, these towns were situated much closer to the

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[27]James Robertson to William Blount, October 12, 1792, in Carter, Territorial Papers, 4:197-198.

settlements. They were clearly a more convenient target for pent-up frustrations of the frontier settlers who, according to Blount, were "so prejudiced, that they believe every murder is committed by Cherokees, commit it who will."[28]

That the Upper Cherokee should be the target of attack was especially unsettling for Blount, for not only were the chiefs of these towns generally disposed towards peace, they offered Blount a means of communicating with the hostile tribes to the south, and often supplied him with timely information as to the possibility of attack. Understandably, then, Blount used whatever means were available to prevent these excursions, including the issuing of proclamations, coercion from prominent personalities, and even a personal appearance by himself when necessary. One such incident took place in early November of 1792 when the trail of a Creek raiding party led their pursuers towards the Cherokee towns of Chilhowee and Talasse. A force of over fifty citizens was quickly raised and had actually begun to march towards these towns when a personal appeal from the popular John Sevier induced them to return home. Blount was able to use this incident as "proof, both of the feelings and inclinations of the people, and of their obediance to the orders of Government"; but he also warned his superiors of his fears that, at some point, "their thirst for revenge, or what is

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[28]William Blount to Henry Knox, May 28, 1793, in ibid., 4:262-264.

termed here, satisfaction, will lead them to break through the Bounds of good order and Government."[29]

Although some raids and attacks continued through the fall and into the early winter of 1792, their frequency declined and the prospects of improved relations with the neighboring Indian tribes seemed realistic. The Chickasaw and Choctaw remained satisfied: indeed, Robertson reported to Blount that those tribes "have bosted thay never met with so good treatment from the British as from your Exelncy."[30] The Knoxville Gazette also noted the decrease in Indian activity and attributed it to the "advantageous situation" of Sevier and his militia at the newly-established Fort Southwest Point, strategically located at the junction of the Clinch and Tennessee Rivers.[31] Even a resident of the recently-beleaguered Cumberland settlements could cautiously report in December that "we have had what we call peace for some considerable time past. there hath been & is frequently parties of men out from our Country & see no sines of Indians near."[32]

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[29]William Blount to Henry Knox, November 8, 1792, ibid., 4:208-216; Knoxville Gazette, Nov. 17, 1792.

[30]James Robertson to William Blount, October 12, 1792, in Carter, Territorial Papers, 4:197-198.

[31]Knoxville Gazette, December 14, 1792. See also Luke M.Banker, "A History of Fort Southwest Point, 1792-1807" in The East Tennessee Historical Society's Publications 46(1974): 19-36.

[32] Robert [?] Weakly to Martin Armstrong, December 31, 1792, Overton Papers, Murdoch Collection, TSLA.

Information from James Seagrove, the United States agent to the Creek, also encouraged optimism, for he claimed that the Creek were basically inclined towards peace. "I have reason to think," he wrote, "that it is the wish of nine-tenths of that nation to be in strict friendship with us."[33] But the most encouraging news came from the lower towns of the Chickamauga in the form of rumors that John Watts was desirous of discussing peace. These were confirmed by several of Blount's informers within the tribe, and also by Captain Samuel Handley, a militia officer who had been captured in a skirmish in November and recently released. Blount accordingly informed his superiors that he was beginning to entertain "hopes that the measures I have and shall take, will bring about a peace with the Cherokee."[34]

At the same time that the Governor was entertaining hopes for peace, the occasional reappearance of Indian raiders caused others to be less optimistic. In fact, while the frequency and intensity of these attacks was not comparable with those which had taken place during the previous year, the patience of the citizens had clearly begun to wear thin, and hints of retaliatory expeditions were again made. Alarm at these developments appeared in the pages of the Knoxville

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[33]Knoxville Gazette, December 29, 1792.

[34]William Blount to Henry Knox, January 24, 1793, in Carter, Territorial Papers, 4:234-235; Knoxville Gazette, January 12, 1793; January 20, 1793.

Gazette, where the editor expressed the hope that "individuals of both parties will so far forget their injuries, as not, by any acts of violence, to retard the blessings of returning peace."[35] Within days of this appeal, however, Blount learned that a retaliatory force of almost one hundred people had assembled at Gamble's Station, "well-armed and plentifully provided . . . avowing a determination to go and destroy as many Cherokee towns as they could."[36] He promptly issued a proclamation directed at these "disorderly, ill disposed persons,"[37] and had he not moved quickly, he later confided to Knox, it was quite probable that the number of men would have exceeded three hundred, and restraint would have been impossible. As it was, this "riotous combination" was eventually dispersed, but it required the services of a detachment of infantry, a personal visit by Blount and, as he expressed it, the assistance of "every influential character, public and private, that I could move on the occasion."[38] A similar group was assembled at Jonesborough in early March, but when only five men appeared they briefly paraded around

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[35]Knoxville Gazette, January 20, 1793.

[36]Ibid., February 9, 1793.

[37]Proclamation of Governor Blount, January 28, 1793, in Carter, Territorial Papers, 4:235-236.

[38]William Blount to Henry Knox, Feb. 1, 1793, in ibid., 4:236-237; James Winchester to James Robertson, February 2, 1793, in "Correspondence of Gen. James Robertson," AHM, 2(1897): 176.

the town and then returned home. The Gazette reported that this poor showing "affords a pleasing proof of the good sense of the people," but Blount knew, and informed Knox, that had the expedition moved out from the town, they "would have been joined by a number of the frontier people."[39]

The federal government had, of course, taken some measures to assist the Governor in his role as Indian Superintendent. The appointment of Leonard Shaw as deputy agent to the Cherokee, for example, should have relieved the Governor of some responsibility. But neither Shaw nor Blount had been particularly impressed with the abilities of the other. Within a year of his appointment, Shaw had become so disillusioned that he attempted to persuade the Cherokee chiefs "that Governor Blount had wronged them out of their lands," and urged them "not to treat with Governor Blount." Instead, Shaw encouraged the astonished chiefs to designate him as their sole representative to Congress, promising that he would regain all of their land. Blount's earlier observations about Shaw's lack of influence among the Cherokee was apparently correct, however, for few of the chiefs seem to have taken his offer seriously.[40] Whether it was this

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[39]Knoxville Gazette, March 23, 1793; William Blount to Henry Knox, March 20, 1793, in Carter, Territorial Papers, 4:244-247.

[40]James Carey to William Blount, March 19, 1793, in Walter Lowrie and Arthur St. Clair Clarke, eds., American State Papers, Class II, Indian Affairs (2 vols., Washington, 1832), 1:437.

incident or an earlier one which led Knox to charge his Deputy Agent to the Cherokees with "inebriety, and great want of prudence" is not clear, but Blount was authorized in the spring of 1793 to discharge Shaw from his duties.[41]

More concrete federal assistance was delivered to the territory on February 27 in the form of a company of regular troops. The twelfth company of the third sublegion of the United States Army arrived in Knoxville after "a long and tedious march" from Salisbury, North Carolina, with their total complement of ninety-five non-commissioned officers and privates still incomplete.[42] Well over one-third of their strength was eventually raised in the territory, after which they were dispersed to the territorial frontier and used primarily for garrison duty. Such service was apparently no less tedious than their march from Salisbury had been; within one month of their arrival, the Gazette reported the first deserter from the company. Fourteen more desertions would be reported during the next two years as well as one incident of suicide by "an Englishman," who was said to have been

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[41]William Blount to Henry Knox, March 20, 1793, in Carter, Territorial Papers, 4:244-247.

[42]Knoxville Gazette, March 9, 1793; Henry Knox to William Blount, November 26, 1792, in Carter, Territorial Papers, 4:220-226.

"generally fond of whiskey to excess."[43]

The presence of these federal troops was certainly welcome, but unlike their counterparts in the towns to the north of the territory, the impact of the federal garrison in Knoxville was not profound. The towns of the Northwest Territory were used as staging areas for the offensive campaign against the northern Indian tribes, and Pittsburgh was the headquarters of the forces raised to counteract the Whiskey Rebellion. The concentration and provisioning of such troops had a tremendous impact on these growing urban centers, especially in terms of economic stimulation.[44] Blount noted this development in a letter to his brother, in which he claimed that "Kentuckey is more full of Mony arising from the Circumstances of the Army North of Ohio than any other Part of America."[45]

The federal troops in the Southwest Territory, however, were a much smaller contingent whose impact was further reduced when they were dispersed and stationed in the isolated

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[43]Knoxville Gazette, June 15, 1793; deserters are reported in ibid., March 23, 1793; April 20, 1793; July 13, 1793; August 13, 1793; December 7, 1793; November 1, 1794; November 15, 1794.

[44]Richard C. Wade, The Urban Frontier: Pioneer Life in Early Pittsburgh, Cincinnati, Lexington, Louisville, and St. Louis. (Chicago, 1959), 66-68.

[45]William Blount to John Gray Blount, January 21, 1794, in Alice B. Keith and William H. Masterson, eds., The John Gray Blount Papers, (3 vols., Raleigh, NC, 1952-1965), 2:349-350.

blockhouses of the frontiers. Still, some citizens of the territory were able to profit by the presence of these troops; Joseph Anderson, for example, was given a contract to supply the soldiers with 6000 pounds of pork.[46] And, while there may have been no large federal army in the Southwest Territory, the War Department was responsible for payment to members of the territorial militia. The sum for their services varied, but Blount estimated that the payments scheduled for the fall of 1793 would amount to $10,000.[47] But if the War Department did infuse some money into the territory, it was also true that at least some of those funds were eventually returned to the pockets of the federal soldiers. Their commander, William Rickard, was plagued by a recurring black market for the "Regimentals, Public Axes, etc." of his command, and he was forced to issue more than one "Public Notice" from his headquarters at "New Boston" outside Knoxville which "forbid the inhabitants of this town from having any dealings with the Soldiers of my Company."[48]

Like the militia, the federal troops were restricted to defensive measures only, and Blount eventually recognized that this policy was meant to be permanent. He was determined,

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[46]Joseph Anderson to David Henley, December 23, 1795 in David Henley Papers, TSLA.

[47]William Blount to John Gray Blount, October 22, 1793, in Keith, The John Gray Blount Papers, 2:323-326.

[48]Knoxville Gazette, January 2, 1794.

however, that he could convince his superiors of the need for an offensive campaign against the Creek, who he believed were at the root of the Indian problems in the territory. This would not be an easy task, however, for Blount noted to Robertson that James Seagrove was reporting that the Creek were "at entire Peace" and, worse yet, Seagrove was "believed at Philadelphia notwithstanding all my information to the contrary."[49] Blount still continued to send his contrary information in his reports to Knox, highlighted by descriptions of the sufferings to which the citizens of the territory were subjected. The frontier families, he wrote, were "collected in stations. at one which I lately visited (John Craigs) there are 280 people, men women and children, living in a miserable manner in small huts."[50] And, in early 1793, Blount dispatched Colonel James Winchester to the capital. Winchester took with him a petition from his fellow citizens of the Mero District as well as "such letters of introduction as will make him known to the President and every other public character he can wish to be known to" and Blount had "no doubt" but that Winchester would "complain loudly of

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[49]William Blount to James Robertson, February 13, 1793, in "Correspondence of Gen. James Robertson," AHM, 2(1897): 278-279.

[50]William Blount to Henry Knox, April 11, 1793, in Carter, Territorial Papers, 4:251; see also Blount to Knox, April 13, 1793, ibid., 4:252; April 20, 1793, ibid., 4:253-254; April 25, 1793, ibid., 4:254; May 9, 1793, ibid., 4:255.

everything that deserves to be complained of."[51]

The citizens of the territory, for their part, were convinced that there was much which was worthy of complaint. In March the Gazette noted another increase in Indian activity. While there were nothing more than small-scale raids to report, the overall number of Indians in the Knoxville area seemed to be very large. More ominously, there had been no information received from the Cumberland settlements for quite some time, which was taken to mean that Indian activity had increased there as well.[52] "Where will these mischiefs end?" asked the paper. "What are the blessings of government to us? Are we to hope for protection? If so, when?"[53]

To all of these questions Secretary of War Henry Knox gave the by-now standard reply: Congress alone could declare war; it had chosen not to do so and the President was bound by that decision. "It is indeed a serious question to plunge the nation into war with the southern tribes of Indians," wrote Knox. If, as the citizens of the territory maintained, a state of war already existed, then they were certainly entitled to protection. But, he repeated, "that protection

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[51]William Blount to James Robertson, February 13, 1793, in "Correspondence of Gen. James Robertson," AHM, 3(1897): 278-279.

[52]Knoxville Gazette, March 23, 1793.

[53]Ibid., May 18, 1793.

can only be of the defensive sort."[54]

Instead, the War Department determined to solve the Indian problem in the Southwestern Territory through a continuation of the treaty process. Blount was instructed to invite the chiefs of the Cherokee (but only the "real" chiefs, as expenses must be kept to a minimum) to attend a conference with President George Washington, and to accompany them in person to Philadelphia. Although Knox confidently predicted that the proposed conference would "have a powerful tendency to remove all causes of hostility,"[55] Blount seemed skeptical from the outset.

Nonetheless, the Governor dutifully began the process of extending invitations to the "real" chiefs of the tribe. As he had expected, he experienced some resistance to the proposition and by March he reported to Knox that he had "no hope" of taking a Cherokee delegation to Philadelphia.[56] Blount continued his efforts, however, and was able to meet with John Watts, the Hanging Maw, and about sixty other Cherokee at Henry's Station on April 6. According to Blount's report, the day was "devoted to eating, drinking and jocular conversation, of which Watts is very fond." The cost of this meeting alone

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[54]Henry Knox to William Blount, May 14, 1793, in Carter, Territorial Papers, 4:256-258.

[55]Henry Knox to William Blount, February 8, 1793, ibid., 4:237-238.

[56]William Blount to Henry Knox, March 23, 1793, ibid., 4:247-248.

amounted to over $100, "owing principally," Blount said, "to the quantity and price of the whiskey--of which I considered it the interest of the United States to be as liberal as Watts and his party were thirsty."[57]

Despite the Governor's liberality, the Cherokee expressed little interest in going to Philadelphia until a fuller representation of the tribe could discuss the issue.[58] Blount suspected that even this meeting would reject the idea of the principal chiefs of the nation leaving for a lengthy journey to Philadelphia while the Creek were attacking the frontier settlements and returning through the towns of the Cherokee, and he was correct. The tribe had still not reached a decision by the end of March, and as Daniel Smith noted, "'Tis likely they will not[.]" The situation was complicated, he added, because the Cherokee were "much agitated with different embassies from the Chickasaws, Creeks and also from the Shawaneese," which had created an atmosphere he described as a "Pandimonium."[59]

Of these various embassies to the Chickamauga and Cherokee, the Creek seemed to be having the most success; and, as usual, it was the Chickamauga who were the most receptive.

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[57]William Blount to Henry Knox, April 9, 1793, ibid., 4:249-251.

[58]Ibid.

[59]Daniel Smith to David Allison, May 24, 1793, in THS Misc. Files, TSLA.

The raids and attacks which had been increasing since the new year began were now intensifying with the approach of spring. The most spectacular of these came in April when a force of 260 Indians, primarily Creek, attacked Greenfield's Station in the Cumberland settlements. This attack was repulsed, but the Indians continued to torment the territory into the summer. Although reinforced by the Chickamauga as well as some Cherokee and even Shawnee, it was the Creek who were controlling this latest wave of attacks; in fact, by the first of June the Knoxville Gazette was, as it would continue to do throughout the summer, openly calling for the destruction of the Creek nation. "The Creek nation must be destroyed," it said, "or the southwestern frontiers . . . will be incessently harrassed by them and now is the time."[60]

Federal authorities in Philadelphia were clearly not prepared for the news of widespread Creek attacks. "Mr. Seagrove had excited a very different expectation,"[61] wrote Knox, but the policy of "defensive measures only" nonetheless continued. By now, however, there was little hesitation in openly attacking the policies of the federal government, as did one letter which doubted that it was any longer possible to "discern the dawn of brighter times." This was due, it was alleged, to the lack of "health" in the "federal body politic

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[60]Knoxville Gazette, June 1, 1793.

[61]Henry Knox to William Blount, June 26, 1793, in Carter, Territorial Papers, 4:278-279.

-That it is disordered we know by the pain and uneasiness which is felt in the extremities."[62] Others maintained that the "disorders which pervade the territory" were due to the "constitution, genius, peculiar circumstances, and situation of the frontier inhabitants." While the most culpable of these were the newly-arrived settlers, who supposedly did not possess the patience and character of the original inhabitants, the letter still maintained that overall territorial "misfortunes originate in the too little regard paid to our laws, which is one cause why the general government is so backward in giving us that protection our exposed defenceless situation calls for, and has dictated the policy of half-war half-peace to the Indians."[63]

Nonetheless, the policy continued, as did the frustrating hit-and-run tactics of the attackers. But the scale of the spring attack at Greenfield's Station had not been duplicated by the middle of the summer, much to the relief of the citizens. As one resident of the Cumberland settlements described the situation, the Indians had been "somewhat troublesome," yet had done nothing "very Capitall but according to Custom Kills one or two now and then."[64]

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[62]Knoxville Gazette, June 15, 1793.

[63]Ibid., July 13, 1793.

[64]John Nichols to William Lytle, July 21, 1793, William Lytle Papers, Southern Historical collection, University of North Carolina, Chapel Hill.

Conditions in the Creek Nation had been complicated, however, by the possibility of a war with the Chickasaw. Controversy had supposedly first arisen between these two tribes at the Nashville Conference of the previous summer, when a few Creeks who had attended were accused of stealing horses from some of the Chickasaw delegates. The conflict had simmered, however, until a recent encounter between hunting parties had resulted in casualties and a decision on the part of the Chickasaw for war.[65]

Neither tribe was certain as to what role the United States would play in this conflict, although the Chickasaw certainly seemed to expect substantial assistance. They dispatched three of their chiefs to Knoxville for a conference with Governor Blount, who likewise assumed that his government would take an active part in the conflict and even began to suggest to Knox the best route for supplying the Chickasaw.[66] Following the chiefs' arrival on May 24, they, together with a representative from the Cherokee, began negotiations with the Governor at his house. During the course of these discussions, however, the Indians noticed that their horses were missing. Assuming the animals had strayed, three of the Indians went out to begin a search, but within 600 yards of

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[65]Knoxville Gazette, March 9, 1793; William Blount to Henry Knox, March 23, 1793, in Carter, Territorial Papers, 4:247-248.

[66]Ibid.

the Governor's residence they were attacked and one of the Chickasaws, John Morris, was seriously wounded. Blount immediately informed Knox of the "horrid attempt of three persons yet unknown" to kill his guests, and expressed a belief that Morris would recover, although he admitted that "perhaps my belief is founded too much on my wishes."[67] Blount's caution was well-founded, for Morris died the next day.

The consequences of this incident could have been disastrous. The Chickasaw were the only tribe upon whose friendship Blount could safely rely, and their reaction to the death of John Morris was uncertain. Moreover, Blount still harbored hopes for an offensive against the Creek and the Chickasaw's enmity towards that tribe would make them natural and valuable allies, if their friendship could be retained. Also, there had been a slim hope that the Cherokee would yet decide to accompany Blount to Philadelphia. But one of the Indians who had been fired upon was the Cherokee representative, and their rejection of the President's invitation now seemed even more likely.

Blount was able to pacify the Chickasaw by immediately offering a reward for the attackers, and arranging to have Morris buried "with the military honors due to a warrior of his friendly nation" and Blount himself walked alongside the

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[67]William Blount to Henry Knox, May 24, 1793, ibid., 4:261-262.

brother of the deceased as chief mourner. None of the Chickasaw seemed inclined towards retaliation, especially after it was revealed that John Morris had requested from his deathbed that no "satisfaction" be taken on his behalf, except for the individual who was directly responsible.[68] Blount himself would gladly have done this if possible, but despite his best efforts he was unable to apprehend, or even to identify, the attackers. As he later admitted to Knox, "so secret has this unmanly, inhuman, and impolitic murder been executed and concealed, that now no conjecture can be formed, as to who were the authors of it."[69]

Despite this failure to realize satisfaction for the death of John Morris, the Chickasaw remained pacified; but Blount was not so fortunate with the Cherokee. Fairly certain they would not accompany him to Philadelphia, he set out on June 7 for the capital, leaving Secretary Daniel Smith as Acting Governor. Blount had not entirely given up hope, however, and he left instructions with several of his agents to continue their efforts towards persuading the chiefs to follow him to Philadelphia. The most promising replies had come from the town of Hanging Maw, an influential chief of the upper towns who had implied he would use his influence

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[68]William Blount to Henry Knox, May 28, 1793, ibid., 4:262-264; Knoxville Gazette, June 1, 1793.

[69]William Blount to Henry Knox, June 4, 1793, in Carter, Territorial Papers, 4:268-269.

among the other chiefs, especially John Watts and those of the Chickamauga towns. Several of Blount's representatives accordingly went to Hanging Maw's town to await the results of his efforts. One of these individuals was James Ore; after a few days, he wrote to Acting Governor Smith that, in his opinion, the prospect of the Cherokee chiefs journeying to Philadelphia was not good, and he attributed their reluctance to the news of the attack on John Morris and the Cherokee delegate.[70]

Ore and several others continued to wait, however, and were still present in Hanging Maw's camp at daybreak on June 12 when it was suddenly attacked by a company of Knox County militia under the command of Captain John Beard. This company had recently been ordered to pursue some Indians who had been raiding and stealing horses along the borders of Knox County. But Beard's militia had lost the trail of these Indians and instead came upon the camp of Hanging Maw which, for whatever their reasons, they attacked. At least seven people in the village were killed, including one white man, and many more were wounded, among whom were the Hanging Maw and his wife, the latter seriously. "Many . . . murders has Been Commited By this tribe of indons," noted Ore, "But this is to be Lamented," and he predicted that "We Shall hav a Bloodey War

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[70]James Ore to Daniel Smith, June 10, 1793, THS Misc. Files, TSLA.

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Certainly few people lamented the attack more than Daniel Smith. As Acting Governor, his first official correspondence with the War Department was to inform Knox that the village of one of the few Cherokee chiefs friendly to the United States had been attacked by territorial militia and the chief himself wounded. Smith had admittedly been fearful that something of this nature would eventually occur, but Beard's attack, he wrote Knox, "exceeds anything that could have been supposed."[72] Smith attempted to convince Hanging Maw to postpone his demand for satisfaction until the situation could be placed before the President, but Hanging Maw was understandably incensed at the incident and held Smith responsible for failing to restrain the citizens. "Surely you are no headman nor warrior," he wrote to Smith. Governor Blount, the chief continued, had always promised him protection from the retaliatory parties, but Blount "had hardly got out of sight until I was invaded by them, and like to have got killed . . . I think the white men make fun of you."[73] Noting this response, Smith pessimistically informed

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[71]James Ore to Isaac Shelby, June 26, 1793, Draper Manuscripts, 11DD50 (microfilm edition), State Historical Society of Wisconsin.

[72]Daniel Smith to Henry Knox, June 13, 1793, in Carter, Territorial Papers, 4:271-272.

[73]Hanging Maw to Daniel Smith, June 15, 1793, ASP, 460.

Knox that a "a general war" was very likely.[74] In another letter to Robertson, the Acting Governor admitted that he had no idea as to how the Cherokee would finally react, "but," he dryly noted, "they will not go to Philadelphia."[75]

There were admittedly those in the territory who condemned the "imprudent and unwarrantable conduct of Capt. Beaird and his party."[76] Smith agreed that "Many inhabitants blame Beard much as they ought," but at the same time confided in Robertson that "there are others who will commend him and protect him."[77] Indeed, Smith was soon compelled to admit that "to punish Beard by law just now is out of the question."[78] As the Indian attacks resumed in earnest, similar groups of "volunteer militia" began to inflict indiscriminate retaliation on the upper towns of the Cherokee, and Smith was at a loss as to how to prevent it. In fact, according to one observer, Secretary Smith, "who now presides in the Territory is a good natured man, and the people will do as they

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[74]Daniel Smith to Henry Knox, June 17, 1793, in Carter, Territorial Papers, 4:273-274.

[75]Daniel Smith to James Robertson, June 19, 1793, ibid., 4:275-276.

[76]Knoxville Gazette, June 15, 1793.

[77]Daniel Smith to James Robertson, June 19, 1793, in Carter, Territorial Papers, 4:275-276.

[78]Daniel Smith to Henry Knox, June 22, 1793, ibid., 4:276-278.

please."[79]

One of these retaliatory groups, ostensibly in pursuit of stolen horses, arrived in late June at the Indian town of Talasse on the north bank of the Tennessee (now Little Tennessee) River, where they killed sixteen Indians and took off four captives. But as Smith reported to Knox, "it is not probable that those who suffered were the immediate aggressors," for there were no stolen horses in the town.[80] A more serious incursion took place on July 17, when a force of about one hundred and thirty citizens, commanded by none other than John Beard, crossed the Tennessee River at Southwest Point with the intention "to go into the nation and do the Indians all the damage they could." Smith had issued a proclamation prohibiting this expedition but it had been ineffective, he said, because by now a "Spirit for war against Indians pervades people of all Ranks so far that no order of Government can stop them."[81] In fact, another such expedition was being openly planned for the first of August and Smith's only idea for preventing it was to send Sevier on an "exploring" mission down the north side of the Tennessee River, hoping that this would convince the overzealous

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[79]Arthur Campbell to Henry Lee, June 24, 1793, in Draper MSS, 13S74-6, SHSW.

[80]Knoxville Gazette, July 13, 1793; Daniel Smith to Henry Knox, July 19, 1793, in Carter, Territorial Papers, 4:280-283.

[81]Ibid.

frontiersmen that their extralegal activity was unnecessary.[82]

Fortunately, Beard's force of "volunteer militia" returned from the Cherokee nation having "done the Indians less damage than could have been supposed." After burning the first town they reached, they met stiff resistance at the next and sustained some casualties and "on this," the Knoxville Gazette reported, "they returned home precipitately."[83] But while Smith could be relieved that Beard's expedition had caused relatively little damage, he still felt inadequate to prevent a repetition. "Governor Blount's absence," he told Knox, "I very much regret. The influence of his character is of far greater extent on these people than any other to induce them to adhere to good order and support the laws[.]" Indeed, he added, "by influential characters is now the only resource to rule them--not by their love of good order and government."[84]

Blount had in fact considered returning to Knoxville when he learned of Beard's attack on Hanging Maw's village. He instead continued on to Philadelphia, convinced that he could do more good for the territory by persuading Knox and Washington that an offensive campaign against the Creek

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[82]Ibid.

[83]Knoxville Gazette, July 27, 1793; Daniel Smith to Henry Knox, July 27, 1793, in Carter, Territorial Papers, 4:290.

[84]Daniel Smith to Henry Knox, July 19, 1793, in ibid., 4:280-283.

Indians was now essential. "A vigorous national war," he felt, was the only means to "bring the Indians to act as they ought, and that I hope we shall have this Fall."[85] While en route to the capital, he received information which led him to believe that he might indeed have his war by fall: he was, he was told, "anxiously expected by the President and the Secretary of War," and to Blount this implied that "something decisive will be determined on against the Southern Indians."[86]

Although news of Beard's attack removed some of the moral righteousness from Blount's demands for an offensive campaign against the Indians who he claimed were not acting "as they ought," he proceeded nonetheless to lobby for an invasion of the Creek nation. He was assisted by Andrew Pickens, whose South Carolina frontier neighborhood was also subjected to attacks by Indian raiding parties and had likewise journeyed to Philadelphia to encourage an offensive against the Creek. An army of 5000 troops, said Pickens, would be required for six months service to subdue the estimated 2000-2500 warriors (2000 more if the Chickamauga were included) they would face. These troops could be recruited from the various frontier regions which were most directly impacted by the Creek attacks, and provisioned from the supplies of the frontier

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[85]William Blount to Daniel Smith, June 17, 1793, ibid., 4:274-275.

[86]Ibid.

settlements.[87] In a joint letter, Blount and Pickens argued that such a campaign was essential, not only because the Creeks and Cherokees "must be chastized by the hand of Government before they will desist from killing and robbing[,]" but also because the allegiance of the Chickasaw and Choctaw was being jeopardized as long as those two tribes continued to receive supplies from the Spanish. The establishment of a trading post within the Chickasaw nation would not only remedy this problem, it would also encourage the Chickasaw in their war against the Creek, "and it certainly would be good Policy to use Savages against Savages."[88]

The official reaction to these arguments, however, was not what Blount and Pickens had hoped for. In two separate letters, Knox asked if there was any means of offsetting the damage done by the recent attacks on the upper towns of the Cherokee, and the best means of postponing a war with the Creek.[89] Blount and Pickens replied unenthusiastically that punishment of the white offenders would be impossible, since no jury of their peers would convict them for attacking Indians of any tribe. Gifts to the Cherokee would perhaps

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[87]Memorandum from the Secretary of War and Andrew Pickens, July 24, 1793, ibid., 4:283-286.

[88]William Blount and Andrew Pickens to Henry Knox, August 1, 1793, ibid., 4:291-293.

[89]Henry Knox to William Blount and Andrew Pickens, August 5, 1793, ibid., 4:294, 295.

postpone their demands for satisfaction, and an agent among the Creek, disguised as a trader and constantly dispensing gifts, might reduce the number of attacks. Or, it was suggested, another conference with the Indians could be of some temporary value. But the root of the problem would not be solved, they persisted, until the "Strong Hand of Government is exercised over the Creeks and then Fear may restrain them permanently."[90]

Despite the persistence of Blount and Pickens, Knox remained firm; there would be no campaign against the southern Indians. Instead, Blount was instructed to inform the citizens of the Southwest Territory of the President's "extreme concern at the late violent and lawless inroads of several parties of whites . . . into the peaceable part of the Cherokee Nation." In addition, he was told to bring those responsible for these "inroads" to trial and was given over $5700 worth of trade goods to pacify the offended Cherokee. Finally, he was candidly advised that "it is not to be supposed for a moment that [the United States] will support the expences of a war brought on the frontiers by the wanton blood thirsty disposition of our own people."[91]

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[90]William Blount and Andrew Pickens to Henry Knox, August 6, 1793, ibid., 4:295, 296.

[91]Henry Knox to William Blount, August 26, 1793, ibid., 4:299-300.

Blount prepared to return home having failed in his primary objective. Much of the blame for this he attached to Beard and other "foolish uninformed people [who] have done the cause of the suffering frontier people so much injury in the Eyes of the people of the Atlantic States." At the same time, he reflected that his reception by the President and other officers of government had "been truly pleasing[.]"[92] Nor had he completely given up on the possibility of federal military assistance, for he was aware that Anthony Wayne was attempting to negotiate peace with the northern tribes. Blount was convinced that this attempt would be successful, "and on that Event," he predicted, "Wayne's Army with the aid of the militia of the Southern Territory and others can easily chastise our perfidious Yellow Brethren to the South."[93]

While Blount had been laboring in Philadelphia on behalf of the territory, Smith had also continued his efforts to halt the unauthorized retaliatory expeditions against the Cherokee towns. He was eventually successful, but not before a force of 180 "mounted volunteers" had attacked a village in late August and killed or captured twenty-eight Indians. By now, however, the Indians were responding more aggressively to these expeditions (which certainly made Smith's efforts

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[92]William Blount to David Campbell, John McNairy and Joseph Anderson, August 28, 1793, ibid., 4:301-303.

[93]William Blount to John Sevier, August 28, 1793, ibid., 4:303-304.

easier), and on August 29 a party of around two hundred attacked Henry's Station just east of Knoxville. Indeed, as Indian activity increased, Smith believed that a major attack was clearly forthcoming, and he so informed Knox. The Secretary of War agreed and predicted to Washington that the cost of defending the territory from this expected attack would probably exceed $100,000, an expenditure which he directly attributed to the too-frequent and illegal expeditions against the Cherokee.[94] To Smith, Knox expressed sympathy at the Acting Governor's "painful" situation of being forced to witness "such Lawless violence without possessing the power of remedying them." But Smith was encouraged to take consolation in his "good intentions, and the approbation of the president," and assured that Governor Blount was returning home with "instructions from the President . . . to reestablish order in his Government."[95]

Before Blount arrived in the territory to begin the process of reestablishing order, however, his government was very nearly destroyed altogether. On September 24 an Indian army composed of nearly 1000 Creek, Chickamauga, some Cherokee from the upper towns and a few northern tribesmen, crossed the Tennessee River bound for Knoxville. As had happened the year

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[94]Daniel Smith to Henry Knox, August 31, 1793, ibid., 4:304-305, and Henry Knox to George Washington, September 15, 1793, ibid., fn.

[95]Henry Knox to Daniel Smith, August 27, 1793, ibid., 4:301.

before, preliminary indications seemed to favor the Indians; a detachment of 180 mounted infantry had been sent to the Cumberland settlements and a decoy had lured Sevier with the bulk of his militia, about 400 men, to the south side of the Holston River, opposite from and well below Knoxville. Consequently, there were only about forty defenders in that town as the Indians approached. But once again, as had happened the year before at Buchanan's Station, disputes arose between the different chiefs, this time on the issue of whether or not to take prisoners. As they debated the question on the outskirts of Knoxville at dawn of September 25, they were alarmed by the discharge of a cannon. Unaware that this was the ritual of the small federal garrison stationed near the town, the Indians became convinced that they had been discovered and turned their attention to nearby Cavett's Station, which they quickly overran and destroyed, killing all thirteen occupants. Informants among the Indians would later reveal that the question of whether or not to take prisoners had apparently never been resolved, for while the defenders of Cavett's Station were induced to surrender with promises that they would be exchanged as prisoners, some of the tribesmen were unwilling to honor this guarantee; as soon as the defenders emerged from their station, they were attacked and killed. Some of the tribesmen dispersed to the countryside following the assault on Cavett's Station, but most of the Indian force withdrew towards the lower towns of the

Chickamauga.[96]

Although the citizens of the Southwest Territory had grown accustomed to the ferocity of Indian attacks, the details of the unusually brutal and frenzied attack on Cavett's Station, wrote Daniel Smith, were impossible for a " man of common delicacy" to describe.[97] As Blount had not yet arrived from Philadelphia, the response to the recent invasion fell to Daniel Smith, whose tenure as Acting Governor had certainly been more exciting than he would have preferred. He had found it difficult to halt retaliatory expeditions before the attack on Cavett's Station and knew it would be impossible now. He therefore decided to place the inevitable offensive under the command of the popular and responsible John Sevier and issued the order on September 30. After waiting briefly for reinforcements, Sevier departed Knoxville with about 600 men and by October 17 was approaching the Cherokee town of Etowah near present-day Rome, Georgia. Sevier skirmished with the Indians for a few days, burning two towns and destroying considerable amounts of their provisions. After several more days of skirmishing failed to engage the Indians in a decisive battle, Sevier ordered the return march from what would prove

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[96]Daniel Smith to Henry Knox, September 27, 1793, ibid., 4:305-307; Knoxville Gazette, October 12, 1793; Ramsey, Annals of Tennessee, 579-583.

[97]Daniel Smith to Henry Knox, September 27, 1793, in Carter, Territorial Papers, 4:305-307.

to be his last military campaign.[98]

Sevier was still absent when Blount returned from Philadelphia, an event which Daniel Smith probably understated as "highly pleasing to me."[99] It was thus Blount's responsibility to report Sevier's Etowah Campaign to Knox. Obviously the order for this march had been a violation of the "defensive measures only" directive, but Blount believed it was justified and unavoidable, because "The long sufferings and present spirit of the people required such a measure."[100] This attitude on the part of the people was further aggravated by several incidents of raids and attacks which continued despite Sevier's presences in the Cherokee nation. In fact, the Gazette reported that to "report the large number of marauding parties that are frequently discovered on the frontiers, would be too tedious and exceed the bounds of this paper."[101] Blount's order from his superiors to attempt a reconciliation with the Cherokee was therefore proving somewhat difficult; his regular sources of information within the tribe were cut off, at least for the present, and (understandably enough) he discovered that "no person will

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[98]Knoxville Gazette, December 7, 1793; Ramsey, Annals of Tennessee, 583-588.

[99]Daniel Smith to Henry Knox, September 27, 1793, in Carter, Territorial Papers, 4:305-307.

[100]William Blount to Henry Knox, October 12, 1793, ibid., 4:307-308.

[101]Knoxville Gazette, October 12, 1793.

venture among them even with a flag."[102] Within a few weeks, however, the Indian attacks became less frequent and by November Blount was able to report that "We still continue to enjoy an Unexpected cessation of Hostilities . . . since the visit General Sevier paid the nation." As communication with the Cherokee was still cut off, it was not possible to give an exact reason for this development; but Blount was willing to speculate that "it is the fear of a second visit that for the moment restrains them."[103]

At least for the moment, then, the Indians were restrained. But the Indian "problem" remained unsolved, and the search for a solution seemed no more promising now than it had been in the past. The federal government continued its policy of "defensive measures only" and the citizens of the territory demanded that the attack be carried to the Indians. The man who must respond to these divergent sentiments was, as always, Governor William Blount. Indeed, his personal and political future now demanded that he find a solution to the Indian problem.

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[102]William Blount to Henry Knox, October 18, 1793, in Carter, Territorial Papers, 4:308; Blount to Knox, October 28, 1793, ibid., 4:310.

[103]Ibid.

Chapter Five

Resolving the Problem: The End of Hostilities

As the new year of 1794 approached, Governor William Blount recognized that he was in a precarious position, restrained by a suspicious and cost-conscious War Department and increasingly pressured by the people he governed to protect them from the attacks of hostile Indians. Blount had naturally been subjected to some criticism from these two directions since the beginning of his administration, but after three years his situation showed no signs of improvement. The citizenry would certainly demand another offensive campaign when the Indians resumed their attacks, for the decline of Indian activity during the winter of 1793 was generally attributed to the impact of Sevier's Etowah Campaign. Blount would find it very difficult to justify such an order to an ever-watchful federal government from whose good graces he had, at least to some degree, apparently fallen.

Evidence of Blount's decreased stature within the federal government accompanied the Governor back from Philadelphia in the form of David Henley, who was to serve officially in the dual capacity of paymaster for the Treasury Department and agent for the War Department. His unofficial duties were less obvious, but he had previously been employed by the federal government as a "trouble-shooter" and was apparently expected

to serve the same function in the Southwest Territory.[1] Blount seems not to have taken Henley seriously at first, but soon surmised his true purpose in the territory and understood the new complexities of his own predicament.

He was not, however, without alternatives, and his solution to his problems would move the Southwest Territory into its next phase of development. Blount had come home from Philadelphia convinced that his failure to secure aid from Congress had been due to the inferior status of his territorial government. His citizens were dependent upon a political body which was based on the concept of representative government, yet they themselves were not represented there. Blount now determined to free himself and the people he governed from that dependency by moving the territory towards statehood as quickly as possible. Only then, he now believed, would his citizens receive a fair hearing in the federal government. And, until statehood was realized, the territorial assembly would surely assist Blount in his pleas to the federal government for military assistance against the hostile Indians. The culmination of this process would necessarily bring an end to Blount's administration as Governor; but this was not altogether a displeasing prospect, given the lack of support and apparent distrust he had received from his superiors. Moreover, if he could solve the

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[1]Samuel C. Williams, "Colonel David Henley," in East Tennessee Historical Society's Publications, 18(1946): 3-24.

Indian problem as the statehood movement gained ground, his popularity would be such that he could secure an appointment as Senator from the new state.

Just prior to Blount's departure for Philadelphia, there had appeared in the territory a renewed call from the citizenry for a territorial assembly. Such demands were not uncommon, for these elections were somewhat overdue; the requisite population as stipulated by the Northwest Ordinance had existed in the Southwest Territory since the first census of 1791. A referendum attached to that census, however, had indicated that the citizenry did not want a territorial assembly and Blount certainly had no desire to share his authority if it was not necessary to do so. There had been occasional calls for elections during the past three years, but Blount had been able to quiet these demands and they had never reached the point that he felt it necessary to respond. But by the time he departed for Philadelphia, Blount had virtually decided that a territorial assembly was inevitable. He postponed any announcement until his return, however, for if he could persuade Knox to authorize an offensive against the southern Indians it might silence (at least temporarily) the demand for elections. His failure in Philadelphia, however, had convinced him that a territorial assembly was not only inevitable but perhaps even desirable, and within a week

of his return he issued a proclamation authorizing elections.[2]

Blount soon discovered, however, that his journey to the capital had not been altogether without results. He had long been known to believe that "the root of the evil is the numerous and insolent Creeks and it is they who encourage and lead the too willing young Cherokees to murder and rob."[3] His recent tirades in Philadelphia had warranted the attention of James Seagrove, the United States agent to the Creek Nation. In a letter to Governor Edward Telfair of Georgia, Seagrove claimed that the Creek were basically peaceful people; in fact, it was the Cherokee who had attempted to induce the Creek to join them in war, but "The Creeks refused them for the present."[4] Blount was clearly skeptical of Seagrove's claims, although he did concede that some few chiefs might wish for peace. But unless they restrained their young warriors, Blount warned, hostilities would continue. If that should be the case, he told Seagrove, "I shall order strong Parties, to pursue the offenders to the Tennessee, if not over it, and when Men, who have had their dearest and nearest

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[2]An Ordinance by Governor Blount, October 19, 1793, in Clarence E.Carter, ed., The Territorial Papers of the United States (28 vols., Washington, 1934-1950), 4:309.

[3]William Blount to Henry Knox, August 31, 1792, ibid., 4:166.

[4]James Seagrove to Edward Telfair, September 22, 1793, in Knoxville Gazette, December 19, 1793.

Relations killed, and their Property stolen, are out with arms in their Hands, if they come upon innocent hunting Creeks, and kill them by mistake, I cannot help it."[5]

A more significant result of the Philadelphia trip came when President George Washington delivered his Annual Message in December of 1793. Relations with the Creek and Cherokee, said Washington, were on a "critical footing," adding that "it is with Congress to pronounce what shall be done."[6] Blount would obviously have preferred stronger wording and was no doubt more pleased with a memorial from the newly-elected territorial assembly which urged decisive action on Indian affairs and was received by the House of Representatives in April. The Governor's optimism was evident as he awaited the results of the committee to whom this petition and the President's message had been referred.[7]

Although the report of the Congressional Committee for Territorial Defense stopped short of advocating an offensive campaign, it did recommend a more active defense, including the establishment of permanent military posts to be built along the border of the Indian nations. These garrisons would

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[5]William Blount to James Seagrove, January 9, 1794, in Carter, Territorial Papers, 4:320-323.

[6]Fred L. Israel, ed., The State of the Union Messages of the Presidents, 1790-1966 (3 vols., New York, 1966), 1:19.

[7]William Blount to Daniel Smith, April 3, 1794, in Carter, Territorial Papers, 4:333; William Blount to James Robertson, April 3, 1794, ibid., 334.

obviously provide military control over the borders but if they could also function as trading posts, as the report recommended, they might exert economic control as well. The number of troops to man these positions would be left up to the discretion of the Governor as would the number of cavalry which the report recommended to patrol between the new posts.[8]

In addition to the actions taking place in Congress, Dr. James White, the non-voting delegate sent to Philadelphia by the territorial assembly under the provisions of the Northwest Ordinance, had been actively lobbying the Secretary of War. Knox eventually agreed that the Cumberland residents were "greatly exposed to the Banditti Indians [and] seem intitled to receive a due proportion of protection from the United States."[9] White had requested federal troops, however, and Knox reported that this "will be difficult to accomplish with the present number of Troops notwithstanding the perfect propriety of the measure, until the operations in which General Wayne is engaged should have a favorable termination."[10] For this reason, said Knox, "resort must be had to the militia," and he recommended to the President that five different units of twenty-one to thirty-one men each be

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[8]Report of Committee of Congress: Territorial Defence, April 8, 1794, ibid., 4:335-336.

[9]Report of the Secretary of War to the President, April 11, 1794, ibid., 4:337-338.

[10]Henry Knox to George Washington, April 9, 1794, ibid., 4:336-337.

dispersed throughout the District of Mero, where the majority of the Indian activity was now concentrated. Additionally, Knox advised that the Cumberland settlements be given "six small iron howitzers" with ammunition and 200 "old muskets wanting repair."[11]

Such protection, although appreciated, was not a significant improvement over the existing situation and the citizens of the Southwest Territory turned their attention to the House bill which, by July, had been read a third time and passed. But when the bill reached the Senate, it was amended to require a single regiment of federal troops instead of militia. Expressing a disdain for standing armies, particularly in instances such as Indian fighting where militia had clearly been more effective, the House of Representatives refused to accept the amendment and the "Act for the more effectual Protection of the South-Western Frontier Settlers" was effectually dead.[12]

As 1794 began, however, the frontier settlers seemed to need very little protection. Attacks were infrequent, although a sudden assault near Knoxville on the first day of the year left two dead and sparked pursuit by two separate groups of settlers. One of these followed a false trail to the village

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[11]Report of the Secretary of War, April 11, 1794, ibid., 4:337-338.

[12]"A Bill for the Protection of the Territory," May 29, 1794, ibid., 4:342-343; Knoxville Gazette, June 5, 1794, June 19, 1794, August 25, 1794, September 6, 1794.

of the Hanging Maw, where, according to the Knoxville Gazette, "they killed three men, and . . . forgetting the respect due to themselves, they killed seven squaws." The other pursuers were members of the Knox County Cavalry, led by Captain John Evans, and whom the Gazette believed were "as experienced riflemen as any on earth." They eventually overtook the attackers, whereupon a sharp skirmish ensued and the Indians fled, leaving behind their possessions, including the scalp of one of their recent victims, easily identified "from his having been much bald headed"[13]

Aside from this incident, hostilities were rare in Holston after 1794. Even from Mero came the news that except for some stolen horses, there had been no depredations "for some time."[14] Blount reestablished contact with the Cherokee early in the year and immediately claimed to "have made a Peace with the Cherokees in which I have great faith."[15] He expected to receive "formal overtures of peace" very soon and accordingly instructed Robertson to reduce the number of militia in the field. Although he was still waiting after a month "to hear from the Chiefs on the Subject of Peace," he remained optimistic and noted that "We enjoy a very unexpected

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[13]Ibid., January 2, 1794; January 16, 1794.

[14]Ibid., January 2, 1794.

[15]William Blount to John Sevier, January 9, 1794, in "Letters of Governor William Blount," Philip M. Hamer, ed., ETHS Publications, 4(1932): 122-137.

degree of Peace. Good [sic] send it may continue."[16] Blount appeared even more optimistic in a letter to his brother, boasting that "Knoxville is now above the reach of Indian Alarms, let War be as hot as Indian War ever was."[17]

If Knoxville was secure from attack, reports out of Nashville indicated that hostilities in that region were about to resume. "Indian sign is daily discovered in different quarters," reported the Gazette, and the number of attacks were increasing.[18] An individual who accompanied the delegates from Cumberland to the first meeting of the assembly wrote to an associate in North Carolina that an express had arrived from Mero District "with an account of the Indians killing 5 persons in my neighborhood." Fortunately, he wrote, although "the Indians are very troublesome on the frontiers of Cumberland . . . my family was well about 2 weeks ago."[19] Blount himself was finally convinced that peace, at least with the Creek and presumably with the Chickamauga, was still in the future when two express riders who had been dispatched

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[16]William Blount to James Robertson, January 18, 1794, in Carter, Territorial Papers, 4:324-326; William Blount to John Sevier, February 9, 1794, ibid., 327.

[17]William Blount to John Gray Blount, March 27, 1794, in Alice B. Keith and William H. Masterson, eds., The John Gray Blount Papers (3 vols., Raleigh, NC, 1952-1965), 2:380.

[18]Knoxville Gazette, January 16, 1794.

[19]James Taylor to William Lytle, March 5, 1794, William Lytle Papers, Southern Historical Collection, University of North Carolina, Chapel Hill. See also Knoxville Gazette, March 13, 1794.

from Robertson with letters for the Governor were ambushed. One of the riders was seriously wounded and only with the assistance of his companion able to reach the garrison at Southwest Point. Robertson's letters, described as "much stained with . . . blood," were finally delivered to Blount who noted that the express rider's "fifty dollars have been dearly earned." He also bitterly noted to Robertson that apparently the "assurances from Mr. Seagrove of the peaceful disposition of the Creeks was the prelude to their murdering and plundering the Inhabitants of your District." [20]

Blount's peace efforts with the upper Cherokee, however, were more productive. With his contacts now firmly reestablished among some of the friendly chiefs of those towns and the traders living there, he was reassured that the chiefs were indeed ready to end hostilities and that they "get no encouragement from the Spaniards now, which gives hope that we may expect peace once more."[21] By April Blount was convinced that only the lower towns of the Chickamauga intended to continue hostilities and instructed Robertson that he must use no more troops than were absolutely necessary to contend with the small raiding parties which would in all probability continue throughout the summer. Expenses must be

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[20]William Blount to James Robertson, March 8, 1794, in Carter, Territorial Papers, 4:331-333.

[21]John Thompson to William Blount, March 28, 1794, in "Correspondence of Gen. James Robertson," The American Historical Magazine, 3(1898): 292-293.

kept at a minimum in Mero, Blount emphasized, since the cost of defending that district was averaging four times the cost for defense of the Holston settlements. "Economy is a Republican virtue," he reminded Robertson, which, "from the injunctions laid on me, I feel myself bound to injoin on you the observance of."[22] More good news was received from the upper towns in late May when Hanging Maw sent a letter to Blount in which he expressed a willingness to forget past incidents and said that the other chiefs of the upper towns are in agreement. He has heard no "bad talks," he informed Blount, and even believed that John Watts and some of the chiefs of the Chickamauga were inclined towards peace. "We have often told lies," he admitted, "but now you may depend on hearing the truth."[23]

But a letter from John McKee, a former Indian trader and trusted Blount associate who had replaced the imprudent Leonard Shaw, appeared less optimistic although it did confirm the peaceful intentions of Hanging Maw. Indeed, said McKee, it was Hanging Maw who had provided him with details of unrest among the lower towns and led him to believe that "the blessings of entire peace are not long to be expected." But the same issue of the Knoxville Gazette which carried this

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[22]William Blount to James Robertson, April 15, 1794, in Carter, Territorial Papers, 4:340-341.

[23]Hanging Maw to William Blount, May 25, 1794, Knoxville Gazette, June 5, 1794.

ominous letter also reported that, for the first time in two years, there were no Indian-related incidents of death or property loss to report.[24] There had admittedly been no news from the Cumberland settlements for over a month, but by the spring of 1794, the citizens of the Holston settlements could finally perceive a decline in the level of Indian attacks.

Part of the credit for this development can be attributed to the efforts of none other than Chief Hanging Maw, who continued to provide the territorial government with timely information regarding the activities of the Creek. His information came too late to save the life of John Ish, who was killed on July 24 near Knoxville; but the Hanging Maw convinced McKee that, if given ten to fifteen days, he would apprehend these raiders and Blount readily gave his blessings to the plan. Accompanied by two officers from the territorial militia, eleven Cherokee warriors (including Willioe, the son of Chief Hanging Maw) were sent in pursuit. Within four days they had apprehended a Creek who admitted his part in Ish's death and handed him over to McKee at Tellico Blockhouse. Their success was followed by celebrations on both sides and some of the militiamen reportedly "joined in the war-dance."[25] The upper Cherokee continued to demonstrate their friendship

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[24]John McKee to William Blount, June 18, 1794, ibid., June 19, 1794.

[25]Ibid., July 31, 1794; James G.Ramsey, The Annals of Tennessee to the End of the Eighteenth Century (Kingsport, TN, 1967 [1853]), 594-595.

throughout the summer of 1794, sending out scouting parties to work in cooperation with scouts from the frontier militia in locating Creek raiding parties coming into the territory. Nor did they hesitate to engage these Creek raiders when they were located and they returned home on more than one occasion to participate in victory dance celebrations with Creek scalps.[26]

Such displays effectively convinced the citizens of the territory that the friendship of the upper Cherokee was genuine and retaliatory expeditions against those towns finally ceased. Indeed, there were seldom any hostilities against which to retaliate, for Blount had by this time garrisoned the company of federal troops to five strategic locations on the frontiers of Knox County[27] and with the cooperation of Hanging Maw and other chiefs of the upper Cherokee, very few Creek raiders were able to strike at the Holston settlements after the spring and summer of 1794. By November Blount was able to report that the Holston settlements "enjoy an entire peace - The friendly Cherokees serve as a guard against the hostile Creeks."[28]

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[26]Knoxville Gazette, August 25, 1794.

[27]William Blount to Henry Knox, November 10, 1794, in Carter, Territorial Papers, 4:364-370.

[28]William Blount to Henry Knox, November 28, 1794, ibid., 4:373.

At the same time, however, attacks against the Cumberland settlements continued unabated. The Knoxville Gazette, in an article entitled "Journal of Indian Depredations," described fifteen deaths, over fifty stolen horses and significant property damage which had taken place since February 16 in the Mero District.[29] The War Department was aware of these attacks and, in addition to the modest amount of arms sent to Nashville, summoned the Cherokee chiefs to Philadelphia in June of 1794 for negotiations. The meeting produced additional articles to the Treaty of Holston which, after admitting that "some misunderstandings . . . have arisen," agreed to run the boundary of the Cherokee Nation as soon as possible and raised the tribal annuity to $5000, subject to a fifty dollar reduction for each horse stolen and not returned within three months.[30]

The citizens of the Southwest Territory, however, had lost much of their faith in negotiations. To them, the promise that this latest version of the treaty process would reestablish "peace and friendship" must have seemed reminiscent of earlier promises which had produced neither. Like most of his citizens, Blount had come to believe that the most effective means of establishing peace and friendship with the hostile Indians was a "well-directed attack" against their

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[29]Knoxville Gazette, April 24, 1794.

[30]Treaty with the Cherokee Nation, June 26, 1794, in Carter, Territorial Papers, 4:346-348.

towns and villages, but he had been unable to persuade his superiors to accept this view. He was now faced with continued attacks against the Cumberland settlements by the Creek and Chickamauga against which he believed he had no official recourse.

There were still alternatives, of course, and covert plans began to develop in the early summer of 1794 for an offensive campaign against the lower towns of the Chickamauga. After scouts from the Cumberland settlements had established a practicable attack route through the Indian lands to the vicinity of the Chickamauga town of Nickajack, John McKee repeated an earlier warning to those Indians that unless they "made peace immediately, they would feel what war is before winter."[31] Blount was at least aware of these plans, if not actively involved, for he was at about the same time encouraging his superiors to consider the advisability of an offensive campaign against these same lower towns of the Chickamauga. But he was promptly reminded by the Secretary of War that, despite the "good consequences [which] might result from it," the President had received no authority from Congress for an offensive campaign, and therefore specifically directed that no such attack should take place. [32]

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[31]Ramsey, Annals of Tennessee, 608; John McKee to the Glass and Other Chiefs of the Lower Towns of the Cherokees, July 14, 1794, in "Correspondence of Gen. James Robertson," AHM, 3(1898): 352.

[32]Ramsey, Annals of Tennessee, 609.

The last possibility of federal action, even if it was only a more active defense, died near the end of August with the House bill for "the more effectual protection of the Southwestern frontier settlers." The plans for the secret campaign against the Chickamauga towns now began to move forward. Troops were quietly raised in Cumberland and augmented by volunteers from Kentucky. Blount also dispatched sixty-nine men from the militia of Hamilton District under the command of James Ore, who was given the nominal command of the 550 mounted infantry soldiers. On September 6 Robertson issued the order for these troops to march. By the 13th they had crossed the Tennessee River and arrived at the Chickamauga town of Nickajack, where their attack completely surprised the residents. After breaking a brief resistance and burning the town, Ore's men moved four miles further upstream to the larger town of Running Water, which was likewise attacked and destroyed. Evidence was collected to implicate these Indians in the recent depredations in the Cumberland settlements, after which Ore ordered the men to recross the Tennessee. The return march was begun the next day, and the men arrived in Nashville on September 17.[33]

As soon as Blount learned of their return he sent along some sketchy information to Knox and promised to send details as soon as possible, at the same time reassuring the Secretary

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[33]Masterson, William Blount, 267-268; Ramsey, Annals of Tennessee, 610-616.

of War that "if General Robertson has given an Order for the destruction of these towns . . . he is not warranted in so doing by any order from me."[34] Blount had already expressed "surprise and mortification" when Robertson had earlier solicited reinforcements from the Kentucky militia,[35] and he now officially demanded that Robertson submit whatever reasons he might have had for issuing the orders of September 6 to attack the Chickamauga towns.

Robertson quickly responded with not only a lengthy justification for his actions but also with his resignation as brigadier-general of militia for the District of Mero.[36] Neither of these letters contained anything which surprised the Governor; he had been aware for almost a year that Robertson wanted to resign and Robertson's explanations for his authorization of the Nickajack Expedition were predictable. Indeed, it has been suggested by Blount's biographer that the wording and grammar of these letters strongly suggests that the author was actually Blount

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[34]William Blount to Henry Knox, September 22, 1794, in Carter, Territorial Papers, 4:356.

[35]William Blount to James Robertson, September 9, 1794, in "Correspondence of Gen. James Robertson," AHM, 3(1898): 357.

[36]James Robertson to William Blount, October 8, 1794, in Carter, Territorial Papers, 4:358-359; Resignation of General James Robertson, October 23, 1794, in "Correspondence of Gen. James Robertson," The American Historical Magazine, 3(1898): 363.

himself.[37] Such a charge, of course, implies that Blount was the mastermind of the Nickajack Expedition and is certainly a legitimate speculation. The careful planning, the precise timing and the obvious advantages which such an attack would create for the Governor (provided he could avoid implication) also strengthen the charge and render it very likely that the Governor was at least aware of the plans, probably actively involved in them and may in fact have been the originator of the entire scheme.[38] But whoever was responsible, the campaign did produce the anticipated advantage of creating a definite break in hostilities for the Cumberland settlements. The Gazette reported in November that "Only one man has been killed by Indians, in Mero District, from the 10th of September to the 24th instant," and the paper concluded that "the destruction of the Running Water and Nickajack . . . had taught the Lower Cherokee and the Creeks, a greater degree of forebearance than heretofore."[39]

The impact of the Nickajack Expedition was obviously significant, especially on the Chickamauga; but it was not the

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[37]William H. Masterson, William Blount (Baton Rouge, LA, 1954), 267-269.

[38]One writer has suggested that not only was Blount involved in the planning of the Nickajack Campaign, but Henry Knox, Secretary of War, had at least given tacit approval to the operation before it was initiated. See Walter T. Durham, Before Tennessee: The Southwest Territory, 1790-1796 (Johnson City, TN, 1990), 177.

[39]Knoxville Gazette, November 1, 1794.

only factor which brought about this new "forebearance" on the part of the southern Indians. Blount's peace efforts were being aided by other events as well, one of which was the relaxation by Spanish officials of their policy which had encouraged Indian hostilities. Baron de Carondelet had become singularly unimpressed with the military prowess of his Indian allies, and by late 1794 was aware that his policy of increased hostilities had failed. Encouragement of the hostile tribesmen diminished, and within a year Pinckney's Treaty would signal a new phase in Spanish-American relations. Anthony Wayne's victory over the northern Indians at Fallen Timbers, which took place just a month before the Nickajack Expedition, was also influential in bringing about peace among the southern Indians. This victory not only ended any chance that may have existed for an alliance between the northern and southern Indians, but it also made the troops of the regular army available for service in the Southwest Territory if hostilities there should continue.

As a result, Blount was able to make progress towards peace among the Chickamauga for the first time. By late October the Governor had established a friendly correspondence with Doublehead, one of the more belligerent chiefs of the lower towns who had taken part in the recent conference at Philadelphia. Doublehead claimed that he had returned from that meeting determined, as was his entire nation, to remain at peace with the United States. His only request was that his

people be allowed to hunt unmolested in the Cumberland Mountains. Blount felt it unwise to agree to this, since hostilities with the Creek continued. His difficulty in protecting the upper Cherokee from the retaliations of his citizens now convinced him to keep the Chickamauga at a safe distance from the settlements, since "some on both sides cannot quite forget their relations and friends." But, added the Governor, if the winter remained peaceful, "people will be more good humoured next summer, and will more firmly believe that there is really a peace taken place between us."[40] Blount was thus able to report to Knox that there were "pleasing prospects of peace . . . with the lower Cherokees," and that a "daily and friendly intercourse" continued between the upper Cherokee and the agents he had stationed at Tellico Blockhouse. In fact, he added, the residents on the frontier, "who have for upwards of two years been miserably huddled together in Stations for their common defence . . . are generally about to move out to their respective Farms."[41]

Despite a threatened invasion of the lower towns by a volunteer force from Kentucky, Blount was able to arrange a conference with chiefs from both the upper and lower towns of the Cherokee at Tellico Blockhouse on November 7 and 8. This

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[40]Doublehead to William Blount, October 20, 1794; William Blount to Doublehead, October 29, 1794, in Knoxville Gazette, November 1, 1794.

[41]William Blount to Henry Knox, November 3, 1794, in Carter, Territorial Papers, 4:361-364.

meeting was very general in nature, although both parties did agree to meet the next month to continue the discussions and exchange prisoners. Blount arrived at this second conference on December 23 and the Cherokee chiefs arrived on the 28th. News of the proposed meeting and its purpose had circulated through the territory during the last month, however, and when a reporter for the Knoxville Gazette arrived at Tellico Blockhouse he noted that "a great number of frontier inhabitants have appeared here, putting in claims for negroes and horses stolen by the Cherokees since the treaty of Holston." In fact, he continued, it was difficult to imagine "a more disagreeable place than this has been since the 18th[.]" Citizens with grievances to present to the Governor, or those who were simply curious, as well as hungry and impoverished Indians, all crowded together around the blockhouse, "while the weather has been excessive cold and wet." Despite these distractions, the conference proceeded well; "all matters of past hostility," the Gazette reported, "were fully discussed and terminated with the strongest assurances of peace on both sides." But while the paper confidently predicted that "peace with the whole of the Cherokee appears highly probable," it was also noted that continued warfare with the Creek seemed "quite certain."[42]

Blount had drawn similar conclusions from his discussions

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[42]Knoxville Gazette, December 26, 1794; January 9, 1795.

at Tellico Blockhouse. Negotiations with the Cherokee, he told his superiors had "terminated with the pleasing prospects of peace with that Nation," but Creek hostilities continued. Nor did he believe that the territory would be free from Creek attacks until that nation was "severely chastised, or an armed force is so posted as to afford these Citizens effectual protection." Negotiation with the Creek, he claimed, would be useless since the only Creeks who honored their treaties were the "Superanuated Chiefs who have satiated themselves with blood."[43]

The citizens of Mero would certainly have supported these claims, for a flurry of Indian activity there in the last part of October and early November had created a mild panic. According to the Gazette, these seemingly coordinated attacks had "spread an unusual degree of alarm among the inhabitants." Families returned to the security of their stations, and the only activity was the patrolling militia units. One such attack occurred near Clarksville and was described in a letter to the Knoxville Gazette as "the most tragic scene that ever I saw in my life." The author arrived in the immediate aftermath of the attack which left six dead, including two women and three children, and a child who was "wounded and scalped, which must die." It was, the observer continued, "impossible to describe the scene to you . . . the crying of

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[43]William Blount to Timothy Pickering, January 9, 1795, in Carter, Territorial Papers, 4:380.

women and children . . . the bustle and consternation of the people . . . is a scene which cannot be described.[44]

Blount had already suggested to Henry Knox that the Chickasaws, Choctaws and Cherokee will "readily aid the Arms of the United States in chastizing and humbling this blood thirsty [Creek] Nation."[45] Knox, however, had resigned as Secretary of War at the end of 1794 and been replaced by Timothy Pickering, and Blount promptly reminded the new Secretary that such a war against the Creek could still be arranged. At the least he suggested that the Cherokee would be willing to serve as rangers along the Cumberland frontiers, as they were doing in Holston, and estimated that he could raise a force of at least sixty and perhaps as many as 200 warriors from the upper towns for that purpose.[46]

Blount continued to submit letters and proposals to Pickering which stressed the importance of federal offensive action, reinforced by warriors from the other southern tribes, against the Creek and seems to have believed that Pickering would be more receptive to his ideas than Knox had been. But the first substantial directives he received from his new

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[44]Anthony Crutcher to Thomas and William Crutcher, November 12, 1794, in Knoxville Gazette, November 29, 1794. See also A.W. Putnam, History of Middle Tennessee (Knoxville, 1971 [1859]), 493, 497.

[45]William Blount to Henry Knox, November 28, 1794, in Carter, Territorial Papers, 4:373.

[46]William Blount to Timothy Pickering, January 10, 1795, ibid., 4:380-381.

superior destroyed this new optimism. Congress, Pickering informed the Governor, had recently passed two acts which would increase trade with the southern Indians and also provide for the better protection of the frontiers. "All ideas of offensive operations," he said, "are therefore to be laid aside and all possible harmony cultivated with the Indian tribes." Blount's ideas for encouraging the Chickasaw, Choctaw and Cherokee, with the support of the United States, to wage war against the Creek were especially distasteful to the new Secretary and drew a specific rebuke. "Upon the whole, Sir," wrote Pickering, "I cannot refrain from saying that the complexion of some of the Transactions in the South western territory appears unfavorable to the public interest." There would be, he emphasized, no direct or indirect war against the Creek; instead, he would instruct James Seagrove to "make some pointed declarations to the Creeks in regard to their depredations in the Southwestern Territory."[47]

Such an attitude was difficult for many citizens of the territory to understand, particularly when it was contrasted with the federal reaction to the Whiskey Rebellion of the previous year. In that instance, almost 15,000 troops had been sent to western Pennsylvania to put down the opposition to the federal excise tax. "I have dispaired of any thing ever being done for us," wrote one citizen, "let the Indians kill and rob

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[47]Timothy Pickering to William Blount, March 23, 1795, ibid., 4:386-393.

in what degree they pleased." But since the excise tax had recently been extended to include the Southwest Territory, this writer expressed the hope that "the supervisor of the excise, in passing the wilderness, may be killed by them [the Indians], which will unquestionably and instantly draw forth a second constitutional army against them."[48]

Blount elected to take a more direct hand in events. He still maintained his belief that the Creek attacks against the territory could be reduced or eliminated altogether if that tribe were preoccupied by its latent war against the Chickasaw. He had accordingly begun to encourage the Chickasaw towards renewing hostilities before receiving orders from Pickering which forbid such action. Apparently through the efforts of Blount or his agents, a Chickasaw who was found dead was somehow proven to have been killed by the Creek. According to a Spanish trader in the Choctaw Nation, this allegation "rais[ed] the blood of the Chickasaws [who] without further examination fell on a party of the Creeks on the Cherokee [Tennessee] River; five of them killed the whole." After killing these five Creeks, the report continued, the Chickasaw came home and "a Creek fellow that lived in the Chickasaws for many years reflecting on the Chickasaws for serving his Nation so, they knocked him on the head made six,

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[48]"Extract of a letter from a citizen of this Territory in Philadelphia to his friend in Washington county," March 23, 1795, in Knoxville Gazette, June 5, 1795.

-- the war is begun."[49] The Knoxville Gazette claimed that it was the Creek who had "actually shed the first blood" and reported that they were soliciting aid from the Shawnee. Should they be successful, said the article, "the fate of the Chickasaw appears inevitable," and for the Gazette, such a fate for those "brave and friendly" Indians was not only unthinkable, but "National honor, justice, gratitude and sound policy revolt at the idea!!!"[50]

When it became obvious that there would be no military assistance from the federal government, the citizens of the Cumberland settlements began to recruit a volunteer force to aid the Chickasaw. A force of around 100 was eventually raised and by May 10 had arrived in the Chickasaw capital of Logtown where, on May 28, a Creek army of over 1000 warriors attacked and was repulsed.[51] Even before the attack at Logtown, however, the chiefs of the lower and upper Creeks had sent a "talk" to Blount in which they promised "to bury the hatchet, guns, and all other sharp weapons, and to take all the white people by the hand like brothers, and never to spill each

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[49]Benjamin James to Juan de la Villebeurve, February 12, 1795, in "Papers From the Spanish Archives Relating to Tennessee and the Old Southwest, 1783-1800," in ETHS Publications, 43(1971): 103.

[50]Knoxville Gazette, March 27, 1795; May 8, 1795.

[51]John Haywood, The Civil and Political History of the State of Tennessee from its Earliest Settlement up to the Year 1796, (Knoxville, 1969 [1823]), 448-450.

others blood anymore."[52] Some few attacks continued, but the prospects for peace with the Creek seemed for the first time to be genuine. Most observers within the territory felt that the credit for this peace was due the Chickasaw, who they claimed had "done more in a few months than the United States had done in twenty years - taught the Creeks the value of peace by the dread of war."[53]

Such a lesson had long been urged by Blount and many others and the results were now well received by the citizens of the territory, especially in the Cumberland settlements. "This small cessation of hostilities," wrote an inhabitant of Sumner County, "has diffused general joy over the countenances of all ranks of people."[54] By the end of the summer Blount was able to congratulate Daniel Smith and "the Citizens of Mero District in the Interlude of Peace which you are enjoying,"[55] and had by October arranged a conference with the Creek chiefs at Tellico Blockhouse. The Governor arrived at the conference on the 10th and was immediately convinced of the sincerity of the Creeks. Based on what he termed their "good conduct"

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[52]Knoxville Gazette, June 19, 1795.

[53]Ibid., June 5, 1794.

[54]"Extract of a letter from a gentleman in Sumner County, Mero District, to his friend in this town," June 5, 1795, ibid., June 19, 1795.

[55]William Blount to Daniel Smith, August 24, 1795, in Tennessee Historical Society's Miscellaneous Files, Tennessee State Library and Archives, Nashville.

during the past six months and "the assurances given me since my arrival at this place," Blount announced that travellers could safely pass through the wilderness "without a military escort, without the least apprehension of injuries at the hands of the Cherokees or Creeks."[56] The conference continued with "the embrace of friendship and the smoking the pipe of peace, after which mutual possessions of peace and friendship took place." When Governor Blount returned to Knoxville on October 22, the Gazette stated that "We do not announce the restoration of peace, but we declare its continuance. Frontier white people and Cherokee and Creeks, who, twelve months past, were in a state of hostility, now, when they meet, whether in the settlements, the nation, or the wilderness, eat, drink and smoke together in peace and friendship."[57]

The Indian problem in the Southwest Territory had finally been solved. But if the nature of the problem had caused much debate in the distance between Philadelphia and Knoxville, the explanations of the solutions for the problem were no different. Blount readily admitted the importance of Wayne's victory at Fallen Timbers and the failure of Carondelet to forge a southern Indian confederacy; but the friendship of the upper towns of the Cherokee, the Nickajack Expedition, and even the intrigues of the Chickasaw-Creek War were to Blount

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[56]William Blount to Joseph Dorris, October 11, 1795, in Knoxville Gazette, October 23, 1795.

[57]Ibid.

equal, if not more important, reasons for the end of hostilities.

For his superiors in Philadelphia, however, the end of hostilities was realized in spite of the very things which Blount felt were most important. Indeed, by the end of his administration, there were some in Philadelphia who felt that the Indians had been pacified in spite of Blount himself. The Governor's activities had been brought under suspicion fairly early, as indicated by the appointment of David Henley to Knoxville. But Blount's government was placed under even closer scrutiny by Timothy Pickering, the Secretary of War who replaced Henry Knox in January of 1795. Pickering had served previously as United States agent to the Iroquois where he believed his efforts to structure a benevolent treaty had been threatened by the power of land speculators.[58] He now entered his duties as Secretary of War with a preconceived distrust of powerful land speculators, and few were more powerful than William Blount.

Perhaps aware of earlier attempts which had failed to implicate the Governor, Pickering immediately began to attack and condemn Blount at any opportunity. James White discovered soon after his arrival in Philadelphia what he believed to be the reason that "Congress is unwilling to act with spirit against the Creek Indian." He noted that Blount's constant

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[58]Gerald H. Clarfield, Timothy Pickering and the American Republic (Pittsburgh, 1980), 125.

efforts towards that objective should have been productive, but were being undermined by "a Person High in office," who maintained that the energy and "ardor" with which the Governor pursued his goal "indicated a disposition interested for that Purpose: which mistaken idea," White wrote, "I had the mortification to hear uttered in my own presence."[59]

Within four days of this incident Pickering began his attack on Blount in earnest. On March 23 he wrote a letter to Blount which pointedly informed him that there would be no offensive campaign against the Creek, and he condemned the Governor for encouraging the Chickasaw to escalate their war against the Creek. Pickering also instructed Blount to cease complaints about Indian activities such as horse theft until he had stopped all encroachment on Indian lands and punished the offenders, since "one Species of robbery affords as just ground of hostility as the other."[60]

Pickering expected Blount to offer some response to these general accusations and prepared himself for further attacks by writing a letter to David Henley on the same day. Henley received his orders directly from the War Department rather than through Blount and was thus in an excellent position to observe any irregularities. This Pickering encouraged Henley

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[59]James White to William Blount, March 19, 1795, in Carter, Territorial Papers, 4:385-386.

[60]Timothy Pickering to William Blount, March 23, 1795, ibid., 4:386-393.

to do; among other things, Henley was told to find out if any Indian lands were being surveyed illegally and if the militia was receiving correct payments. He was also told to determine if the militia (especially the expensive mounted infantry) was being called out too frequently and if the services of Deputy Indian agent John McKee (a close friend of the Governor whom Pickering also distrusted) were essential.[61] Two months later, however, Pickering had received information from John McNairy, one of the three federal judges in the territory, which claimed that "the persons in Mero who supply on public account the Chickasaws and Choctaws, charge double the quantities actually delivered." Henley was instructed to cooperate with McNairy and find proof of these allegations "without delay, and to expose the names of all persons concerned in such fraudulent transactions, that we may at least banish such villains from public Employment."[62]

But Henley was apparently unable to provide any evidence and Blount was not rising to the bait of Pickering's charges. "The Governor promised an answer to my pointed animadversions" the Secretary complained to Henley, "but hitherto he has contented himself with the general profession of his having constantly endeavored to promote the public welfare." Despite

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[61]Timothy Pickering to David Henley, March 23, 1795, in "Letters from Timothy Pickering, Oliver Woolcott and Others to Colonel David Henley," McClung Collection, Lawson McGhee Library, Knoxville, Tennessee.

[62]Pickering to Henley, May 25, 1795, ibid.

the lack of evidence, however, Pickering was convinced of Blount's guilt and assured Henley that "I have no doubt of great abuses existing in the conduct of affairs in the Southwestern Territory . . . I wish, however, that you may not slacken your attention to discover and communicate them."[63] Without such discoveries, Pickering could do little more than ridicule and berate the Governor, which he seems to have done whenever possible. Even a letter to the President from David Campbell, another of the three territorial judges, arrived at Washington's office with a note from Pickering that dismissed it as "merely an eulogy on Governor Blount." Campbell had attempted to write "in energetic strains," in Blount's behalf and adopted "the poetic stile," which Pickering felt had been selected "perhaps very properly; as poets deal in fiction."[64]

This attitude was visible beyond the offices of the War Department. As one observer noted, "the general government still procrastinates coercive measures" for the protection of the Southwest Territory, he also came to doubt that "the Executive is disposed to do all in their power: I mean," he continued, "they are not disposed to believe that the necessity in justice really exists, and if it does, that it

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[63]Pickering to Henley, July 22, 1795, ibid.

[64]Timothy Pickering to Bartholomew Dandridge, June 27, 1795, in Carter, Territorial Papers, 4:395.

is the Indians that should be protected and not the whites."[65]

Pickering and others in the federal government were thus able to undermine the credibility of Blount and his government; at the same time, however, they seemed unaware (or unconcerned) that they were destroying their own credibility in the Southwest Territory and other areas of the West by allowing themselves to appear callous and uncaring towards the threat of Indian attacks. The people of the Southwest Territory would not forget this attitude on the part of those they had depended upon for protection. As citizens of the new state of Tennessee, they would be among the first of the western states to express opposition to a federal government which had seemingly ignored them during their time of transition.

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[65]"Extract of a letter from a gentleman in Philadelphia to his correspondent in Knox County," March 19, 1795, in Knoxville Gazette, April 24, 1795.

Chapter Six

A "Good Poor Man's Country": Economic Development in the Southwest Territory

Shortly after his appointment as Secretary of the Southwest Territory, Daniel Smith received a letter from Senator Benjamin Hawkins of North Carolina. Hawkins congratulated Smith on his appointment and then proceeded to emphasize to the new secretary the importance of "home manufactures." Indeed, said the Senator, the territory's "relative situation with the commercial part of the United States is such that this is indispensible to your prosperity." Hawkins specifically recommended that the citizens be encouraged to "raise fruit trees of all sorts, grapes of all sorts for wine--salt Iron and clothing of cotton flax wool and silk."[1]

This letter from a member of Congress to the Secretary of the Southwest Territory represents the extent of any direct stimulation or encouragement of economic development within the territory by the federal government. Even these brief directives were unofficial and largely due to the past friendship which existed between Hawkins and Smith. There was admittedly very little the federal government could do - or cared to do - in terms of economic intervention for the nation

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[1]Benjamin Hawkins to Daniel Smith, June 10, 1790, in Clarence E. Carter, ed., The Territorial Papers of the United States (28 vols., Washington, 1934-1950), 4:26-27.

as a whole. Yet in the territories it administered, the federal government could conceivably stimulate economic growth simply by encouraging immigration and be rewarded through the sale of federal lands. To encourage immigration, however, the federal government must be prepared to offer protection from any hostile Indians and to ensure the transfer of land to private ownership. In the Southwest Territory the federal government would take an active role in neither of these responsibilities.

This seeming indifference can be understood when it is recalled that Secretary of State Thomas Jefferson's land report, submitted to the President in November of 1791, revealed that a combination of private speculation and North Carolina land grants had accounted for all but about 300,000 acres in the Southwest Territory.[2] The same report, however, disclosed that there were over twenty million acres of land in the Northwest Territory which the financially troubled young nation could convert into cash; the prospects of this financial reward encouraged the federal government to commit its limited resources and its full attention to the north.

Despite this lack of attention from the federal government, fertile and affordable land (although in the hands of private speculators) was available in the Southwest Territory. It was thus inevitable that immigration to the

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[2]Thomas Jefferson to George Washington, November 8, 1791, ibid., 4:84-100.

territory would take place, and that economic growth would follow. The opportunity to acquire productive land at reasonable rates would act as a powerful stimulus for immigration, for the private ownership of land was not only essential for political participation in late eighteenth century America, but it was also seen as the best avenue to financial security in an agriculturally oriented society. And, once arrived in the territory, the daily needs and requirements of the immigrant stimulated and encouraged a more diversified economic development.

But it was the land which acted as the primary attraction for the immigrant and thus the primary stimulant to economic growth. The benefits associated with land ownership were often difficult to realize for the individual living in the Atlantic states; by the 1790s there was little land available in the east which was not either exhausted or overpriced. The trans-Appalachian West was therefore attractive to this prospective purchaser and it made little difference to him whether he made his purchase from the federal government or from private speculators. Indeed, the flexibility of the private speculator as compared to the rigid provisions of the Land Act of 1785 meant that the purchaser could buy plots of land as small as his financial capabilities would allow or even arrange to purchase the land on credit. Thus encouraged, the Southwest Territory experienced rapid growth; during the years between the first census of 1791 and the census of 1795, the

population of the territory increased by 116.5 percent and the population per square mile doubled from 0.9 to 1.8.[3]

The potential advantages of such an influx of settlers are obvious for the speculators; in fact, their control of the land was the dominant element in the economy of the Southwest Territory. Anyone who purchased land with the intention of reselling it at a later date for profit could certainly be classified as a speculator. But there were various levels of speculation, ranging from those who owned and resold town lots to the largest speculators who controlled thousands or even hundreds of thousands of acres, including Governor William Blount himself, who was said to have owned over one million acres of land in the Southwest Territory.

For this largest group of speculators the 1789 cession to the federal government by North Carolina of all state lands west of the Appalachian Mountains, and with it the implication that the federal government would resolve the problems of Indian attacks and land titles, seemed to be a clear indication that land values in that region would increase. They immediately began to augment their holdings whenever possible. Some of these investors were willing to commit all of their available resources to this objective and only rarely was there any indication that they were concerned over the

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[3]Stephen B. Weeks, "Tennessee: A Discussion of the Sources of its Population and the Lines of Immigration," in Tennessee Historical Magazine, 2(1916): 248.

prospects of selling the huge tracts of land thus acquired. John Overton's letter to an associate admitted that he was "anxious" and expressed concern over the possibility that "sales cannot be made (which God in his infinite mercy forbid)",[1] but his concern was the exception. Most large speculators took for granted the fact that their investments would produce a profit and continued to accumulate as much land as possible.

The accumulation of land was not as simple as it had been a decade earlier, when the North Carolina "Land Grab Act" of 1783 had enabled businessmen from that state to obtain most of the available land to the west of the mountains. The Cherokees had ceded some additional land in the eastern portion of the territory at the Treaty of Holston in 1791. But some of this cession was already occupied by squatters who had defied the 1785 Treaty of Hopewell and much of the remainder had been previously surveyed by speculators who were immediately able to lay claim to valuable acreage near the new territorial capital of Knoxville.

Most of the activity of the speculators during the territorial period was centered in the Cumberland settlements on the North Carolina military reserve. These lands had been set aside as compensation for Revolutionary War veterans, and

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[1]John Overton to G. Grant, December 10, 1794, in John Coffee Papers, Dyas Collection, Tennessee State Library and Archives, Nashville.

individual grants ranged from 640 acres for a private to 12,000 acres for a brigadier general. Not all veterans were interested in moving to the west and if these individuals could be located it was sometimes possible to purchase their grants at a fraction of their true value. The most successful speculators were those who operated as teams, with an agent in the territory connected to the information and capital of an associate in the East, preferably in North Carolina. This latter individual would locate veterans and offer to purchase their land grants. Once purchased, the grant was dispatched to the agent in the territory who arranged to have the acreage located and surveyed. This information was then returned to North Carolina where a title for the land was issued from the office of the Secretary of State.[5]

Such cooperation between western and eastern businessmen is clearly seen in the relationship between John Nichols of Davidson County and the partnership of William Lytle (who was also Nichols' brother-in-law) and Absalom Tatum of Hillsborough, North Carolina. As early as 1784 and before he had moved to Cumberland, Nichols had accumulated over 15,000 acres of land in those settlements. After his arrival in Davidson County, he was appointed justice of the peace and continued to acquire more land for himself and his business associates by investigating, locating and surveying claims

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[5]Albert C. Holt, "Economic and Social Beginnings of Tennessee," THM, 7(1921-22): 288-291.

and returning that information to North Carolina. The correspondence between these men also shows that Nichols remained involved in extensive business dealings in North Carolina and that these affairs were being managed by Lytle, for which a thankful Nichols said he would be "allway[s] under the greates[t] obligation."[6]

Even with this type of careful cooperation between business associates, the possibility remained that some information might be lost in transit. Indeed, when speculators considered the lack of efficient post routes between the territory and the rest of the nation and the distances involved, a few elected to transmit their information personally. Even in those cases difficulties might arise, as happened when Stockley Donelson discovered upon his arrival in Raleigh that an associate had mistakenly retained twenty-one land warrants which, said Donelson, "prevents me from getting the Grants." He then described the missing warrants, all of them for 640 acres, which he said his associate "must not fail to Send Back immediately," adding that it had been "a painful thing to me indeed that Such a thing Should

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[6]John Nichols to William Lytle, May 8, 1793 and July 21, 1793, in William Lytle Papers, Southern Historical Collection, University of North Carolina, Chapel Hill; Anita S. Goodstein, "Leadership on the Nashville Frontier, 1780-1800," Tennessee Historical Quarterly, 35(1976): 184.

happen."[7]

The greater fear, however, was that a misdirected letter with the valuable information it contained would fall into the hands of rival speculators. In one instance, William Blount's failure to receive some expected correspondence led him to conclude that "the Hand of some unfriendly Land Speculator has got hold of such as have been directed for me."[8] One common characteristic, therefore, of most speculators in the Southwest Territory was what John Overton called "that important rule in business Secrecy and dispatch."[9] Stockley Donelson likewise cautioned one of his associates to "say as little as possible about . . . the Quantity of Lands and warrants we have Obtained as you can. the Necessity of this I need not mention."[10] At times it was even necessary to conceal the identity of the purchaser, since the price of the land could fluctuate in relation to that person's reputation or financial situation. William Blount reminded his brother John Gray Blount of this when he sought the latter's

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[7]Stockley Donelson to William Terrell, February 24, 1796, in Miscellaneous Papers, North Carolina State Library and Archives, Raleigh.

[8]William Blount to John Gray Blount, November 7, 1790, in Alice B. Keith and William H. Masterson, eds., The John Gray Blount Papers (3 vols., Raleigh, NC, 1952-1965), 2:131-132.

[9]John Overton to George Roulstone, February 17, 1795, in the Claybrooke-Overton Papers, TSLA.

[10]Stockley Donelson to William Terrell, March 23, 1796, in Misc. Papers, NCSLA.

assistance in securing the purchase of a particular tract of land for one of the Governor's colleagues, General Joseph Martin. "You can advise the bearer," Blount wrote to his brother, "how to make his approaches in the attempt to purchase," and added that it was perhaps "best not to say anything about the General's going to Cumberland, the Report of men of his Rank going may raise the Price."[11]

Such secrecy could sometimes produce conflicting claims for the same piece of property, or conflicts might arise if a prior claim seemed invalid or could not be proven.[12] In fact, any property without a clear title was subject to a second or even a third claim, as Frederick Stump discovered. Stump had been awarded 150 acres along White's Creek in Davidson County as compensation for surveying several larger tracts for John Overton in 1788. He was still awaiting a clear title for this property in late 1792 and urged Overton's assistance in obtaining it, since "I have risqued my life in doing the business I engaged for you," and, perhaps more importantly, "others are now Laying warrants on the Land from a presumption I shall not obtain a right."[13] Even when the title was obtained, the cautious owner would make certain there were no

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[11]William Blount to John Gray Blount, October 12, 1795, Draper MSS, 3XX48 (microfilm edition), State Historical Society of Wisconsin.

[12]Knoxville Gazette, June 2, 1792; August 25, 1792.

[13]Frederick Stump to John Overton, December 12, 1792, in John Overton Papers, 1785-1854, TSLA.

errors entered, for even the smallest mistake could conceivably cast doubt on the validity of the title at some future date. James McGavock was certainly aware of this possibility and was perhaps not being overly cautious when he petitioned the Davidson County court to alter his title to show that his 640 acres lay along "big harpeth River" rather than "bug harpeth River."[14]

Despite such complications, the county court records reveal an abundance of land sales, many of which were for tracts of around 200 acres and often for less. Speculators were willing to operate on this level, and many did; but most sales of this size were destined to be worked by the small-scale, "Jeffersonian" farmer, an individual who was virtually self-sufficient and whose livelihood was most typical in the territory. It was not only ideology but also the threat of Indian attacks which during the early years, and especially on the frontiers, often forced these yeoman farmers to keep their agricultural endeavors at or near the level of self-sufficiency and prevented the extensive cultivation of cash crops.

Just as important, however, was the lack of easy access to markets outside of the territory. Some "roads" crossed the Appalachian Mountains to connect the territory with the regions to the east, but these were often little more than

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[14]Davidson County Court Records, April Sessions, 1796.

footpaths over steep and difficult terrain; such roads were inadequate for economic purposes and most travellers seem to have avoided them.[15] Instead, the primary connection between the territory and the rest of the nation was by way of the "Great Road," which extended up the Holston valley and on to Virginia and the rest of the Atlantic states. The distance to Philadelphia by this route was about 650 miles and required around a month to traverse, although the best express rider could make the journey in just over two weeks.[16]

But for shipments of any considerable size, it could take as much as two months to cover the same distance. The goods for Blount's 1792 Nashville Conference, for example, left Philadelphia sometime around the end of April and did not arrive in Knoxville until the last of June.[17] Nor was this route cheap; the cost of the goods was just under $8200, but Secretary of War Henry Knox told Blount that an additional

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[15]Still, these roads represented the most direct route into the territory from the Carolinas, and some travellers, such as Bishop Francis Asbury, used them regularly. See John R. Finger, "Witness to Expansion: Bishop Francis Asbury on the Trans-Appalachian Frontier," Register of the Kentucky Historical Society, 82(1984): 334-357.

[16]William Blount to Edmund Randolph, July 28, 1794, in Carter, Territorial Papers, 4:350-351; see also Tyrel Gilce Moore, Jr., "The Role of Ferry Crossings in the Development of the Transportation Network in East Tennessee, 1790-1974" (M.A. Thesis, University of Tennessee, 1975), 17.

[17]William Blount to James Robertson, May 8, 1792, in "Correspondence of Gen. James Robertson," The American Historical Magazine, 3(1897): 59-61; William Blount to Henry Knox, July 4, 1792, in Carter, Territorial Papers, 4:157-159.

$3000 was required "to pay the expence of transportation to Richmond and thence to your government."[18] Blount wrote a year later that the cost of transportation from Richmond to Knoxville was "only 4 dollars per 100 lb" but also added that such a price was "Enough in all Conscience."[19]

The problem for Nashville and the Cumberland settlements was even more pronounced. The road through the wilderness which connected these settlements with Holston was dangerous and narrow, unable to accommodate anything more substantial than packhorses. An alternate means of supplying Cumberland from Knoxville was the equally dangerous and difficult water route down the Tennessee River to the Ohio and then up the Cumberland to Nashville. But attacks by hostile Indians living near the river were a constant threat for all but the largest parties. At certain times of the year this route became even more dangerous when low water levels intensified a large whirlpool near present-day Chattanooga and also necessitated a portage around the shallows of Muscle Shoals.

For the transportation of large shipments, however, there were few alternatives. William Blount selected the Tennessee River as the most practical route for conveying the Indian gifts to the Nashville Conference in 1792 and it was still the

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[18]Henry Knox to William Blount, April 22, 1792, ibid., 4:137-143.

[19]William Blount to John Gray Blount, October 22, 1793, in Keith, The John Gray Blount Papers, 2:323-326.

best means of transporting large shipments in June of 1795, when the Gazette reported that four boats of 15 tons each set off for Nashville under the command of Alexander Moore. "They were loaded," said the paper, "with bar or cast iron, and a variety of articles . . . which from their bulk or weight could not be transported through the wilderness."[20]

Items which did not originate in Knoxville, however, could be transported overland through the Cumberland Gap and then into Kentucky and on to Nashville. This was a reliable route, but an expensive one, with charges averaging ten dollars per hundred pounds.[21] Goods could be sent more cheaply down the Ohio River from Pittsburgh and then either upstream on the Cumberland River or overland from Louisville. By the mid 1790s these river routes had become the standard avenues for supplying the Cumberland settlements.[22] But these routes presented a different sort of danger, not so much for the Cumberland settlements as for the rest of the territory, since it was more than possible that by establishing economic trade routes to the north, the social interests and political loyalties of Nashville and the Cumberland settlements would become focused in that direction as well.

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[20]Knoxville Gazette, June 19, 1795.

[21]Anita S. Goodstein, Nashville 1780-1860: From Frontier to City (Gainesville, FL, 1989), 29.

[22]Nicholas Perkins Hardeman, Wilderness Calling: The Hardeman Family in the American Westward Movement, 1750-1900. (Knoxville, 1977), 51.

One of the first acts of the territorial legislature, therefore, was to authorize a lottery to pay for the construction of a wagon road to better connect the two settled areas of the territory.[23] By the end of July of 1795 this road was virtually done and it was reported that "a waggon with a ton weight has actually passed it."[24] At about the same time the territorial legislature received news that the state legislature of South Carolina had authorized the construction of a road through the mountains at what is now Hot Springs, North Carolina.[25] Thus, by the end of the summer of 1795 the Knoxville Gazette could boast that "a waggon road is now open from Georgia, South Carolina, North Carolina, and the other Atlantic States by way of this place to Nashville, the capital of the rich Cumberland country," and conveniently listed for its readers the mileage between the primary stopping points on the 416 mile journey from Knoxville to Charleston.[26]

The building of this road was clearly an improvement for the Cumberland settlements in terms of accessibility. By the time it was completed, however, the territorial period was nearing a close; and even after its completion, the journey to Nashville remained costly and time-consuming. For purposes

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[23]Knoxville Gazette, January 9, 1795.

[24]Ibid., July 31, 1795.

[25]Ibid., May 8, 1795.

[26]Ibid., July 31, 1795; October 23, 1795.

of marketing, the settlements of Cumberland were virtually isolated throughout most of the territorial period. This was a particularly frustrating situation to the inhabitants there who knew the agricultural potential of the region. But unless an economical means of marketing their produce was found, that potential would not be realized.

It was, of course, theoretically possible to ship goods down the Cumberland River to the Ohio and thence down the Mississippi to New Orleans. From this point they could be transported to the cities on the Atlantic coast or around the world. Such a course might take somewhat longer than the overland route, but the cost would be significantly decreased with a resulting increase in profitability. Indeed, one estimate (perhaps overstated) claimed that the inhabitants of the Cumberland settlements could market their produce by water "at less expense than it can be waggoned fifty miles."[27] The Mississippi River was therefore the preferred route; unfortunately it was also one that had been denied to the territorial settlements since 1784 when Spain, in control of New Orleans, had closed that port to American exports.

Spain did not discourage American use of the Mississippi altogether. In fact, the Spanish were eager to purchase the products of the Ohio River valley and just as eager to interrogate the settlers who brought those products. By 1788,

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[27]Daniel Smith [?], A Short Description of the Tennassee Government (Philadelphia, 1793), 19.

Spain had agreed to allow American use of the Mississippi on condition that a duty, which was progressively reduced from twenty-one percent to six percent, be remitted at New Madrid, Natchez or New Orleans.[28] Settlers from Cumberland were taking advantage of this option as early as 1789 when William Martin accompanied George and James Winchester on a flatboat to New Orleans and overland back to Cumberland, along the basic route that would later evolve into the Natchez Trace. Martin would recall over fifty years later that they "were nearly the first that ever went from this country, and were absent almost six months."[29] By the summer of 1792 Alexander Moore had made this trip four times which, according to William Blount, qualified him as "the most experienced water man in all this Country."[30]

Others from the territory were soon gaining experience as well; the Knoxville Gazette carried news the next year of an Indian attack on a boat which, like its cargo, belonged to the Spanish but was manned by thirteen American crewmen.[31] By 1795 citizens of the Southwest Territory were operating several of their own boats; John McFarlan announced in January

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[28]D.C. and Roberta Corbitt, eds., "Papers from the Spanish Archives Relating to Tennessee and the Old Southwest, 1783-1800," East Tennessee Historical Society's Publications, 43(1971): 96-97.

[29]William Martin to Lyman Draper, July 7, 1842 in Draper MSS, 3XX18, SHSW.

[30]William Blount to Henry Knox, June 26, 1792, in Carter, Territorial Papers, 4:157-159.

[31]Knoxville Gazette, September 14, 1793.

of that year that service was available "from this place [Knoxville] to New Orleans, in either of my boats, the MARY, burden 25 tons, and the LITTLE POLLY, of 15 tons," and that he would "be ready to sail by the first of March next (the waters answering)."[32] In June the Gazette reported the departure from Knoxville of Rawleigh Hogan, bound for New Orleans "in a boat of twenty tons burthen, laden with whiskey, bar and cast iron, bacon, lime, and many other articles, the production of this country."[33]

Many westerners, including those of the Southwest Territory and especially the residents of the Cumberland settlements, still felt themselves restricted by the Spanish policy. To these individuals, the free navigation of the Mississippi was equivalent to "the light of the sun, a birth-right that cannot be alienated."[34] But the best method of obtaining this birthright had so far eluded the citizens of the territory, although they had shown themselves in the past to be quite open-minded as to their options. Both the Holston and the Cumberland settlements had at various times flirted with the idea of separating from the United States and aligning themselves with the Spanish government. Indeed, the Mero District had been named in honor of Esteban Miro, the

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[32]Ibid., January 23, 1795.

[33]Ibid., June 19, 1795.

[34]Smith [?], Short Description, 22-23.

Spanish governor of Louisiana prior to 1791, perhaps in the hope that flattery might be able to gain what diplomacy had not. These ideas had never matured, however, and with their territorial status the citizens had come to expect that the United States government would be able to loosen the Spanish restrictions. As the territorial period progressed, the Knoxville Gazette encouraged this hope with occasional announcements which assured its readers that "the American plenipotentiary at the Court of Madrid, has negotiated a treaty by which the navigation of the river Mississippi is granted to the citizens of the United States."[35]

It soon became evident that these assurances were nothing more than rumors; the citizens of the Southwest Territory remained economically stifled by the Spanish restrictions regarding their use of the Mississippi River. They were not alone in their frustrations, for there were others in the West who also sought to remove the Spanish from New Orleans. One of these individuals was James O'Fallon, representative for a group of eastern speculators who had received from the Georgia legislature a grant of ten million acres on the Mississippi just north of Natchez. O'Fallon would eventually solicit help from the National Convention of France with promises that he could raise a sizable force from among the settlers in the Ohio River valley to be commanded by George

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[35]Knoxville Gazette, June 16, 1792; June 15, 1793; June 29, 1793.

Rogers Clark, the hero of the Revolutionary War, and threaten the Spanish at New Orleans. This idea intrigued the French since it appeared that a war between Spain and France was imminent. The newly appointed French minister to the United States, Edmund Charles Genet, was therefore instructed to deliver a military commission for Clark and blank commissions for the officers that would be needed. When Genet arrived in the United States in April of 1793, he enlisted the services of Andre Michaux, a countryman and well-known botanist who could travel to the west under the guise of his profession. Michaux arrived in Louisville in September with Clark's commission,[36] and the general began to formulate his plans for the capture of New Orleans.

The inhabitants of the Southwest Territory were ripe for participation in such a plot. As word of the expedition spread, Colonel John Montgomery of Tennessee County, who had served with Clark in the Revolution, quickly offered his services to his former commander. By January of 1794 Montgomery had raised a force of 200 men and posted himself on the Ohio River near the mouth of the Cumberland where he began to seize Spanish supply vessels.[37] Governor Blount was

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[36]"Journal of Travels into Kentucky, July 15, 1793-April 11, 1796," by Andre Michaux, in Reuban Gold Thwaites, ed., Early Western Travels, 1748-1846 (32 vols., Cleveland, 1904-1907), 3:42.

[37]Samuel C. Williams, "French and Other Intrigues in the Southwest Territory, 1790-1796," ETHS Publications, 13(1941): 21-35.

understandably "surprised and mortified" at this development which he claimed was no better than "Highway Robbery." Already under attack from his superiors for failing to restrain offensive operations against the Indians, he now called on Robertson and "every Officer of the Government, to discountenance, and prevent by all legal Ways, and means, the Execution of a Plan, so replete with bad Consequences." The blame for "These Schemes," Blount concluded, "must proceed from the Machenations no doubt of that jacobin Incendiary Genet, which is reason sufficient to make every honest mind revolt at the very Idea."[38]

Although Genet was discredited by the Federalist administration in December of 1793 and subsequently recalled by his government, Clark was unaware of these developments and continued to raise his army. The objective, he advertised, would be "the reduction of the Spanish posts on the Mississippi, for opening the trade of the said river, and giving freedom to its inhabitants." Prospective soldiers were promised payment of either a dollar per day or 1000-3000 acres of land, depending on the length of duty.[39] But Clark was ultimately unable to raise his force and Montgomery's efforts on the Ohio were the extent of the operation. A party of "Spanish" Chickasaws was eventually sent to disperse

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[38]William Blount to James Robertson, January 18, 1794, in Carter, Territorial Papers, 4:324-326.

[39]Knoxville Gazette, February 27, 1794.

Montgomery and General Anthony Wayne sent a contingent of United States troops to free the boats that had been captured and to secure the north shore of the Ohio opposite the mouth of the Tennessee River. As news of Genet's removal became widely known, most observers believed, like Governor Blount, that "the Project of General Clark must expire."[40] Spanish restrictions would remain in place until October of 1795, when the provisions of Pinckney's Treaty would finally open the Mississippi River to the commerce of the trans-Appalachian West.

Until that time, the inhabitants of the Southwest Territory were without an adequate outlet for the goods they produced. Fortunately, there developed within the territory an economy not uncommon to frontier environments which emphasized the use of barter. This system was not only practical, but it also encouraged the growth of some agricultural surplus, as seen by the willingness of the several stores and businesses in the territory to accept "country produce" in exchange for goods or services. The partnership of Somerville and Ore, for example announced that it would give "the highest price" at its store for "good Linsey, seven hundred Linen, Beeswax, . . . Rye, Corn and

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[40]William Blount to Daniel Smith, April 3, 1794, in Carter, Territorial Papers, 4:333. Genet himself refused to return to France and retired to a farm in New York. See John C. Miller, The Federalist Era, 1789-1801 (New York, 1960), 131-139.

Oats." It was also possible to produce a livelihood from the forest, for Somerville and Ore accepted as payment "Bearskins, Deerskins, Fur skins of all Kinds."[41] In addition to the rye, corn and oats which Somerville and Ore accepted, the farmers of the territory also produced wheat, barley, flax and tobacco, all of which were acceptable as barter.

The storekeeper played a crucial role in this system, functioning as both banker and merchant. The Hardeman family store, which operated from 1802-1806 in Middle Tennessee was certainly typical of stores during the territorial period.[42] Such stores were, in fact, "the most accessible and stable means of economic exchange" for their communities.[43] They offered credit to their customers when necessary, and the lack of hard cash on the frontier often made it necessary. But the barter they accepted, most often furs and agricultural goods, was equally important. This meant that the storeowners became, in effect, "marketing agents for the farmers, assuming the responsibility for shipping the country produce" to the buyers.[44] Other items, such as whiskey, beeswax, livestock, horseshoes and nails which the storeowners bought, were

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[41] Knoxville Gazette, December 17, 1791.

[42] In fact, it appears likely that the store was well-established before the Hardemans bought it in 1802. See Hardeman, Wilderness Calling, 43-44.

[43] Ibid., 43.

[44] Ibid., 45.

frequently resold within the community. This service was also crucial, for it meant that "the store was more than a marketing agent; it was a clearinghouse for the local exchange of goods produced by the neighborhood."[45]

In fact, the important role of the storeowners during the territorial years would eventually elevate them to positions of dominance within their communities. In Nashville, for example, it has been shown that a "merchant elite had established itself" shortly after 1800, and the same trend would be evident in other communities of the frontier.[46] But during the cash-poor years of the territorial period, most storeowners operated on the edge of financial solvency. Lardner Clark, for instance, although an experienced merchant and one of the leading citizens of Nashville, was deeply in debt in 1791 and, according to one writer, "embarrassment shadowed him on every hand." Three years later, despite having sold his vast land holdings and some eastern assets in an attempt to satisfy his creditors, he was obliged to sell his business.[47]

There were other businesses in the territory which evidenced more immediate success, however, such as the

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[45]Ibid., 50-51.

[46]Goodstein, Nashville, pp. 19-20; Richard C. Wade, The Urban Frontier: Pioneer Life in Early Pittsburgh, Cincinnati, Lexington, Louisville, and St. Louis (Chicago, 1959), 106-113.

[47]W.A. Provine, "Lardner Clark, Nashville's First Merchant and Foremost Citizen," THM, 3(1917): 123-124.

livestock industry. Horses were the elite line, as evidenced by the fact that breeding was the only economic activity which would be taxed by the territorial legislature. For those who could afford it, horse-racing was an established and popular form of entertainment well before the territory was created. The pages of the Gazette regularly carried notices of the availability of stallions such as "the noted Horse Chatham," whose services for a season cost 15 shillings (about $1.88) cash or 20 shillings ($2.50) in "merchantable country produce."[48] Chatham's services were considered cheap, however; some breeders in the territory required a seasonal price of five or six dollars, in addition to a bushel of grain.[49]

Less glamorous but more numerous were the herders. Those involved in the sale of pork and beef increased steadily during the territorial years, as reflected by the increasing number of "marks," an early form of branding, which were recorded by the county courts. Such an increase was not unique to the Southwest Territory, for a cattle industry has been shown to have existed at about the same time among the Spanish living along the Mississippi River.[50] There, as in the territory and throughout the south, geography favored the

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[48]Knoxville Gazette, January 16, 1794.

[49]Ibid., April 12, 1791; May 5, 1792; February 13, 1794; February 27, 1794; May 8, 1794; March 13, 1795.

[50]John D. W. Guice, "Cattle Raisers of the Old Southwest: A Reinterpretation," Western Historical Quarterly, 8(1977): 167-187.

efforts of herders; winters were seldom so harsh as to threaten the animals, and the woods and fields contained enough mast and grains to eliminate the need for feed.[51]

While much of the initial demand for pork and beef was due to personal consumption, there is good evidence that a market for these products did develop both within and beyond the Southwest Territory. Joseph Anderson, for example, contracted to supply David Henley, agent for the War Department, with 6,000 pounds of pork but he doubted if his actual delivery of "Between Thirty and forty hogs" would in fact reach that weight.[52] If Anderson's hogs did, in fact, reach the contract weight, it would have given him a return of almost $200.00, no small sum during the territorial years. In addition, it is apparent that the herders of the territory were exporting their stock as early as 1790; when William Blount first travelled into the region he wrote that he had passed "at least 1000 Head of Cattle from this Territory going to the Northern Marketts."[53] By 1802 Francois A. Michaux reported that the inhabitants of Holston "rear a great number of cattle, which they take four or five hundred miles to the

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[51]Frank L. Owlsley, "The Patterns of Migration and Settlement on the Southern Frontier," The Journal of Southern History, 11(1945): 147-176.

[52]Joseph Anderson to David Henley, December 23, 1795, in the David Henley Papers, TSLA.

[53]William Blount to John Gray Blount, November 10, 1790 in Keith, The John Gray Blount Papers, 2:135-140.

seaports belonging to the southern states."[54] Not all of the beef produced in the territory was destined for export; John Chisholm announced in May of 1794 that he would soon open a "Beef Market," where "the inhabitants of Knoxville and its vicinity . . . may be supplied with Beef every third day during the season."[55] Although Chisholm did not advertise his prices, other sources place the price of beef in Knoxville in 1795 at $2.50 per 100 pounds and pork at $3.33 per 100 pounds, with prices slightly lower in Nashville.[56]

Just as the growing population in Knoxville and other towns encouraged the growth of beef markets such as Chisholm's, the development of business and industry in those same towns was also encouraged. The economic importance of the mercantile stores located at Knoxville, Nashville, Jonesborough, Greeneville and Rogersville, as well as smaller communities around the territory, has already been noted. But these stores also provided the more obvious function of supplying the inhabitants of the towns and the surrounding countryside with the essential (and some not-so-essential) items they needed, ranging from gunpowder, lead, and farm

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[54]"Travels to the West of the Alleghany Mountains," Journal of Francois Andre Michaux, September 24, 1801-March 1, 1803, in Thwaites, Early Western Travels, 3:281.

[55]Knoxville Gazette, May 22, 1794.

[56]Gilbert Imlay, A Topographical Description of the Western Territory of North America (New York, 1968 [1797]), 545.

implements to scissors, belt buckles, calicoes and other "articles too numerous to mention."[57] No less than nine different mercantile stores advertised themselves in the pages of the Knoxville Gazette during the territorial years, most of them serving the immediate vicinity of Knoxville and advertising their wares as having come from the markets of Philadelphia, Richmond and Baltimore. The observations of Francois A. Michaux in 1802 reveal that these eastern cities were still the source for the stores of Knoxville and that similar establishments in Nashville were supplied from Philadelphia and Baltimore.[58]

The economic growth of the Southwest Territory also required the services of certain professional skills, especially surveyors and lawyers. Land sales and divisions were fairly constant in the territory and proficient surveyors were essential. Although anyone could perform a survey, an inaccurate report could conceivably result in an invalidated title at some point in the future. The most efficient surveyors in the territory were therefore in constant demand. Daniel Smith was one of these, and many citizens, such as Andrew Jackson, called upon him to "do the business" and thus

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[57]Knoxville Gazette, January 14, 1792.

[58]"Travels to the West of the Alleghany Mountains," in Thwaites, Early Western Travels, 3:251, 266.

ensure that it was "done accurate."[59]

Similarly, lawyers were essential to the orderly growth of the territory; not only were they required to resolve the many conflicts which arose over land titles, they also represented the citizens in cases of debt, assault, and especially estate administrations. Despite their importance, members of the legal profession were not numerous during the territorial years. Their licenses to practice came from the Governor's office, and Blount licensed only twenty-nine such individuals during his administration. If it is assumed that these lawyers restricted their practice to the white population alone, there were thus by the time of the last census in 1795, only one lawyer for almost 2300 clients.[60]

Doctors were even less numerous in the Southwest Territory. Dr. James White had settled in Nashville as early as 1788, but there is no indication of a practicing physician in the Holston settlements until May of 1794.[61] At that time Dr. Thomas McCombs, who claimed to have had "Long Studies and

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[59]Andrew Jackson to Daniel Smith, October 29, 1795, in "Papers of Gen. Daniel Smith," AHM, 6(1901): 230-231.

[60]"Journal of the Proceedings of Governor Blount in the Territory South of the River Ohio," in Carter, Territorial Papers, 4:429-471.

[61]Lieutenant (later Captain) William Rickard, who arrived in Knoxville in February of 1793 with the federal troops, was also a physician. There is only one recorded instance of his having served in that capacity, however. See William Blount to John Gray Blount, May 26, 1794, in Keith, The John Gray Blount Papers, 2:396-397.

experience under the most eminent physicians in the Atlantic states," moved to Knoxville to begin "the practice of physic" and promised to keep "on hand constantly a large and general assortment of genuine medicines."[62] In the absence of "genuine medicines," the several stores in the territory offered a wide variety of herbal and other remedies, including camphor, aloes, "Glauber's salts, Bateman's drops," essence of pennyroyal, "Turlington's balsam, Godfrey's cordial, Peruvian bark," hatshorn, mercurial ointment, borax, allum and "Hooper's pills."[63] Additionally, at least one tavern keeper advertised that he had available "medicines generally used in families."[64] But recourse to these types of remedies was optional by the end of 1795 when there were at least three doctors in the vicinity of Knoxville, including Dr. I.L.J.W. Irvine, who promised to cure "Every species of the Lues Venerea."[65]

Another crucial element of the Southwestern economy was the development of trade skills. The most numerous of these were blacksmiths such as Abraham Cole, who opened a shop near Campbell's Station and promised not only to keep a "sufficient supply of HORSE SHOES ready made" on hand but also that he

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[62]Knoxville Gazette, May 8, 1794.

[63]Ibid., February 11, 1792; August 11, 1792; July 14, 1792.

[64]Ibid., April 21, 1792

[65]Ibid., November 20, 1795.

would "give satisfaction to travellers, both from the lowness of his prices and the goodness of his work."[66] Many blacksmiths could also work as gunsmiths and a few even advertised themselves as jewelers and goldsmiths. But with these exceptions there appears to have been a shortage of skilled workers in the Southwest Territory, as was the case throughout much of the trans-Appalachian frontier.[67] The Knoxville Gazette carried advertisements during the summer of 1792 which said that a "good sober industrious TAYLOR, is much wanted at Knoxville" and promised that he would "meet with constant employ and great encouragement."[68]

Other shortages are also evident. Sally Smith, the wife of Daniel Smith, superintended the construction of their new home in Sumner County during the Secretary's absence and wrote to her husband that few skilled workmen were available and those who could be employed were very expensive. She could not, she said, find any sawyers who would "saw at as reasonable a rate as you gave for what is done," and reported that the best price she had found was "6.8 & 10/ for poplar, walnut and oak per hundred."[69] This shortage was still evident

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[66]Ibid., January 14, 1792.

[67]Wade, The Urban Frontier, p. 117.

[68]Knoxville Gazette, June 16, 1792; July 14, 1792 (supplement).

[69]Sally Smith to Daniel Smith, July 20, 1793, in THS Misc. Files, TSLA.

in 1802, when Francois A. Michaux travelled through the same region and observed that the masons employed in the construction of James Winchester's house had been imported from Baltimore. Michaux was not surprised at this, for he had noted in his travels that "masons are even more scarce than carpenters and joiners."[70] These types of artisans would obviously be desirable residents in a growing community and their lack would perhaps explain the tendency among some county courts to order apprenticeships for orphans in those trades. From January 1792 through April 1796 in Davidson County, for example, the justices ordered that four orphans, all of them 14-15 years of age, be apprenticed to Thomas Murry, a carpenter.[71]

If the development of trade skills was sluggish in the Southwest Territory, the same cannot be said for industry and the services which supported it. The most crucial of this latter group were ferries, taverns and mills. These services were essential, not only to the development of industry, but also to the overall economic growth of the community; and they were accordingly licensed and regulated by the various county courts. The construction of a mill, for example, required that the prospective miller first obtain an order from his county

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[70]"Travels to the West of the Allegheny Mountains," in Thwaites, Early Western Travels, 3:256.

[71]Davidson County Court Records, January Session, 1792; January Session, 1795; July Session, 1795; April Session,1796.

court. If such an order was granted, the miller would be allowed to charge a "toll" of one-sixth of the value of what he milled and was responsible, as was William Hawkins of Sumner County, "for all damages that any person or persons may sustain by reason of erecting a dam and overflowing any lands."[72] Mills were fairly common along the many streams and rivers of the territory and could be small and simple or more complicated, such as the "floating grist mill" which was erected by John Boyd on the Cumberland River near Nashville.[73]

Ferries were similarly controlled, as in the case of Isaac Baker, who was given permission by the Greene County Court to "keep a Ferry over Chucky River near his own house" on the condition "that he will constantly find and provide at his said Ferry sufficient boats and will attend the same for the conveyance of travelers their carraiges over said river and in case of damage pay for the same."[74] For his efforts he was allowed to charge two shillings, six pence (about thirty-five cents) for a wagon and team, two pence (3-4 cents) per head of cattle, and four pence (5-6 cents) for a man and horse. These rates compared favorably with those at other ferries throughout the territory, although some courts allowed slightly higher variations from their standard rates at

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[72]Sumner County Court Records, July Session, 1794.

[73]Davidson County Court Records, January Session, 1794; April Session, 1794; July Session, 1795; April Session, 1796.

[74]Greene County Court Records, August Session, 1795.

certain locations.[75]

Taverns, or ordinaries, were also important to the territory not only as rest stops for food and refreshment, but also because they generally doubled as inns. These too were regulated by the county courts, and tavernkeepers were required to renew their license annually. Frederick Stump's license from Davidson County ordered that he "constantly find and provide . . . good wholesome, and cleanly lodging and diet for travellers," as well as "stabling, fodder, hay, corn, oats, or pasturage, as the season shall require, for their horses." Stump was additionally required to prevent "any unlawful gaming" in his tavern and, on the "Sabbath day," not to "suffer any person to tipple or drink any more than is necessary."[76]

As was the case with ferries, prices at taverns throughout the territory were regulated by the county courts. Andre Michaux recorded his expenses for an overnight stay in Nashville in early 1796 at six shillings and four pence, or slightly under one dollar. This included dinner (2 shillings), breakfast (1 shilling, four pence), stabling, hay and corn for his horse (2 shillings), and one-half quart of whiskey (1

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[75]The importance of ferries is discussed in Moore, "Ferry Crossings," and in Tony Holmes, "Early Cherokee Ferry Crossings of the Eastern Tennessee River Basin," The Journal of East Tennessee History, 62(1990): 54-79.

[76]Ordinary License, February 17, 1789 and April 14, 1794, in THS Misc. Files, TSLA.

shilling).[77] Michaux did not include his costs for lodging; if he was obliged to pay for one nights lodging, his expenses would have included an additional six to eight pence. All of these prices were close to the rates set for similar services throughout the territory, although the rates for some items at the taverns in Cumberland were slightly higher.

Had Michaux preferred something other than whiskey, he could have chosen from a variety of intoxicating beverages at the taverns of the Southwest Territory. The county courts regulated the sale of wine, beer, gin, cider, mead, taffey, rumper and metheglin, but the most common drinks were rum, brandy and especially whiskey. In fact, whiskey was the staple of every tavern and a ready supply was available within each community. Distilling was common in the Southwest Territory and represented an alternate and profitable use for the corn crop. Whiskey brought a price of around 50 cents per gallon in Knoxville and as much as twice that amount in Nashville.[78] Some tavernkeepers preferred to supply their own needs, a practice that was noted by Bishop Francis Asbury, the well-known Methodist circuit rider who was compelled by inclement weather to spend a night with Thomas Amis, a "poor sinner" who operated a tavern and inn near Rogersville. According to Asbury, Amis actually boasted to the preacher

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[77]"Journal of Travels into Kentucky," in Thwaites, Early Western Travels, 3:85-86.

[78]Imlay, Description of the Western Territory, 545.

that he earned three hundred pounds annually, or about $750, by the brewing of what Asbury called "his poison."[79]

Not all industrial development in the territory was regulated, of course; several tanneries offered to purchase the hides brought in from the countryside. Citizens were offered six pence per pound for dry hides and three pence per pound for green hides. An essential item for tanning was oak bark and the tanneries were willing to pay twelve shillings per cord for chestnut oak bark and ten shillings per cord for all other types of oak bark.[80] There was no shortage of leather production at establishments such as the tannery of Peter McNamee, although the shortage of skilled workers is reflected in his claim to have employed "an excellant good workman from the northward."[81] By May of 1796 there were several tanneries in operation in Knoxville alone and the competition induced Andrew Luckey to solicit customers to his business on Second Creek by promising that "Any person laying in six hides in the year shall have one done free."[82]

The development of more ambitious industrial projects had mixed success. John Miller, for example, attempted in 1792 to

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[79]"Bishop Francis Asbury on Tennessee Religion," in Eric R. Lacy, ed., Antebellum Tennessee: A Documentary History (Johnson City, TN, 1969), 106-107.

[80]Knoxville Gazette, March 27, 1794; April 10, 1794.

[81]Ibid., June 15, 1793.

[82]Ibid., May 2, 1796.

raise silkworms on his property in Hawkins County. His efforts were reportedly successful at first, but there is no indication that he was able to continue the production of silk for any length of time.[83] Attempts at mining were more successful, particularly the production of salt, lead, and iron ore. A set of salt furnaces was located at "the french lick" near Nashville as early as 1790, when Anthony Hart contracted with the owners to produce "six hundred pounds waight of good dry salt," with the specific provision that he was "not to burn any of the Rails belonging to the Fences joining said Works."[84] Much of the salt for Cumberland was apparently being imported in 1792, however, for one of the complaints of the citizens of Tennessee County was that the constant Indian attacks were compounding the "Effect of the Navigation of the river being Shut up." As a result, they found themselves "Deprived of that very Necessary Article Salt;" in addition, the price for the remaining supply had escalated to "one fifth part more than the Common price."[85] There were no similar problems in the Holston settlements, for salt works in Washington County, Virginia supplied those citizens with salt for seven shillings and six pence (almost

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[83]Ibid., June 16, 1792.

[84]Contractual Agreement between Anthony Hart and the partnership of Lardner Clark and James C. Montflorence, June 23, 1790, in THS Misc. Files, TSLA.

[85]Petition of Tennessee County to James Robertson, February 1, 1792, in Carter, Territorial Papers, 4:117-118.

$1.00) per bushel.[86]

There were also reportedly "sundry leadmines"[87] in the territory, although the only one which can be specifically documented was located "in Jefferson County, on French Broad river."[88] This mine was able to supply the Holston settlements with lead at about 8 or 9 cents per pound.[89] Lead was available in the Cumberland settlements, but it was probably imported, for Blount preferred to supply Robertson's militia with lead from the Holston settlements, since "it can be had cheaper here."[90] Iron works were also present in the territory, despite the fact that the cost of establishing a furnace and forge was estimated by Blount at around $10,000.[91] Perhaps as early as 1789, David Ross had begun operation of Ross' Iron Works on the upper Holston River in Sullivan County and within two years he was exporting his products from the territory. Nicholas Tate Perkins had established another foundry in Jefferson County sometime before the creation of that county

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[86]Knoxville Gazette, June 1, 1793.

[87]Smith [?], Short Description, 5.

[88]Knoxville Gazette, June 1, 1793.

[89]William Blount to James Robertson, April 29, 1792, in Carter, Territorial Papers, 4:145-147.

[90]William Blount to James Robertson, April 1, 1792, ibid., 4:132-135.

[91]William Blount to James Robertson, October 3, 1795, in "Correspondence of Gen. James Robertson," AHM, 4(1899): 74-75. It is possible that Blount exaggerated this amount in order to discourage competition with his own ironworks.

in June of 1792, and in the spring of 1795 the small Pactolus Ironworks in Sullivan County was bought and expanded by the partnership of Walter King, John Sevier, Sr. and John Sevier, Jr.[92] William Blount eventually became a partner in the King Iron Works and by early 1797 he reported that its "Bar and cast iron are both of the best and most approved quality."[93]

The development of iron works and other large-scale industrial efforts was virtually impossible in the Cumberland settlements until after the territorial years. Tanneries, mills, taverns and ferries were common, of course, and some of the citizens of Mero engaged in a far-reaching system of trade on the Ohio and Mississippi Rivers. But hemmed in by the mountains, blocked by the Spanish at New Orleans and constantly threatened by Indian attacks, the area around Nashville was not attractive to most investors with the necessary time and capital for major--or even modest--industrial development.[94] The Cumberland economy was instead focused on the development of agriculture; this was no real

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[92]Samuel C.Williams, "Early Iron Works in The Tennessee Country," Tennessee Historical Quarterly, 6(1947): 39-46; Raymond F. Hunt, Jr. "The Pactolus Ironworks," ibid., 25(1966): 195-204.

[93]William Blount to James Robertson, April 24, 1797, in "Correspondence of Gen. James Robertson," AHM, 4(1899): 342-343.

[94]For a more detailed account of the economic activity in and around Nashville before and during the territorial period, see Harriette S. Arnow, Flowering of the Cumberland (New York, 1963), chapters 10, 11, 12.

concession, however, for the land was generally regarded as particularly well-suited to agricultural development.[95]

Yet, despite the obvious risks involved, the Cumberland settlements briefly witnessed the most intriguing attempt at industrial development in the Southwest Territory in the attempt by John Hague to establish a "cotton manufactory." Hague, along with his brother Joseph, had smuggled cotton milling machinery from England to America and was rewarded for his efforts in 1788 with a gold medal from the "Friends of American Manufactures," a society in Philadelphia, and a cash award of 100 pounds from the general assembly of Pennsylvania. With these funds in hand, Hague turned his attention to a mill of his own and determined to locate his cotton mill in the area around Nashville. His was the first such attempt in the South and among the earliest in the nation and the event was duly noted by the New York Daily Advertiser. "Mr. Hague," said the paper, "one of the gentlemen who established the carding, spinning & weaving machines upon the new construction at the northward is now actually employed in establishing a factory with similar machines near Nashville." Certainly the potential of the Cumberland River valley for cotton production was an important consideration in Hague's decision to locate there, but the Daily Advertiser also noted "that a large donation of

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[95]Early agricultural development of the Nashville basin is described in Walter Martin, "Agricultural Commercialism in the Nashville Basin, 1850-1860" (Ph.D. diss., University of Tennessee, 1984), 36-49.

lands have been given as an encouragement by the inhabitants; and a considerable quantity of Corn, Pork, Beef & Tobacco; to be paid yearly for the term of five years."[96]

Thus encouraged, Hague established his operation along Mill Creek at a town he named Manchester, not far from the future site of Andrew Jackson's Hermitage.[97] In December of 1791 the Gazette announced that Hague had "his machines in order, for carding, spinning, and weaving," and he was soliciting the services of "a number of GOOD WEAVERS," particularly those who were "acquainted with the weaving of Velvets, Corduroys, and Calicoes."[98] The next year, however, saw an unexpected increase in Indian hostilities in the Cumberland region, culminating with the massive attack at nearby Buchanan's Station in September. Another major incursion the following spring convinced Hague that his undertaking had been premature. He sold his equipment and the South's first cotton factory ceased operation.[99]

The cession of North Carolina's western lands to the federal government had been conditioned on the guarantee that nothing would be done to interfere with the institution of

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[96]New York Daily Advertiser, September 24, 1790.

[97]This town of Manchester should not be confused with the city of Manchester established later in Middle Tennessee.

[98]Knoxville Gazette, December 17, 1791.

[99]Samuel Cole Williams, "The South's First Cotton Factory," THQ, 5(1946): 212-221.

slavery. This condition was prompted by a provision in the Northwest Ordinance which had prevented slavery in the Northwest Territory.[100] By accepting North Carolina's conditional cession, however, Congress tacitly allowed slavery to continue in the Southwest Territory, where it was in fact already established as a visible element of the regional economy. The county court records carry numerous references throughout the territorial period to the buying and selling of slaves, as do the pages of the Knoxville Gazette. James Miller, for example, advertised in the February 11, 1792 issue that he had for sale at his store "A few young, likely Virginia born Negroes" and other issues carried similar announcements.[101]

Prices for slaves remained fairly constant from 1790-1796, with adult males costing anywhere from $150.00 to $300.00, and adult females only slightly less. These prices corresponded very closely to the average for slaves in the Atlantic states during the same period,[102] but still

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[100]Henry Steel Commager, ed., Documents of American History (New York, 1958), 128-132; Carter, Territorial Papers, 4:3-8. One writer has suggested that even in the Northwest Territory, restrictions against slavery were, at least initially, not strongly enforced. See Walter T. Durham, "The Southwest and Northwest Territories, a Comparison, 1787-1796," THQ, 49(1990): 188-196.

[101]Knoxville Gazette, February 11, 1792; see also ibid., November 5, 1791; November 19, 1791; November 17, 1792; May 22, 1794.

[102]Clement Eaton, The Growth of Southern Civilization: 1790-1860 (New York, 1961), 49.

represented no small investment for most people of the territory. Those who owned more slaves than they could employ were thus able to hire out the services of their excess slaves for an annual fee of around fifteen dollars.[103] Some individuals, however, were willing to take considerable financial risks to acquire their own slaves. One such person agreed to purchase two runaway slaves who were still unaccounted for, despite the provision that if they were not found the loss would be to the buyer.[104] In another instance, a male and a female slave were bought on credit, a process which resulted in significantly higher prices: $500.00 for the male and $400.00 for the female.[105]

There were 3,417 slaves in the territory in 1791. But the demand for slave labor soon encouraged an active market and by 1795 the slave population had risen to 10,312, a threefold increase in four years and almost twice the rate of increase for the white population alone.[106] By early 1795 slaves were even being exported to other regions, as evidenced by a letter from John Chisholm to Governor Isaac Shelby of Kentucky.

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[103]Chase C. Mooney, "Some Institutional and Statistical Aspects of Slavery in Tennessee," THQ, 1(1942): 197-198.

[104]Greene County Court Records, November Session, 1794.

[105]Washington County Court Records, August Session, 1795.

[106]Census Schedules, September 19, 1791, July 11, 1795, in Carter, Territorial Papers, 4:80-81, 404-406; Hugh Williamson to John Gray Blount in Keith, The John Gray Blount Papers, 2:218-219.

Chisholm promised that sometime around late May or early June he would "Bring . . . the Negroes according to promise," and added that "Govenor Blount is my friend and will aide me--I intend Carrying on the Business Extensively."[107] In fact, one of the earliest scandals involving Blount's administration was the allegation that he had used federal funds designated for the 1792 Nashville Conference to purchase slaves from Maryland in order that he might market them in the Cumberland settlements.[108]

Slaves were also part of the barter system which was used in the Southwest Territory. The owner of a town lot in Knoxville, for example, was willing to accept "Cash or a Negro" in exchange for his property.[109] Indeed, anything which carried value could be used as barter. Just as "country produce" was readily accepted by the majority of merchants of the territory, it was also frequently used to settle debts between individual citizens. One person who requested that a friend in the territory settle a debt for him reminded his friend that payment did not necessarily need to be made in

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[107]John Chisolm to Isaac Shelby, January 24, 1795, Draper MSS, 11DD53, SHSW. See also William Blount to John Gray Blount, July 29, 1794 in Keith, The John Gray Blount Papers, 2:420-421.

[108]Hugh Williamson to John Gray Blount, November 25, 1792, in Keith, The John Gray Blount Papers, 2:218-219.

[109]Knoxville Gazette, January 23, 1795.

cash; the creditor was very willing to "take it in Cattle."[110] The county courts also condoned the use of barter to satisfy judgments, as happened in Sumner County when a defendant was found liable for twenty pounds, and allowed to pay his debt with "three cows & calves of a second rate and a two-year old Hiefer."[111]

But the item used most frequently as barter was corn, a crop with seemingly unlimited applications on the frontier and one which most immigrants planted as soon as possible upon their arrival. In fact, according to one historian, corn was "the universal crop on the trans-Appalachian frontier."[112] John Brown, a land speculator who visited the eastern portion of the territory in early 1795, observed that corn was used as the basic medium of exchange among the inhabitants of the more remote coves (although he also noted that even this most simple form of currency was in short supply).[113] Nor was the use of corn as currency limited to the countryside; Charles McClung advertised that at his store in Knoxville "good sound merchantable CORN will be received, at one third of a dollar

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[110]J. Madison to Samuel Barton, January 21, 1794, in THS Misc. Files, TSLA.

[111]Sumner County Court Records, July Session, 1791.

[112]Malcolm J. Rohrbough, The Trans-Appalachian Frontier: People, Societies and Institutions, (Belmont, CA, 1990), 23.

[113]John Brown Diary, W. Vance Brown Papers, NCSLA.

per bushel."[114]

Other items which were used as currency in the territory included certificates. These were issued by many of the county courts in lieu of cash, and were promises to pay at some future date for services rendered to the county. These services might vary from auditing the county books to working on the county buildings, but were most frequently issued in return for militia duty, in which case the War Department was responsible for honoring the certificates. One such example of this occurred in 1793 when about 150 members of the Sullivan County militia arrived in Knoxville too late to participate in Sevier's Etowah Campaign. The men were given certificates for the brief time they did serve, however, and as there was "no doubt entertained but that the General Government would readily make compensation, the certificates became as it were, a circulating medium thro'out the Territory."[115] The possibility always existed that these certificates would not be honored; indeed, it would be 1797 before payment for the Etowah Campaign was authorized by the federal government. But most merchants, like James Somerville of Knoxville, readily announced that "Cash and Soldiers discharges will be received in payment."[116]

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[114]Knoxville Gazette, December 1, 1792.

[115]W.C.C. Claiborne, William Rhea and George Rutledge to David Henley, January 31, 1796, in David Henley Papers, TSLA.

[116]Knoxville Gazette, December 13, 1794.

Personal bonds, or promissory notes, functioned in much the same manner as did certificates. A debtor might thus find himself indebted, not to his original creditor, but to anyone who was willing to purchase his bond or accept it as payment. In some instances, bonds were fraudulently circulated even after they had been paid. More than one individual was forced to take out an advertisement in the Knoxville Gazette declaring that he had paid his debt and warning "all persons from trading for said bond, as I am determined not to pay it again."[117]

Paper currency from other states also circulated in the Southwest Territory. Notes from Pennsylvania served as the standard against which other state currency was valued, but appeared infrequently in the territory. The most common state currency was instead from the neighboring states of Virginia and North Carolina. But whereas Virginia currency was readily accepted, the notes from North Carolina were depreciated by the territorial legislature from the standard exchange rate of twelve and one half cents per dollar to ten cents per dollar.[118] In some cases, North Carolina currency was refused

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[117]Ibid., December 7, 1793, July 17, 1794.

[118]Journal of the Proceedings of the Legislative Council of the Territory of the United States South of the Ohio River, Begun and Held at Knoxville the 25th Day of August, 1794. (Nashville, 1852 [1794]), 36. William Blount to John Gray Blount, October 22, 1793, in Keith, The John Gray Blount Papers, 2:323-326. The exchange rate is taken from a table printed for Francis Childs and Co. of New York in 1795 and reproduced in Clifford K. Shipton, ed., Early American Imprints, 1639-1800, Supplement (Worchester, Mass: 1968-1972),

altogether, as William Terrell Lewis discovered when he was found guilty of assault and battery by the Davidson County court. He was fined ten pounds, which he attempted to pay "in paper money of No. Carolina." The clerk, however, at first "Refused to Receive" this form of payment, "untill Directed by the court to Receive the same."[119]

The presence of such a variety of circulating currency in the territory was primarily due to the scarcity of hard cash. Even William Blount, Governor of the territory and by all accounts one of its wealthiest citizens, was forced to admit on one occasion that "at present I have not a dollar . . . except to receive with one hand and to pay with the other."[120] Coins were still "extremely scarce" when Francois A. Michaux travelled through Tennessee in 1802. This scarcity, he noted, led to the practice of cutting the available dollars into smaller pieces and circulating the separate parts. Although Michaux found this procedure somewhat questionable he still conceded that it "appears necessary."[121] There is no evidence that the circulation of these "bits," as they would later be called, was practiced during the territorial period

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[119]Davidson County Court Records, July Session, 1793.

[120]William Blount to James Robertson, December 2, 1792, in "Correspondence of Gen. James Robertson," AHM, 2(1897): 85-86.

[121]"Travels to the West of the Alleghany Mountains," in Thwaites, Early Western Travels, 3:204-205.

but it was certainly as necessary then as it would shortly afterwards appear to Michaux.

If the scarcity of hard cash encouraged the circulation of small bits of coin, it also encouraged the activity of counterfeiters. The Knoxville Gazette warned its readers in September of 1793 of the presence of counterfeit dollars in the territory.[122] A few months later the paper repeated the warning that, although one of the counterfeiters had been apprehended, the public must still "beware of counterfeit dollars and French crowns[.]"[123] Attempts were later made to circulate counterfeit "Five Dollar Bills of the Bank of the United States, and Twenty Dollar Bills of the Bank of North America."[124] Some of this activity was traced to a "set of counterfeiters and thieves" in North Carolina but not without the death of one of the individuals who supplied the information which led to their discovery, allegedly by associates of the criminals he had helped to convict.[125]

While counterfeiting was obviously a serious problem for the businessmen of the territory, it was not as common as the problem of credit. George Roulstone, editor of the Knoxville Gazette, frequently encouraged his subscribers to submit

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[122]Knoxville Gazette, September 14, 1793.

[123]Ibid., December 7, 1793.

[124]Ibid., May 22, 1794.

[125]Ibid., February 27, 1794.

payment for their subscriptions.[126] The "Bent Creek Store" dealt with the same problem by warning its indebted customers to render payment soon or the proprietors would "be under the disagreeable necessity of commencing suit without discrimination."[127] This problem of extended credit plagued many other businessmen in the territory such as Joseph West, Knoxville's newly arrived tailor, who announced that "ALL persons indebted to the subscriber for Taylorwork, Goods &c. are once more called on to settle the same."[128] Several of the territorial lawyers also experienced this difficulty and some of them took out a joint announcement in the Gazette which informed the public that all future payment for their services must be made in advance or by notes.[129] Some storeowners discouraged the use of credit by offering discounts of twenty to thirty percent for cash purchases.[130] But by the spring of 1794, John Somerville had settled upon perhaps the best

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[126]Ibid., March 24, 1792; December 29, 1792; July 3, 1794; January 9, 1795.

[127]Ibid., October 6, 1792.

[128]Ibid., August 13, 1793.

[129]Ibid., March 23, 1793. On the same page of this issue is found an advertisement placed by William Tatham, the lawyer, mapmaker, and would-be historian, who had only recently arrived in the territory. Tatham promised, among many other things, that he would "turn a deaf ear to no man, because his purse is empty." This promise provides at least a partial explanation for Tatham's later financial difficulties. Ibid.

[130]Hardeman, Wilderness Calling, 44-45.

solution to this problem by announcing the renaming of his establishment to "J. Sommerville's CHEAP READY MONEY STORE (where NO CREDIT whatever will be given)."[131]

For the more typical citizen of the territory, the small farmer, economic life was not so complicated. His land had been purchased in a quantity which matched the size of his particular financial resources. While the federal government charged a minimum of one dollar per acre for the land it sold at auction under the provisions of the 1785 Land Ordinance, the small farmer of the Southwest Territory had in some cases bought his land for half that amount. Even when this price was beyond the reach of an immigrant, many speculators were willing to rent their land in exchange for clearing a few acres and a percentage of the first crops.[132] Working no more than five to ten acres was often enough for a small farmer to provide for his family and also have a surplus for the barter economy of his community. It was not necessary to have a large surplus, but some was required since there were a few essential items which could not be drawn from the land. Judging from the amounts awarded by the various county courts to their "objects of charity," the average cost of living for an individual adult was around $30.00 per year. This would not include any major purchases which might be necessary; a

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[131]Knoxville Gazette, April 10, 1794.

[132]"Travels to the West of the Allegheny Mountains," in Thwaites, Early Western Travels, 3:279-280.

new rifled musket cost twenty-five dollars and the purchase of a good horse could require anywhere from forty to sixty dollars, sometimes more. But the nature of the barter economy put even these items within reach of almost everyone.

The barter economy did not extend to the payment of taxes, although many courts did accept certificates. But the tax rate was not excessive, particularly for the small farmer. Indeed, some counties were unsure of their authority to levy any taxes at all until November of 1792. At that time an act passed by Governor Blount established the right of each county to levy taxes and set the maximum rate at fifty cents per poll and seventeen cents per hundred acres of land,[133] but some counties still kept their rates below this maximum. An act of the territorial legislature, when it convened for the first time in 1794, lowered the county tax rate to twelve and one-half cents per white poll, twenty-five cents per slave and twelve and one-half cents per 100 acres of land. In addition the assembly authorized a "public" tax of twenty-five cents per white poll, fifty cents for each slave and twenty-five cents per hundred acres of land, but these rates were halved when they convened the next year.[134] The heaviest period of taxation, from the summer of 1794 until the summer of the

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[133]An Act of the Governor and Judges, November 20, 1792, in Carter, Territorial Papers, 4:218-219.

[134]Edward Scott, ed., Laws of the State of Tennessee (2 vols., Knoxville, 1821), 1:489, 499, 502, 510-511.

following year, required a combined payment of thirty-seven and one-half cents per white poll, seventy-five cents per slave and thirty-seven and one-half cents per 100 acres of land. For the small farmer who had few slaves (or perhaps none), around 200 acres of land and an average sized family, the total amount of taxation for a year would be a reasonable two or three dollars.

The Southwest Territory and its extended economic community had by the end of the territorial years become a "Good poor Man's Country," as Henry Armstrong described it to a brother in Ireland. "Linen Cloth and Tanned Leather," he wrote, were "a Good article of Trade here."[135] Encouraged by the influx of settlers but shut in by the mountains and the restrictions of foreign policy, the economic developments of the territorial years had encouraged the small farmer. But the businessman and investor had also been encouraged to develop their skills, sometimes under the control and regulation of the county courts. All of these economic pursuits, however, would soon be altered. The cessation of Indian hostilities and especially the opening of the Mississippi River, both of which occurred shortly before the culmination of the statehood movement, would encourage the growth of large-scale agriculture, especially in the Cumberland settlements which

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[135]Henry Armstrong to George Armstrong, October 19, 1796, Campbell Family Papers, Perkins Library, Duke University, Durham, North Carolina.

were best suited to such endeavors. Fortunately, the problems which were involved in supplying that region and marketing its crops had been recognized, and largely solved (although admittedly on a much smaller scale), during the territorial years. The business skills and service industries which would be needed to support subsequent growth had also been developed during that time. As a result, Tennesseans were well prepared for the economic growth of the early nineteenth century by the experiences gained during their territorial years.

Chapter Seven

Institutions of Stability: Social and Cultural Activity in the Southwest Territory

The citizens of the Southwest Territory faced a variety of problems by virtue of their choice to locate on the frontier. Foremost among these, of course, was the threat of Indian attacks, at times so constant that it was impossible for fields to be cultivated without armed guards. Additionally, geography and the Spanish lock on the Mississippi River meant that the territory was economically isolated from the rest of the nation and unable to develop its full economic potential. Still, chiefly through their own resources, the citizens of the territory were able to alleviate much of the impact of their frontier situation; the militia provided some degree of protection from the Indians, and a barter system developed which allowed the citizens to survive until they could establish a true market economy.

But the Southwest Territory was ready to move beyond the stage of mere survival. Even as they attempted to bring the more threatening elements of the frontier under control, the people of the territory sought to impose control over themselves and their communities. In order to accomplish this, they looked to their own background and traditions for the ideas and institutions which had represented stability in the East. The most practical of these they transplanted to the West, and began the process of establishing a well-ordered

society.[1]

As in any society, there were in the Southwest Territory a variety of groups, or "classes," of people, with a variety of goals and expectations. The democratic influence of the frontier as theorized by Turner may have obscured these differences during the early periods of immigration, but signs of a class consciousness became evident soon afterwards.[2] In fact, by the 1790s--only one generation from the earliest settlement--indications can be seen in the Southwest Territory of what would become a more diverse and rigid class structure in the first few decades after statehood.

Regardless of an individual's economic or social status within the community, there were still many shared values, most of which anticipated the overall good of the community. This concept has been labeled by some as "corporatism," a term which implies not only a shared set of values, but a sense of solidarity within the entire community. There were clear indications in the Southwest Territory that this spirit of corporatism was at work. Indeed, the relative isolation and the threat of Indian attack encouraged solidarity and support

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[1]Regarding the need for security and stability on the frontier, see Malcolm J. Rohrbough, The Trans-Appalachian Frontier: People, Societies, and Institutions, 1775-1850 (Belmont, CA, 1990), 9-65; Louis B. Wright, Culture on the Moving Frontier, (Bloomington, Ind., 1955) passim.

[2]Ibid., 12; Richard C. Wade, The Urban Frontier: Pioneer Life in Early Pittsburgh, Cincinnati, Lexington, Louisville, and St. Louis (Chicago, 1959), 106-107.

for community interests as little else could have done. The problem in the territory, as in other communities, arose when disparate groups differed in their perception of the "true interest of the community."[3]

Not surprisingly, it was the elite who were most active in attempting to impose their concept of a well-ordered society upon the territory.[4] These individuals were present on every American frontier and have been characterized as "the conservators of traditional conduct," who "tried to reproduce in the new environment the best of the civilized way of life they had previously known."[5] In the Southwest Territory, it was admittedly possible to gain access to this group by virtue of having been one of the original settlers in the region. These "first-comers" still generated some respect during the territorial period. David Campbell, who lived in Abingdon, Virginia, during the 1790s and was a part of the Southwest Territory community, reflected this reverent (and admittedly biased) attitude towards the earliest settlers when, years

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[3]Paul J. Gilje, The Road to Mobocracy: Popular Disorder in New York City, 1763-1834 (Chapel Hill, NC, 1987), 9-10.

[4]The terms "elite" and "upper class" are not interchangeable, although there is much overlap among the two groups. For the Southwest Territory, the term elite, indicating those whose status is derived from their occupation as opposed to inherited wealth, is more appropriate and is used here. See Joseph F. Rishel, Founding Families of Pittsburgh: The Evolution of a Regional Elite, 1760-1910 (Pittsburgh, 1990), 71-72.

[5]Wright, Culture on the Moving Frontier, 12.

later, he asserted that these first-comers were "a remarkable race for their intelligence, enterprise and hardy adventure."[6] And obviously, anyone who migrated to the Southwest Territory with their fortunes already secured would be considered part of the elite. But during the territorial period, membership in the elite most often required membership in the county or territorial governments.

For this honor, it was necessary to attract the attention of Governor William Blount, since appointment to virtually every position within the territory came from his office. The social structure of the Southwest Territory was thus a sort of closed system, without the fluidity that is normally associated with American society, and a commission from the Governor's office was much sought after. For those whom Blount retained in office, it reaffirmed their status. For those recently arrived in the territory, it represented even more, for it was the "break," or "main chance" that many had come to the frontier to seek. In either case, membership in the elite allowed an individual to realize what one writer has described as the "accumulation of advantages" which would enable him to more easily maintain his position in society.[7]

Although wealth was not essential for the elite, many of

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[6]"Recollections of early life and other scenes," David Campbell Papers, 1781-1890, Duke University Library, Durham, North Carolina (microfilm edition, Tennessee State Library and Archives).

[7]Rishel, Founding Families of Pittsburgh, 4.

the Blount appointees were in fact large speculators or at least sympathetic to the principles of that group. This was especially true for the crucial position of Justice of the Peace.[8] From this office, the elite could not only entrench themselves in their social position, they could more easily impose their concept of a well-ordered society upon the citizenry as well. Instances of affrays, swearing, sabbath-breaking, fornication and other such disorderly conduct were brought before the courts and appropriate fines levied. In many cases, however, these fines were either reduced or even remitted altogether, for the justices were not bent on raising revenue or even on condemning these offenses, which had been (and still were) common on the frontier. Instead, the justices were able to use these laws to generate respect for their office, an overall concept of proper conduct, and (not coincidentally) themselves.

The elite also understood the importance of the family in maintaining a well-ordered society. They used their position as justices, for example, to punish cases of adultery, and see to the placement of orphans. Acting as surrogate parents, the justices did their best to ensure that each orphaned child, whether male or female, would learn a trade or skill which would enable him or her to function within and contribute to the community. Male orphans were thus

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[8]Anita S. Goodstein, Nashville, 1780-1860: From Frontier to City (Gainesville, FL, 1989), 6-8.

apprenticed to be carpenters, hatters, wheelwrights, blacksmiths or some other trade, while females were taught to "sew, spin and knit."

The justices were not required to exert much effort in reinforcing the role of the family, for the citizens of the Southwest Territory were only one generation removed from colonial America, where the general acceptance of the crucial role of the family has been convincingly demonstrated.[9] This acceptance is evidenced in the Davidson County Court Records of October, 1791. At that time, the newly-appointed justices were notified that the people of Davidson County had several years earlier taken it upon themselves to appoint an individual to "Supply the place of a Justice of the peace in Marrying people," since there had been "neither any Gospel Minister or Justice of the Peace Legally commissioned Amongst us[.]"[10] Indeed, the individual who was without a partner was believed to be at a distinct disadvantage, as suggested by the wills and "instruments of writing" which provided for those children who appeared unlikely to wed. One such document left to a daughter most of the household goods of the deceased, as well as some livestock and "all other thing[s] I possess," including "a negro boy . . . to support and maintain her lifetime as she is not capable of procuring herself a lively

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[9]See, for example, John Demos, A Little Commonwealth: Family Life in Plymouth Colony (New York, 1970).

[10]Davidson County Court Records, October Session, 1791.

hood."[11]

There were naturally some families which did not function as efficiently as did others. Adultery was not uncommon, and the Gazette sometimes contained a notice from a husband whose wife had "eloped from my bed and board and still continues absent." In such instances, the husband usually warned that "I am determined not to pay any debts of her contracting."[12] Divorce was a difficult matter under any circumstances in the eighteenth century, requiring an act of the state assembly. But under the territorial government, with no assembly to which a petition could be sent, divorce was virtually impossible. For those who sought such action it was necessary to make plans for the time when an assembly would be convened, as evidenced by the December 7, 1793 edition of the Gazette. "Whereas my husband," said a brief announcement, "hath (for committing a rape on the body of Catherine Walker) fled to the Mississippi, and married another woman, I therefore shall petition the assembly for a divorce."[13]

There are indications that the elite of the Southwest Territory were able to use the institution of marriage to serve an additional purpose, and extend their own ranks through acceptable marriages. This became especially evident

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[11]Washington County Court Records, February Session, 1796.

[12]Knoxville Gazette, April 7, 1792; August 11, 1792.

[13]Ibid., December 7, 1793.

after 1794, when the Knoxville Gazette began to include an increasing number of marriage announcements for the children of the elite. The edition of May 22, 1794, for example, included the information that Elizabeth Chisholm, daughter of Knox County justice John Chisholm, had recently married John Sommerville, one of the town's more prominent businessmen. In another instance, John Nichols, a Davidson County justice, used his influence to prevent the son of an associate from wedding into the "family of an Infamous Carracter."[14]

For the process of establishing their well-ordered society, the elite could generally count on the support of those who would today be termed the middle class. These were small but industrious farmers, merchants, storekeepers, lawyers, preachers, and a variety of others who, while they hoped for future prosperity, generally accepted their position in society and the leadership of their local and federal government officials. The elite were further assisted through the efforts of the various religious denominations in the territory. In this situation, however, the attempts at control were imposed by the church members themselves instead of by the elite, who generally disdained religious affiliation. Indeed, according to one observer, "in Nashville and in the surrounding region, especially among the upper

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[14]John Nichols to William Lytle, July 21, 1793, William Lytle Papers, Southern Historical Collection, University of North Carolina, Chapel Hill.

classes, deism and irreligion ruled beyond all bounds."[15]

Actually, the overall membership in organizational religion was not large among any groups in the Southwest Territory. There were some few members of other denominations in the territory, such as the Society of Friends,[16] but the favored churches were the Baptist, Methodist and Presbyterian. All three denominations were well established when the territory was created, but even among the Baptists, the largest of the three, membership was probably no higher than 1000 in 1790. The national growth which the Baptists experienced during the territorial period was only poorly reflected in the Southwest Territory, however; by 1796 their membership had increased to perhaps as many as 3000.[17] The other denominations had grown even less: the Presbyterian church contained approximately 1,500 members and the

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[15]Goodstein, Nashville, 16. See also Walter T. Durham, Before Tennessee: The Southwest Territory, 1790-1796 (Johnson City, TN, 1990), 245.

[16]See Journal of the Proceedings of the Legislative Council of the Territory of the United States South of the River Ohio (Nashville, 1852 [1794]), 16.

[17]O.W. Taylor, Early Tennessee Baptists, 1769-1852 (Nashville, 1957), 55; Walter B. Posey, The Baptist Church in the Lower Mississippi Valley, 1776-1845 (Lexington, 1957), 5. These figures are partially estimates; the membership for Holston is given as 889 in 1790 and 2474 in 1802, or an annual increase of 133. There are no figures for Cumberland until 1796 when the Mero Baptist Conference was organized with about 1200 members. See also Wright, Culture on the Moving Frontier, 175-176.

Methodists no more than 600.[18] The slow growth of church membership during the territorial years is reflected in the religious attitudes which were prevalent at the end of that period. A Methodist circuit rider near Nashville was told in 1799 by a tavern customer that "he thought Tom Paine a greater man than Jesus Christ."[19]

Travelling ministers throughout most frontier areas reflected similar perceptions and were disturbed by what they termed the "low state" of religion, an attitude confirmed by those ministers who traveled in the Southwest Territory. Joshua Evans, a minister in the Society of Friends, visited Tennessee in early 1797. Although he did attend an occasional "large & solid" meeting, his overall assessment was not optimistic. "I conceive this a poor place for friends," Evans wrote in his diary. Especially disturbing was the overall attitude he witnessed concerning spirituality. He was "grieved," he said, "at the low state of religion, too many seeming to content themselves with an empty form without substance."[20] Bishop Francis Asbury also commented in his journal on the "low times for religion" during a visit to the territory in 1793. A return trip four years later prompted him to conclude that "it is as hard, or harder, for the people of

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[18]Herman A. Norton, Religion in Tennessee, 1777-1945 (Knoxville, 1981), 16.

[19]Goodstein, Nashville, 16.

[20]Diary of Joshua Evans, SHC.

the west to gain religion as any other." In fact, he continued, "when I reflect that not one in a hundred came here to get religion; but rather to get plenty of good land, I think it will be well if some or many do not eventually lose their souls."[21]

Despite the low levels of membership and the apathetic attitude expressed towards religious organizations, churches did in fact exert some influence and control in the Southwest Territory. The Presbyterians, for example, were especially instrumental in the growth of education. And in any community, regardless of the prevalent attitudes towards religion, the establishment of a church was still a welcome addition, for it implied stability and tradition. The urban centers were most partial to the Presbyterians, whose learned and rational approach to religion was more acceptable than was the emotionalism of the other two denominations. But for the inhabitants of the smaller towns and those spread across the countryside, the Methodist and especially the Baptist churches were preferred. While the Presbyterian ministers were expected to be college graduates (the best known of the territory had graduated at Princeton), and the Methodists were dependent on their travelling ministers, any one of the members of a Baptist congregation might be selected by his brethren to

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[21]J. M. Potts, E. T. Clark and J. S. Payton, eds., The Journal and Letters of Francis Asbury, (3 vols., Nashville, 1958), 1:753, 2:125.

"exercise his gift."

For those who did become members, the church was more than a self-imposed form of control; it was quite often the center of their lives. These people struggled constantly over their salvation and over issues of conduct and doctrine, and expectations of the membership were demanding. The Red River Baptist Church in Tennessee County, for example, listed in its original church covenant the doctrines and disciplinary standards by which the members should abide. Those who refused to adhere to these rules would be "liable to censure, and in case of obstinate continuance therein entirely excluded from communion."[22]

Churches were apparently not hesitant to exercise the power of censure and, if the sinners refused to "receive advice" from the church, excommunication. Among the sins for which members were held accountable at the monthly meetings of the Sinking Creek Baptist Church in Washington County and the French Broad River Baptist Church in Jefferson County were adultery, "giting Drunk and Swaring and geting angry," "persuading a Negro to Run a way from his Master," "makeing a shooting mach," non-attendance, and "backbiting."[23] Dancing

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[22]Records of Red River Church at the Mouth of Sulpher Fork of Red River in Tennessee County (Now Robertson County) Mero District, 1791 (WPA, 1936), June, 1791, TSLA.

[23]Tennessee Records of Carter County, Minutes of Sinking Creek Baptist Church, vol. 1, 1787-1791 (WPA, 1936), vol.II (A), 1794-1803 (WPA, 1938), November 7, 1789, January 18, 1797, TSLA; Records of Jefferson County, Tennessee, French Broad River Baptist Church Minutes 1786-1842 (WPA, 1936),

was another offense which the churches would not tolerate. James Boring, of the Sinking Creek Church was seen "Dancing at Sundry times & places" and, after failing to attend church and confess his sin, ruled by the members to be "out of Fellowship with us nor to be of us."[24] Similar accusations against Falkner Elliot of the Red River Church prompted him to confess that "the dancing school was kept once at his house--but it was when he was from home, and likewise the young people met at his house and danced several times."[25]

These three churches were also adamant that their members not entertain any unusual religious concepts or associate with any deviant organizations. The Sinking Creek Church dismissed one member "on Account of Certain Contradictions in her own Discourse."[26] But just as alarming were instances where members were known to be "present at a meeting not of our faith & order."[27] The French Broad Church counseled with Elizabeth Shaddon for "neglecting to Come to Church Meeting and like wise for freely Concerning her Child to be baptized in the way of Sprinkling," and eventually determined to dismiss her for

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February Session, 1794, March Session, 1794, June Session, 1795, TSLA.

[24]Sinking Creek Church Minutes, April 18, 1795.

[25]Red River Church Minutes, March 17, 1798.

[26]Sinking Creek Church Minutes, March 7, 1795.

[27]Red River Church Minutes, August 27, 1791.

"offering her Child in baptism in the Presbyterian mode."[28] Similarly, the Red River Church, aware that one of its members had "embraced some opinions regarding Universalism that they think to be wrong," ordered that he be excommunicated.[29]

The churches also perceived a threat from the Masons, which had been organized in the territory at least since the summer of 1792.[30] When the Sinking Creek Church heard rumors that one of its members had "been Several times at the Mason Lodge," they created a special committee to investigate the organization. The committee reported that not only was Masonry "Contrary to the Line of Christian duty," it was also "Incompatible with the peace and Well being of the Church for any of its members to frequent . . . free Masons Lodgs as the bulk of those men are of profain and Disorderly Lives." The committee further recommended that since the member in question "Refused to be Lade under any Restrictions by the Church or to Brak off absolutely his Correspondnce With the free Mason Lodgs," he should be (and was) excommunicated. When another member complained of this decision, he was immediately placed "under Suspence" and eventually he was excommunicated

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[28]French Broad River Church Minutes, May Session, 1796, July Session, 1796.

[29]Red River Church Minutes, March 17, 1798; June 16, 1798.

[30]Knoxville Gazette, August 11, 1792.

as well.[31]

Clearly, the churches had specific expectations of their members; and when the churches of the territory chose to associate with larger denominational organizations they maintained those same expectations. The Sinking Creek Church, for example, agreed "not to send no delegate to that sociation over the mountain yet tel they know better what they vaciate [vacillate] on."[32] But there were some issues over which the same congregation--and others in the territory--also "vaciated," even if only briefly. They wondered, for example, what should be done with members who "attend at Church meeting and leave their seats & Spend their time out of Doors & in Idleness," or with those that "agree to Provide, & help maintain their minister and then neglects & fails to do so." In both of these cases it was agreed that such members should be dealt with "as Transgressors; unless they give Satisfaction."[33]

The Red River Church faced similar dilemmas, as when they considered the question, "Is being present at feasting or frolicking such as is in practice, in the world consistent with orderly walking?" They quickly agreed "that such feasting & frolicking where [there] is drinking strong liquors,

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[31]Sinking Creek Church Records, May 2, 1796; August 20, 1796.

[32]Ibid., May 8, 1790.

[33]Ibid., December 13, 1794.

fidling, dancing &c. is pernicious and not to be practised or countenenced in any way by Christians."[34] The same congregation had more difficulty with the "privilege of Female Members." After once deferring the issue, they finally agreed "that the Sisters act freely and mutually with the male members in all matters of Fellowship & discipline but not to make motions, in their own Persons nor debate on the floor untill further consideration."[35] With such restraints it is not surprising that the women of the Red River Church were unable to generate any "further consideration."

The willingness of church members in the Southwest Territory to impose controls on themselves obviously worked to the advantage of the elite. It is equally clear, however, that the control of the elite within the territory was not always absolute. There were in the Southwest Territory, as on any frontier, a large number of transients who threatened the concept of a well-ordered society envisioned by the elite. But the larger threat to that notion came from the resident poor whites. Records for these individuals, who David Campbell called the "uncivilized portion of the population," are infrequent. According to Campbell, they "generally settled on the outskirts" of town or in "the hollows of the mountains,"

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[34]Red River Church Minutes, July 27, 1793.

[35]Ibid., December 28, 1793; January 25, 1794.

and only came to town for special occasions.[36] It is certain, however, that their lifestyle was very different from that of their more "civilized" neighbors. John Brown, an agent for a Pennsylvania land syndicate, traveled briefly among the inhabitants of the coves along both sides of the North Carolina border from 1794-1795 and was not impressed with the land or with the inhabitants. The people who lived there, he said, were very poor; their basic medium of exchange was corn and even that was in short supply. He also noted the impoverished and squalid living conditions of the inhabitants of these isolated coves; in fact, he said, they were "as dirty as dirt could make them."[37]

Generally, these individuals were recent arrivals on the frontier and became tenant farmers or squatters on marginal land, supplementing their produce with whatever they could bring in from the forest. Some moved to the extreme frontier in search of better (and untitled) land, which brought them into more direct contact with the Indians. The boldness of these settlers made the tribesmen uneasy, particularly when treaty lines were ignored and Indian lands encroached upon, in which case the Indians often felt justified in violent retaliation. Some citizens of the territory recognized this problem and were quick to blame such attacks on these newest

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[36]"Recollections," David Campbell Papers.

[37]John Brown Diary, W. Vance Brown Papers, North Carolina State Library and Archives, Raleigh.

immigrants. One letter to the Knoxville Gazette claimed that "the disorders which pervade this Territory," were the fault of the "frontier inhabitants," many of whom the writer described as recently arrived and lacking the patience or character of the original settlers.[38] The resulting hostilities, wrote another individual, "hinders thousands of the beter sort of people comeing to this country."[39]

The concept of corporatism, however, allowed all members of society to believe that they functioned in the best interest of the community, even if their actions contradicted the official government policies of the elite. The best examples of such convictions in the Southwest Territory were the several retaliatory expeditions which were organized in response to hostile Indian activity and designed to protect the people where the federal policy had failed. Such initiative was not unusual in either the colonial period or the early national period. In fact, a study of mob action in New York has suggested that it was considered obligatory for "the people" to bridge the gap between civil law and the common good. Ideally, this was to be done through the political process, but the political process was often too slow and at other times failed altogether. Under these circumstances, crowd action was permissible. In other words,

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[38]Knoxville Gazette, July 13, 1793.

[39]Martin Armstrong to Daniel Smith, August ?, 1792, in Tennessee Historical Society Miscellaneous Files, TSLA.

"politics indoors, the normal channel of government, was to be checked by politics out-of-doors, the people in the mob."[40]

It was only with the most difficulty that Blount was able to prevent the retaliatory expeditions in the Southwest Territory from crossing the boundaries into the Indian lands. Generally, however, if he was given sufficient warning to enlist the support of prominent individuals, Blount was able to assert enough control to dissuade a crowd from its objective, demonstrating not only the continued control of the elite, but the deference of the people to that control.

It has also been suggested, however, that many early American communities tolerated some "moments of license" and, in fact, considered them to be "part of the way society operated."[41] The best example of these moments in the Southwest Territory was the chaos which often accompanied the quarterly sessions of the county courts. These meetings, as was common throughout the nation and especially on the frontier, represented one of only a few opportunities for individuals to interact within a larger group. As such, they sometimes became rather boisterous. David Campbell's recollections of these meetings reflect this atmosphere. In addition to the noise of business transactions and legal proceedings, Campbell recalled the sessions of the county courts as one of the

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[40]Gilje, The Road to Mobocracy, 8.

[41]Ibid, 5.

occasions which brought the "uncivilized portion of the population" to town, many of whom he claimed "were exceedingly wild and dissipated." These individuals clearly made an impression on the young Campbell, for years later he recalled that "masses of them would come to the courts and would often have the court yard in a body. In the evenings they would collect together, many of them become intoxicated, would mount their horses and rush through the streets almost at full speed." At some point, he also remembered, "quarrels would take place and then coats and shirts would be thrown off and fisticuffs commence," all of which Campbell watched from a safe distance, "mounted on a fence of a lot."[42]

In addition to these activities, vendors would wander the courtyard taking advantage of the crowds. One such individual was Mrs. Sucky Callaham, who lived twenty-five miles below Abingdon, either in or very near to the Southwest Territory, and probably plied her trade at those county courts as well. She was certainly at the Washington County, Virginia court sessions, where Campbell said she sold ginger cakes and "spirits" while her husband sold deerskins "and sometimes venison hams." To avoid the license required to sell liquor, Mrs. Callaham "put a grain of corn in every cup she sold, claiming that she gave the spirits away and charged nine pence for the grain of corn." She was thus able to continue her

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[42]"Recollections," David Campbell Papers.

livelihood for ten or fifteen years, during which time she "accumulated a property sufficient to make her home and children comfortable."[43]

Other forms of congregating in the territory served as less chaotic "moments of license." Taverns were numerous in the Southwest Territory and provided easy access to companionship. A reader could regularly find in the pages of the Knoxville Gazette some notice of a newly-opened "house of entertainment," where the proprietor promised to be "well supplied with everything necessary for the accommodation of Gentlemen," and to "use every effort in his power to give satisfaction to those who favor him with their custom."[44]

There was also more extravagant congregating, such as weddings, militia musters and, especially, the annual celebrations of Independence Day, which the Knoxville Gazette usually described as being accompanied by "great mirth and hilarity." After their arrival in early 1793, the federal garrison stationed in Knoxville became an important part of the festivities there. At the celebrations that year they "paraded and fired a federal salute." According to the Gazette, "The company made a very handsome appearance, and went through the several evolutions with great exactness." Later that evening, the troops "fired a feu de joy, which from

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[43]Ibid.

[44]Knoxville Gazette, April 21, 1792.

the darkness of the evening, and the judicious manner in which the company were disposed, produced a most pleasing effect; after which there was a handsome display of fire works."[45] The Fourth of July was similarly celebrated at other towns in the territorial community; in 1793, after events throughout the day at Jonesborough, "the evening was closed with a BALL, where the greatest mirth and good humour prevailed."[46] And Abingdon, Virginia celebrated Independence Day in 1792 with martial demonstrations by portions of the county militia, followed by an evening that was "spent in the greatest hilarity."[47]

Other forms of congregating reflect the distinctions between classes more clearly. For the elite, Governor William Blount had, by the end of the territorial period, come to serve as a model to which they could aspire. One person would later recall that Blount was "always dressed well, fond of display," and "extravagant in style of living."[48] Ramsey would likewise write that when "the older citizens" with whom he conversed in collecting material for his Annals of Tennessee considered Blount and his influence on the community, they "still refer [in 1853] to the last years of the Territorial

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[45]Ibid., July 13, 1793.

[46]Ibid.

[47]Ibid., July 28, 1792.

[48]"Recollections of John Hillsman, 1849," in THS Misc. Files, TSLA.

Government, as furnishing models of refinement and etiquette, ... Levies and entertainment became frequent and crowded."[49] For groups other than the elite, corn huskings served as events with both a social and a practical value. David Campbell claimed that he generally attempted to attend "all the corn huskings and participated in the frolicks occasioned by them. The hilarity on these occasions," he recalled, "was sometimes rather noisy, but in other respects perfectly free from impropriety."[50]

One group which generally posed little threat to the control of the elite were slaves. Indeed, slaves were brought into the region at almost twice the rate that white immigrants arrived.[51] Their labor was not only a welcome asset in the predominantly agricultural environment of the Southwest Territory, but an important element of the well-ordered society. Those who had the necessary financial resources could realize profits in the slave trade, and there were frequent advertisements in the Knoxville Gazette concerning the sale

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[49]James G. M. Ramsey, The Annals of Tennessee to the End of the Eighteenth Century (Kingsport, TN, 1967 [1853]), 645-646.

[50]"Recollections," David Campbell Papers.

[51]Clarence E. Carter, ed., The Territorial Papers of the United States (28 vols., Washington, 1934-1950), 4:81, 404-405.

of slaves or seeking the return of runaways.[52] The several references to "outlandish" slaves with a limited English vocabulary suggests that many of the slaves in the territory had been brought there soon after their arrival in the country.[53] After their arrival, the majority of slaves remained in the Holston settlements, as did the bulk of the overall population during the territorial years. But by the end of that period, the highest percentage of slaves could be found along the Cumberland. In those settlements, where the land was better suited to large-scale agriculture and slave labor, the slave population composed over twenty percent of the total population by 1795, an increase from approximately sixteen percent in 1791.[54]

The primary function of slaves, of course, was to serve as unskilled agricultural laborers. As such, they were just

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[52]Knoxville Gazette, November 19, 1791; November 17, 1792; May 22, 1794; William Blount to John Gray Blount, July 29, 1794, in Alice B. Keith and William H. Masterson, eds., The John Gray Blount Papers (3 vols., Raleigh, NC, 1952-1965), 2:420-421.

[53]One escaped slave, for example, was described as an "outlandish negro" who "speaks very broken." A similar announcement described a runaway who "talks very broken English," but could speak French "tolerably well." Another runaway was said to be distinguishable by the fact that he was "American born." Knoxville Gazette, January 23, 1795; March 27, 1795; June 19, 1795.

[54]Carter, Territorial Papers, 4:81, 404-405. This increase is somewhat surprising when it is noted that the overall population for the Cumberland settlements, as a percentage of the Southwest Territory, actually decreased during the same period from 19.73% to 15.49%.

as vulnerable as their white co-workers in the event of Indian attack, and there are accounts of slaves fighting with their owners against a common enemy.[55] At the same time, Indians seem to have clearly understood the status of slaves as property.[56] It was not at all uncommon for slaves to be captured and retained by the Indians in the hope of eventual ransom.[57]

If the typical slave was destined for agricultural labor, some clearly possessed more valuable skills. David Campbell recalled that Tom, one of his father's slaves, was "remarkably intelligent, honest, industrious, sober and discreet." Tom was also described as the "principal manager" of the Campbell farm and widely skilled; he "could make shoes, plows, harrows and all kinds of farming implements and could repair wagons." Moreover, Campbell recalled that Tom "could read and was intelligent in conversation," and it was not uncommon for Campbell and a few of his schoolmates to study in Tom's cabin, seeking his opinion on some topics while the slave "employed himself in making and mending shoes for the family."[58]

Slavery in the South prior to about 1830, when the

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[55]William Hall, "Early History of the Southwest," The Southwestern Monthly, 2(1852): 11-16.

[56]Goodstein, Nashville, 72.

[57]Knoxville Gazette, December 26, 1794; Walter Durham, Daniel Smith: Frontier Statesman (Gallatin, TN, 1976), 171-172.

[58]"Recollections," David Campbell Papers.

expansion of the agricultural economy and the threat of insurrection revealed by the Nat Turner Revolt encouraged more rigid control over the institution, has been portrayed as a comparatively tolerant institution.[59] The experience of slaves in the Southwest Territory tends to confirm that assumption. Slaves (or at least free blacks) appear from time to time on the membership rolls of churches in the territory and in those instances where their conduct warranted it, they were entitled to trials before the county courts. One such case involved a Davidson County slave mamed Dick, who was charged with burning one of the barns in the community. The testimony in this case was slightly prejudicial towards a guilty verdict; but at the same time the evidence was carefully presented and legally documented. Moreover, it reveals that at least some slaves were allowed a good deal of latitude, for Dick had wandered freely about the community during the night in question, stopping at no less than two households while attempting to "get his Jackett mended."[60]

But if the institution of slavery was not as strict as it would later become, there is evidence that the transformation was already underway in the Southwest

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[59]Kenneth Stampp, The Peculiar Institution (New York, 1956), 27-28; Clement Eaton A History of the Old South (New York, 1966), 254; Chase C. Mooney, "Some Institutional and Statistical Aspects of Slavery in Tennessee," Tennessee Historical Quarterly, 1(1942): 196-197.

[60]Davidson County Court Records, July Special Session, 1793.

Territory. Although there are early indications of attempts to preserve the slave family during sale, the increasing demand for slave labor during the territorial years eventually worked to discourage this practice. Female slaves continued in many instances to be sold with their children, but other members of slave families were less frequently sold as a group. The dissatisfaction which was thus generated among the slave population is evidenced by the advertisements for runaway slaves contained in the Gazette. Some of these reflect a good deal of planning on the part of the runaway; many took clothes or guns, and in many instances the presumed destination was a former household where family members still remained.[61]

The justices could move quickly and harshly to reassert their control when it was challenged by a slave. The case of Dick the arsonist offers perhaps the best evidence of this. According to the testimony of another slave, Dick had committed some previous offense which led to the probability of his being whipped. When told of this, Dick "Replied, Damn him, if any man serve him so he would put his knife in him." Burning the barn, the court assumed, had been an alternate

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[61]One runaway specifically admitted when apprehended that he was "going to see his wife and children near Tarborough [North Carolina]," where he himself formerly lived. Other announcements also give the former residence of escaped slaves as their presumed destination. Knoxville Gazette, December 1, 1792; June 15, 1793; November 23, 1793; November 29, 1794; May 22, 1795.

means of retaliation. Dick was found guilty and sentenced to "be publickly whipped at the whipping post fifty Lashes on the bare back well Laid on, and afterwards have both his ears cutt off."[62] Regardless of how relatively tolerant the institution of slavery appears to have been prior to the slave revolts of 1800 and 1830, there was clearly some dissatisfaction among the slave population of the Southwest Territory. And just as clearly, there was a determination to keep that dissatisfaction under control.

Not all blacks in the territory were slaves; the 1795 census shows 973 individuals designated as "other free persons," an increase from 361 in 1791. It is likely that most, if not all, of this number were free blacks. Manumission required the permission of the county court, but since such permission would allow the former slave to move beyond the control of the justices, it appears rarely in the county records. It is thus probable that the increase of free blacks during the territorial years represents the immigration of freed slaves from the Atlantic states.[63] It is also evident that some slaves had the financial resources necessary to

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[62]Davidson County Court Records, July Special Session, 1793.

[63]Goodstein, Nashville, 79. It has also been suggested that the category of "all other free persons" in the census includes the group known as Melungeons. The figures for that category are somewhat higher in the northeastern counties where the Melungeons are known to have lived during the territorial period. See Jean Patterson Bible, The Melungeons Yesterday and Today (Rogersville, TN, 1975), 6, 21-22.

purchase their own freedom, as is apparent from an advertisement in the Knoxville Gazette of May 2, 1796. Included in a notice of runaway slaves, a woman and her two children, is the assumption that they were "stolen by a negro fellow named Sam, who pretends to be free, and has purchased his time from his master for four years, and has a pass for that time, two of which is past in January last."[64]

Perhaps the best known instance of a slave purchasing his own freedom that of was Robert Rentfro, or "Black Bob," who was granted a license to operate a tavern in the town of Nashville. Rentfro became so established in Nashville that the court eventually allowed him to forego the standard requirement that tavernkeepers renew their license annually. Instead, it was ordered "That a Certain Negro in the Town of Nashville called Bob, be permitted to Remain, in & Enjoy the benefit of his house built by him on the Publick Ground, near to the courthouse untill otherwise Ordered by the court."[65] Significantly, however, a request from Rentfro's owner for the slave's freedom was denied by the justices.

Perhaps the best example of corporatism in the Southwest Territory can be seen in the various urban centers. In these areas, the diversity of classes combined with the appearance of new problems virtually required not only a sense of

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[64]Knoxville Gazette, May 2, 1796.

[65]Davidson County Court Records, January Session, 1794; Ibid., July Session, 1794; Goodstein, Nashville, 76, 81.

solidarity, but also more stringent control for the common good. Towns were essential for the growth and development of all frontier areas; they served as a focal point for immigrants as well as for the surrounding population where supplies, assistance and companionship were available. Most important, they served (or hoped to serve) as the economic hub of the surrounding countryside, facilitating its settlement and marketing its produce. In fact, Richard C. Wade, in his analysis of the urban west, has said that towns were nothing less than the "spearheads of the frontier."[66]

Such a description could certainly apply to the towns of the Southwest Territory, several of which were already established when Blount's administration began. Jonesborough, Greeneville and Rogersville in the northeastern counties, and Nashville and Clarksville in the Cumberland settlements had all received charters from the state of North Carolina. None of these towns, or the ones that would be established during the territorial years, grew large enough to be classified as a city until well after statehood; even so, these towns were important as the economic and political center of their respective communities. And, until the practitioners of the former profession could establish themselves, those of the latter would dominate. Each of these towns served as the seat of the county government, and as such were the "headquarters"

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[66]Wade, The Urban Frontier, 1.

for the justices of the court. Businessmen, speculators, lawyers and others were attempting with some success to gain influence in the towns, but throughout the territorial period the urban centers were to remain the domain of the justices, from which they exerted their control throughout the county.

Unofficial meetings for the justices were conducted in taverns--Talbot's was the favorite in Nashville and Chisholm's in Knoxville. In the company of surveyors, boatmen, wagoners, and the many other individuals who typified a frontier community, the justices discussed a variety of matters, the majority of which related to the best means of encouraging growth and development. In most towns, these objectives met only limited success during the territorial years. But in cases where growth can be discerned, it is obvious that those towns developed along patterns similar to those described by Richard Wade in The Urban Frontier. These similarities are best seen in Nashville and especially in Knoxville, where the pages of the Knoxville Gazette provide a more detailed picture.

The most immediate problem which confronted these towns was the increased numbers of immigrants to the territory, especially after the end of Indian hostilities. The Knoxville Gazette reported in 1795 that forty-six wagons had recently passed through the town, bound for the Cumberland settlements. On one day alone it was estimated that over 100 people had passed through Knoxville, and it was predicted that 20,000 or

more would have entered the territory before the end of the year.[67] That the streets of Nashville had some difficulty coping with increased traffic is evident by the order from the Davidson County Court that an overseer be appointed "for keeping in Repair the Streets of Nashville."[68] The Jefferson County Court took similar measures by ordering a labor force "to work the several streets" of the new town of Dandridge.[69]

The towns of the Southwest Territory were not the objective of these new immigrants, however. They had instead come west to take advantage of the available land. Even those who did remain in the towns rarely stayed there long. Most of the original town lots in Nashville, for example, were soon sold and then frequently resold; according to one study, "in the three years between 1786 and 1789, forty-four lots changed hands at least ninety-three times."[70] These shifts in the citizenry of Nashville would continue into the next century when, during the years from 1811-1860, the city experienced a transiency level of around seventy-five percent.[71] Transiency, however, was not unusual for frontier cities.[72]

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[67]Knoxville Gazette, October 23, 1795; November 20, 1795.

[68]Davidson County Court Records, April Session, 1792; April Session, 1793.

[69]Jefferson County Court Records, November Session, 1794.

[70]Goodstein, Nashville, 17.

[71]Ibid., 22-23.

[72]Ibid.

Many immigrants came west as families and moved as quickly as possible through such places as Nashville, which has been described during its early years as "a male preserve, a brawling, hard-drinking town, on the surface at least hardly a community."[73]

Wade's study has also shown that the west was "the scene of not only land speculation, but intense city speculation as well."[74] Both Nashville and Knoxville reflect the careful planning which characterized such efforts, including the familiar street names and grid patterns brought to the West from eastern cities. In addition, most towns of the West, including Knoxville and Nashville, were situated on rivers, since "the key to . . . economic growth was transportation."[75] Just as important for city speculation in the West was effective advertising which emphasized the best features, both real and imagined, of the western towns. Accordingly, one of the earliest editions of the Knoxville Gazette carried a description of the new town of Knoxville, which was said to be located on a "beautiful eminence" and to be a logical location from which the federal government would conduct trade with the southern Indian tribes. Growth and prosperity seemed

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[73]Ibid., 44.

[74]Wade, The Urban Frontier, 30.

[75]Ibid., 39.

inevitable.[76]

Perhaps as a result of these glowing descriptions, but more likely because it was the new territorial capital, Knoxville did in fact experience a steady increase in population during the territorial years. James White had settled at the site as early as 1787, and in 1791 subdivided his property into sixty-four town lots covering sixteen blocks with a strip of land along the Holston (now the Tennessee) River reserved for a "commons." Purchasers were bound to abide by the rules and regulations of three commissioners who were empowered to "regulate all matters respecting said town."[77] There were fifty or sixty families living in the town in 1794 when the General Assembly passed an act which formally established Knoxville and expanded the number of commissioners to five, to be appointed by the Governor.[78] The town had apparently experienced some growth by this time, for one of the first acts of these commissioners was to add fourteen more blocks.[79] Despite Ramsey's claim that "these were primitive

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[76]Knoxville Gazette, February 11, 1792; Wade, The Urban Frontier, 27-35.

[77]Knoxville Gazette, December 17, 1791.

[78]Ramsey, Annals of Tennessee, 374-376, 630; Edward Scott, ed., Laws of the State of Tennessee (2 vols., Knoxville, 1821), 1:501-502.

[79]Aelred J. Gray and Susan F. Adams, "Government," in Lucille Deaderick, ed., Heart of the Valley: A History of Knoxville, Tennessee (Knoxville, 1976), 71.

times in Knoxville",[80] a visitor in that same year would report that "the Country is in a higher state of improvement than I counted on, and the Town has had a rapid growth." He seemed almost surprised to discover that "here are frame Houses & Brick Chimnies," as well as "ten stores & seven Taverns, besides tippling Houses."[81]

Such rapid growth, however, also served to intensify the growth of problems on the urban frontier. In fact, says Wade, by "1815 Western towns had witnessed the appearance of all the urban problems which confronted Eastern cities,"[82] and Knoxville was no exception. There is no indication that the commissioners made any effort to address these problems during the territorial years, but by 1802 the problems which had been developing during that period could no longer be ignored. At that time, the city commissioners passed regulations which provided for keeping the streets clean, banned slaughter houses within the town, prohibited wooden chimneys, and

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[80]Ramsey, Annals of Tennessee, 630.

[81]Abishai C. Thomas to John Gray Blount, October 26, 1794, in Keith, The John Gray Blount Papers, 2:447-448.

[82]Wade, The Urban Frontier, 99.

established guidelines for the erection of privies and wells.[83] In addition, the commissioners prohibited the firing of guns in the town and forbade horses from running or roaming on the city streets.[84] The growing slave population had also apparently become too visible in Knoxville, and an ordinance was passed which prevented slaves from congregating within the town limits.[85]

Even prior to 1802, it is possible to see the new demands which the growing population of the territorial years placed on the citizens of Knoxville. One of these was the ability of the inhabitants to feed themselves. Enterprising individuals could take advantage of the changing situation and serve as middlemen to make the surplus of the surrounding countryside available to the townspeople. John Chisholm was one such person; in early 1794 he announced his intention to open a "Beef Market" where "the inhabitants of Knoxville and its vicinity . . . may be supplied with Beef every third day

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[83]The need for guidelines in the digging of wells is another indication of the growth of Knoxville since 1794. In the March 27 issue of the Knoxville Gazette there is a reference to "the" town spring. But advertisements for a well digger had begun to appear in the paper by November of that same year, and by 1802 there were enough well-diggers to require the guidelines passed by the commissioners. Knoxville Gazette, March 27, 1794; November 1, 1794.

[84]Gray and Adams, "Government," in Deaderick, Heart of the Valley, 71-72.

[85]Ibid. Similar ordinances restricting the movement of slaves were passed in Nashville. See Goodstein, Nashville, 84.

during the season."[86] As the town's occupants became more dependent on these markets in Knoxville, it became apparent that they, like other inhabitants of the urban west, required some sort of protection against "adulterated food, false measurements and rigged prices."[87] To ensure that shopkeepers would give fair measure to their customers, it became necessary for the Knox County Court--apparently alone among the counties of the territory--to appoint a "Standard Keeper" and order that his "weights, Stamps, brands and measures be kept in Knoxville."[88] A notice in the Knoxville Gazette informed the merchants who sold goods "by weight or measure" to have their weights and measures sealed. Those who failed to do so were warned that they might depend "most assuredly, on being prosecuted by law."[89]

Another difficulty accompanying growth in the urban west was the lack of wood, especially firewood. This was a basic and essential element in the lives of everyone on the frontier, not only for the construction of homes and fences but also for such daily activities as cooking and heating. A concentrated population, however, could result in a scarcity similar to the one which eventually occurred in St. Louis,

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[86]Knoxville Gazette, May 22, 1794.

[87]Wade, The Urban Frontier, 80.

[88]Knox County Court Records, January Session, 1795.

[89]Knoxville Gazette, May 22, 1795.

where a "fuel crisis" developed.[90] In Knoxville, there was obviously an ample supply of wood in the surrounding forests; but as the population grew, the timberline receded and became increasingly inconvenient to reach. Consequently, those fortunate individuals who owned town lots with timber were forced to guard their trees vigilantly. James White, as the original proprietor of Knoxville, owned several such lots and was obligated on more than one occasion to insert a notice in the Gazette demanding that "all persons . . . desist from cutting TIMBER on my land, under any pretence whatsoever, as I am determined to put the law in force against such offenders."[91] Either unaware of the extent of this shortage or preoccupied with other matters, Hugh Dunlap naively announced in the Knoxville Gazette that he was "about to leave this Territory for a short time," and that he had "empowered Mr. George Roulstone to transact my business during my absence." Within a few weeks, Roulstone published the warning that "All persons are hereby forbid to cut timber on the lands of Hugh Dunlap, . . . as they may depend on having the law put in force against such as may hereafter trespass."[92]

Most of the problems for the towns in the Southwest Territory would not intensify, however, until the years after

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[90]Wade, The Urban Frontier, 81.

[91]Knoxville Gazette, November 17, 1792; December 13, 1794.

[92]Ibid., February 6, 1795; March 13, 1795.

statehood. During the territorial period these towns remained relatively small and under the authority of their respective county courts; the sheriff supplied what police protection was needed and the citizens themselves, drawing on their own colonial precedents, assumed the responsibility for fire protection. By the end of the territorial period, Knoxville, although the territorial capital, still contained less than 400 citizens. Nashville, the center of the Cumberland settlements, had only 345 inhabitants, and almost half of that number was black.[93] It is difficult to estimate the number of citizens of any other towns with any real accuracy, but a traveller through the region in 1802 did compare some of the towns in terms of the buildings they contained. If his observation that Knoxville had 200 buildings was correct, then the population was comfortably housed with less than two people per building. The 120 buildings he saw in Nashville would mean that the town's 345 inhabitants were slightly more crowded (but certainly not overcrowded) with almost three people per building. Other towns he visited were Jonesborough, where he claimed there were 150 buildings, and Greeneville, with only forty. If the same ratio of people per building which existed in Knoxville and Nashville is applied in these two towns, it would give a population of 300-400 for

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[93]These are estimates of the 1800 population in both towns. See Deaderick, Heart of the Valley, 73-74 and Goodstein, Nashville, 20.

Jonesborough and 80-120 for Greeneville.[94]

If the latter of these estimates is accurate, it would perhaps explain why a tavernkeeper in Greeneville had felt it was necessary in 1795 to give directions to his establishment when advertising in the Knoxville Gazette.[95] But even the more prominent towns of the territory had not yet achieved the importance they would realize during the first few decades of the nineteenth century. An analysis of Nashville's first two decades has shown that "throughout the period Nashville remained basically the county's seat, coming to life when the courts met."[96] With the possible exception of Knoxville, the same statement could easily apply to all of the towns of the Southwest Territory.

For most inhabitants of the Southwest Territory, however, the problems of the towns were of peripheral concern. While they depended upon urban areas, they lived beyond the limits of the towns and more concerned with their own difficulties. When Indians threatened, they huddled together in the nearest station; and when the threat subsided, they lived on their own land. For these individuals, as well as for those in the towns, the need for diversions and entertainment was

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[94]"Travels to the West of the Alleghany Mountains," Journal of Francois Andre Michaux, September 24, 1801 - March 1, 1803, in Reuban G. Thwaites, ed., Early Western Travels, 1748-1846, (32 vols., Cleveland, 1904-1907), 3:250, 265, 270.

[95]Knoxville Gazette, March 13, 1795.

[96]Goodstein, Nashville, 17-18.

important. The citizens of the Southwest Territory were thus encouraged to incorporate a variety of leisure activities into their communities. Music played a part in the lives of many, as evidenced by Daniel Smith's purchase of a "Lutestring" for his wife.[97] For the more rural part of the community, music was also important; according to Ramsey, the "bugle, the violin, the fife and drum furnished all the musical entertainments. These were much used and passionately admired."[98]

The most common form of entertainment was perhaps reading, and a wide variety of reading material was available in the stores of the Southwest Territory. Nathaniel and Samuel Cowan advertised Bibles, lawbooks, "Harvey's Meditations," as well as "Sermons and several books on Divinity."[99] Other storeowners offered "A Sermon of Psalmody," or "a FEW COPIES of Judge Iredell's Revisal of the laws of North Carolina,"[100] the standard lawbook used by the county courts of the territory.

But the most widely-read material in the territory (with the possible exception of the family Bible) was the Knoxville Gazette, published bi-weekly by George Roulstone. While the Gazette may have been perceived by the people as only an added

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[97]William Hall to Daniel Smith, July 1, 1793, in THS Misc. Files, TSLA.

[98]Ramsey, Annals of Tennessee, 720.

[99]Knoxville Gazette, August 11, 1792.

[100]Ibid., February 9, 1793; February 13, 1794.

source of diversion, it was in reality much more than that. The appearance of a newspaper on any frontier was a significant accomplishment, for it "served to bring order into chaotic communities in the early stages of frontier development."[101] More specifically, the frontier paper provided the businessman with a medium for the exchange of information. It also gave the people a spokesman who could express and emphasize the public mood. And, perhaps more important for the concept of corporatism, a newspaper served to promote a sense of community among its readers.[102]

Roulstone's Gazette was no exception. Originally from Massachusetts, Roulstone had been a journeyman printer in North Carolina when he was persuaded by William Blount to travel across the mountains and publish a paper for the new territory. Roulstone first published the Knoxville Gazette in partnership with Robert Ferguson, also from North Carolina; but Ferguson's influence was never prominent and the partnership was dissolved in April of 1793. The first issue appeared in November of 1791 from the town of Rogersville, where it would continue to be published until the fall of the next year while Roulstone awaited the completion of adequate

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[101]Wright, Culture on the Moving Frontier, p. 237; see also ibid., 65-66, 111-115.

[102]For a more detailed discussion of the role of newspapers, see Gunther Barth, City People: The Rise of Modern City Culture in Nineteenth-Century America (New York, 1990), chapter 3.

facilities at the new territorial capital.[103]

Blount clearly understood the advantages of a sympathetic press for the purposes of shaping and influencing opinion. And Roulstone (who had never really prospered financially as a printer) was obviously grateful for the monopoly which had been given to him. Although he had some difficulty in collecting the two-dollar-per-year subscription fee from many of his subscribers, Roulstone could produce additional income by offering to the public such publications as "Toplady's Translation of Zanchius on Predestination," which he sold for four shillings (fifty cents) per copy.[104] Much more lucrative, however, were the arrangements for printing the occasional proclamations and broadsides issued by the governor and, after the election of the assembly, his position as printer to the territory.

Roulstone was duly appreciative and served his benefactor well. His early issues generally supported the policies of the federal government and the emerging Federalist ideology. But as Blount became increasingly disenchanted with the policies of that party, Roulstone's position shifted accordingly; his only true political allegiance was clearly to the Governor of the territory. When the citizens engaged too frequently in

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[103]Joseph H. Sears, Tennessee Printers, 1791-1945 (Kingsport, TN, 1945), 5-10; Samuel C. Williams, "George Roulstone: Father of the Tennessee Press" The East Tennessee Historical Society's Publications, 17(1945): 51-60.

[104]Knoxville Gazette, February 6, 1795.

attacks against friendly Cherokee towns, Roulstone reprinted an article by the venerable Benjamin Franklin condemning similar attacks which had previously occurred in the north. After one local resident, notorious for his hatred of the Indians, shot and wounded a peaceful Cherokee passing near his cabin, the Gazette quickly condemned such action and claimed that most people were determined to honor the Treaty of Holston. On another occasion, when resentment against the federal government's passive Indian policy mounted and pressure on Blount increased, Roulstone deflected some public anger towards the state of Virginia by publicizing a boundary dispute.[105] Perhaps most effective was Blount's use of the Gazette to publish anonymous letters which praised the citizens when they restrained themselves following an Indian attack (or chastised them when they did not), answered his critics or otherwise attempted to control public opinion.[106]

But to suggest that the Gazette was nothing more than a mouthpiece for the territorial government would be inaccurate; for Roulstone, like newspaper editors on other frontiers, was "close to the people; he knew most of them with some degree of intimacy."[107] The reverse held true as well. Had Roulstone ignored the many letters which he received that questioned or

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[105]Ibid., June 1, 1793; May 5, 1792; March 10, 1792.

[106]William H. Masterson, William Blount (Baton Rouge, 1954), 234, 243-244.

[107]Wright, Culture on the Moving Frontier, 236.

criticized the policies of William Blount and the federal government, he would certainly have lost the respect of his readers, as would any frontier editor under similar circumstances.[108] Both the editor and the governor must have understood this, for letters from Blount's opponents appear frequently in the pages of Roulstone's paper.

The Gazette also served the obvious function of any newspaper by providing the people of the territory with useful information, such as the text of the Northwest Ordinance under which they were governed, and the North Carolina militia law which was used by the territorial militia. In addition, the paper contained advertisements, announcements, a running account of the Indian wars, and was the most reliable connection between the citizens of the Southwest Territory and the world beyond; in fact, according to one analysis, the "maintenance of contact with the world which the Western pioneers had left behind them was one of the most important functions of country newspapers."[109] In the pages of the Gazette the people of the territory could read of the wars in Europe, contemplate Thomas Paine's Rights of Man, learn about the curious new Shaker religion, or discover the benefits of "shower bathing," which they were told would cure "that dreadful disorder, the Ague and Fever . . . after three times

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[108]Ibid.

[109]Ibid., 237.

bathing, often with once." They were warned, however, that "the shock will be considerable."[110]

In addition to his role as newspaper editor, Roulstone served the Southwest Territory as postmaster of Knoxville. His interest in efficient mail routes was undoubtedly connected to his role as editor; the influx of letters and papers from around the country would provide him with the information he needed to fill the Gazette and, just as important, his paper required a reliable means of circulation. His appointment was secured by Governor Blount in November of 1794, but not without some objections from the Postmaster General of the United States, Timothy Pickering, who was concerned over the conflict of interest which might be created with a newspaper editor also serving as postmaster. The Governor prevailed, for he stood to benefit from having a close friend and confidant as postmaster; but when Pickering became Secretary of War (and thus Blount's immediate superior) two months later, he had already come to view the Governor as manipulative and untrustworthy.[111]

Pickering's misgivings notwithstanding, the Southwest Territory clearly needed an efficient postal system and the citizens were anxious for direct contact with friends and

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[110]Knoxville Gazette, November 5, 1791 - June 16, 1792; January 14, 1792; November 1, 1794.

[111]Timothy Pickering to William Blount, August 21, 1794, in Carter, Territorial Papers, 4:352-353; Charles Burrall to George Roulstone, November 4, 1794, ibid., 364.

relatives in the east. But until Roulstone's appointment, mail service was sporadic at best. Letters could be sent only with the assistance of travelers who were bound in the same (or nearly the same) direction. Any opportunity was generally seized upon, even if there were no particular news to convey, as when Isaac Bledsoe wrote to a friend in North Carolina. "Meeting with the oppertunity," wrote Bledsoe, "I cannot help Righting and have Nothing Worthy [of] Relation." Nonetheless, he went on to express a hope that he would meet his friend again, although he believed that "it [is] allmost a Despute wheather we shall see you[r] Person or not."[112]

Such a postal system was unreliable and could not meet the needs of a growing society. The resulting frustrations can be seen in a letter from Martin Armstrong to Daniel Smith; "almost every [one] of my letters to your country have miscarried," wrote Armstrong, and "I scarcely receive an answer."[113] It was possible to hire an express rider to convey letters, but their price was high; a one-way trip through the wilderness between Nashville and Knoxville could cost as much as fifty dollars. Express riders were thus priced beyond the means of most individuals, but there were those (especially

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[112]Isaac Bledsoe to William Lytle, January 1, 1792, William Lytle Papers, SHC. Bledsoe was unfortunately correct in his prediction; in little over a year after writing this letter he was killed by Indians.

[113]Martin Armstrong to Daniel Smith, Aug. ?, 1792, in THS Misc. Files, TSLA.

in the territorial government) who were willing to pay their fees in order to ensure delivery.[114]

By the end of 1792 a United States postal route had been established from Abingdon, Virginia to the Hawkins County Courthouse. Private carriers extended this route at about the same time to Knoxville and included stops at each of the county court houses between that town and Abingdon.[115] Not until November of 1794, when Roulstone received his appointment as postmaster, did the United States postal route extend to Knoxville. While this was clearly an improvement over the haphazard methods which had prevailed in the past, complaints remained common. One of the problems which Blount asked James White, the territorial delegate to Congress, to address was the poor postal service to the territory. The Governor admitted the reliability of the system, but added, "it is very rare that Intelligence from Philadelphia to this Place by casual Conveyance is not to hand sooner by eight or ten days than by Post."[116] The Cumberland settlements benefited little at all. That area continued to receive its mail by an overland route through Kentucky. It would not be until after

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[114]William Blount to James Robertson, October 20, 1793, in "Correspondence of Gen. James Robertson" American Historical Magazine, 2(1897): 77-79; Blount to Robertson, November 12, 1794, ibid., 3(1898): 372-373.

[115]Knoxville Gazette, December 1, 1792; October 6, 1792.

[116]William Blount to James White, December 14, 1795, in Carter, Territorial Papers, 4:411-414.

the War of 1812 that the postal system in Tennessee began to approach efficiency.[117]

Possibly the best indication of the social changes that were taking place in the Southwest Territory was the shift in the attitudes regarding the value of education. Reading and writing had often been perceived on the frontier as being unnecessary to the art of survival, and thus not emphasized during the early period of the westward migration. But that attitude was undergoing some changes during the territorial years, partly due to the efforts of the justices. The county courts became increasingly concerned that the orphans for whom they were responsible receive some education, and, by the end of the territorial years, guardians were frequently receiving such directives. One guardian, for example, was specifically instructed that, in addition to providing her charge with "sufficient Victualing, cloathing, washing & Lodging During the sd. Term," she was also expected to "use her uttmost Endeavors to Learn him to Read & write."[118]

For those frontier parents who also considered education as a valuable asset, schooling of their children usually began at home. At some point, however, many found it desirable to

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[117]Andrew C. Holt, "The Economic and Social Beginnings of Tennessee," Tennessee Historical Magazine, 7(1922): 298-304. See also Paul J. Phillips, "Never a Safe Road: Postal Communications in the Southwest Territory," The Journal of East Tennessee History, 62(1990):18-32.

[118]Davidson County Court Records, October Session, 1795.

employ the services of a teacher. Assuming that the community could afford to pay him some sort of salary, even if it was in produce or whiskey, they would hire "a schoolmaster when they could find one, good, bad, or indifferent,"[119] although frontier teachers too often fell into the latter two categories. The variety of effectiveness on the part of the teachers and equal variety and uncertainty of payment on the part of the community meant that it was not uncommon for students to receive their education from several different teachers. David Campbell, in his recollections of his early education near Abingdon, Virginia, named four different teachers, some of whom lasted no longer than a few months and at some of which Campbell could not recall exactly what he was taught. One such instructor he described as "the perfect personification of an ignorant pedagogue," whose primary concern seems to have been "that the scholars when not writing should keep their pens in water."[120]

But Campbell did retain some favorable impressions of his early education, such as the school of Turner Lane which he attended in 1787. Lane is described as a "good english scholar and an attentive and energetic teacher." The daily routine at this school, says Campbell, "commenced by all the scholars reading and spelling aloud at the same time and nearly at the

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[119]Wright, Culture on the Moving Frontier, 42-43, 56-57.

[120]"Recollections," David Campbell Papers.

top of their voices. This could be heard at a distance of several hundred yards." Campbell attended this school nine or ten months, during which time he "made some progress in learning." Campbell also recalled the schooling he received from William Graham, "a hard favored [?] little Irishman" who was "capable, industrious and attentive and richly earned his small salary." Graham charged twenty shillings per scholar per year, and according to Campbell there were never more than thirty scholars. But he did admit that during the twelve months in which he attended Graham's school, he "learned to spell & read well and to write a legible hand," although he could "not remember that I learned anything else."[121]

Still, Campbell's background was judged at this point to be "sufficiently advanced to commence the Latin." His educational experience from this point on, however, suggests that most parents were either satisfied if their children acquired only the basic skills or were unable to afford the cost of continued education. Campbell's family discovered that there was little community interest in acquiring advanced instructors. After one teacher was hired and dismissed "on account of his intemporance," some families of the community induced Samuel Black, a Presbyterian teacher who had only recently completed his own course of studies in North Carolina, to open an advanced school at Abingdon. But, says

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[121]Ibid.

Campbell, "such was the spirit at that day in the community that only ten scholars could be obtained."[122]

Black's school continued, however, and although it was located six miles from the Campbell home, David and his brother walked the distance every Monday morning, boarded during the week and returned on Friday afternoons. He remained at this school for eighteen months, learning Latin and Greek, "but such were my father's means that he was unable longer to meet the expenses of boarding my brother and myself from home, although our board and tuition by the year, did not cost for both of us, more than one hundred dollars--I am under the impression it did not cost half that sum."[123] If Campbell's memory is accurate, his educational expenses per year of $25.00-$50.00 were significantly lower than that for the two daughters of William Hubard of North Carolina, where a 1787 receipt for "boarding and schooling your two Daughters" indicates that they were charged thirty pounds per year each, or about $175.00.[124]

Although Black's school continued a brief time after Campbell's withdrawal, the smaller number of students apparently soon forced it to close. Campbell now assumed responsibility for his own education, but at least one of his

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[122]Ibid.

[123]Ibid.

[124]Receipt, William Hubard Papers, SHC.

former schoolmates transferred to Martin Academy in Washington County of the Southwest Territory. Martin Academy had received a charter from North Carolina in 1783. Davidson Academy in Nashville received a similar charter two years later, and these were the only such institutions operating during the early years of the territorial period. The proprietors of both of these schools, Samuel Doak at Martin Academy and Thomas Craighead at Davidson, were Presbyterian ministers, another indication of the emphasis placed by that church on education not only for its own preachers, but also for the communities they served. This characteristic of the Presbyterians was not confined to the Southwest Territory, or to the early period of settlement. In western Pennsylvania and the Northwest, for example, the efforts of that denomination in the area of education were crucial during the frontier period, and "for many years to come [higher education] was in the hands of the Presbyterian clergy."[125]

The Presbyterian influence was extended further in the Southwest Territory when another minister of that faith, Samuel Carrick, opened a private academy in Knoxville in 1792. Like his colleagues, Carrick emphasized Latin and Greek. Such an emphasis was not uncommon in any educational institution in the United States at that time, and most frontier schools sought to reproduce this notion of good education in their new

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[125]Wright, Culture on the Moving Frontier, 85.

communities. To the north of the territory, for example, it has been shown that within "a few years after clearings were made in the forests, the language and literature of Greece and Rome were available to youths of Kentucky and Ohio."[126] But Carrick also emphasized coursework that was somewhat more practical: the announcement of the opening of his academy shows that Carrick offered instruction in "the English language, grammatically, applying the rules in reading, parsing, correcting and composing; the liberal arts and sciences, geography, logic, natural and moral philosophy, astronomy and rhetoric."[127]

The citizens of the Southwest Territory were seemingly to be encouraged in their pursuit of educational opportunities by the provision in the Northwest Ordinance which stipulated that "schools and the means of education shall forever be encouraged."[128] Yet it was not until they themselves began to assume control of their government that education received any official encouragement. When the first territorial legislature convened in August of 1794, they passed two acts which created Greeneville College in Greene County and Blount College in

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[126]Ibid., 58.

[127]Knoxville Gazette, December 1, 1792; for an indication of coursework emphasized at Davidson Academy, see David Allison to Daniel Smith, November 23, 1793, in THS Misc. Files, TSLA; and AHM, 5(1900): 212.

[128]Henry Steele Commager, ed., Documents of American History (New York, 1958), 131.

Knoxville.[129] These two colleges would teach basically the same courses as the academies of the territory, but they would have the added prestige of conferring degrees.

The President of Greeneville College, Hezekiah Balch, was, perhaps not surprisingly, also a Presbyterian minister. His most pressing need was for funding and he optimistically sent a request directly to George Washington, asking for the President's "assistance and patronage." This appeal was not productive, however, and Balch was forced to embark on a national fundraising tour which eventually provided over $2000 in cash and pledges. But in addition to these funds, Balch also brought the radical new Hopkinsian doctrine back to his college. The ideas of Samuel Hopkins were a slight but definite departure from traditional Calvinism, in that they emphasized the free will of the individual, particularly the "unregenerate."[130] Balch was so taken with the concepts of Hopkinsianism that he felt obligated to preach the new doctrine and even published a brief synopsis in the Knoxville Gazette.[131] As a result, he was required to defend his beliefs before church authorities. In a letter to a friend, Balch claimed to have been "sixteen times before the Presbytery,

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[129]Scott, Laws of Tennessee, 1:504-507.

[130]Walter B. Posey, Frontier Mission: A History of Religion West of the Southern Appalachians to 1861 (Lexington,

four times before the Synod and once before the General Assembly." Almost one hundred students were said to have been prepared to attend Greeneville College, but according to Balch, "my interruptions and absence to attend my trials arrested the progress of the institution. The students were obliged to go home."[132] It would be 1802 before Greeneville College was able to open its doors.

Blount College was able to begin operations more quickly. Its president was Samuel Carrick, and the new college was founded upon his earlier efforts with his private academy. Although Carrick was Presbyterian, the charter specifically provided that Blount College be non-sectarian. The board of trustees was told to "take effectual care that students of all denominations may and shall be admitted to the equal advantages of a liberal education, and to the emoluments and honors of the College, and that they shall receive a like fair, generous and equal treatment during their residence therein."[133]

When the territorial legislature met again the next year it passed a bill which pointed out the "considerable utility to the public" of Martin Academy and anticipated that its

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[132]Robert Stanley Rankin, "The Oldest College West of the Alleghanies," ETHS Publications, 1(1929): 19-26.

[133]Scott, Laws of Tennessee, 1:506; see also Stanley J. Folmsbee, "Blount College and East Tennessee College," ETHS Publications, 17(1945): 22-28; and Neal O'Steen, "Pioneer Education in the Tennessee Country," THQ, 38(1979): 199-219.

"future usefulness" would be greater if "invested with powers and privileges appertaining to colleges."[134] The institution was accordingly chartered as Washington College under the presidency of Samuel Doak. Doak had been administering Martin Academy since 1783 and was well respected and admired by the territorial community. Yet even this experienced educator was not immune to problems, and the journal of the college reveals some of the difficulties with which he and the board of trustees had to contend. Since the school's new status seemed to dictate that the educational material be upgraded, one of the first orders from the board was that the President purchase "Such Books as he may deem most necessary and useful for Collegiate Studies." It was also ordered that money be appropriated for "Globes and Maps," and that two of the board members prepare an estimate of "the expense of repairing the present School house and [making] it comfortable for the Winter."[135]

The lack of adequate educational material was compounded by a problem with funding. When the board inquired of two of its members as to their progress in collecting pledges, or "subscriptions," it was reported that "they had called upon

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[134]Scott, Laws of Tennessee, 1:520.

[135]Washington College, Jonesboro, Tennessee Records, 1780-1963; Reel I, 1795-1897, "Journal of the proceedings of the Board of Trustees of Washington College," July 23, 1795, TSLA.

those Gentlemen but received nothing."[136] Indeed, when the trustees contracted to build a stone chimney for forty dollars, they were obliged to pledge themselves to pay the builder in the event that "monies sufficient which are due to the College Should not be collected." And, when the chimney was completed and the funds were still uncollected, the board of trustees were forced to provide a fifteen dollar shortage from their own pockets.[137]

Additionally, there was a scarcity of instructors at the college. One of the first two graduates, James Witherspoon, was within a year of his graduation appointed to serve "as a Tutor in the College," and also elected to the board of trustees.[138] There is additionally at least one occasion of an altercation between Doak and one of his students, who "had some difference with Mr. Doak and revenged himself by writing a lampoon upon him." As David Campbell recalled, the affair was perceived by the community as "a great indiscretion and rudeness" on the part of the student, who soon quit school in disgrace. The young man began to wander the frontier until he became involved in a brawl and killed a man. Although acquitted, he "never seemed to recover," says Campbell, and fled to Philadelphia. A few years later it was reported that

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[136]Ibid., June 30, 1798.

[137]Ibid., June 30, 1798; October 2, 1798.

[138]Ibid., August 15, 1796; April 3, 1797.

he "was again in the western country and deranged. He died somewhere in East Tennessee."[139]

Campbell's relation of this incident is involved and detailed. But his preoccupation with such an affair is revealing. Although it was apparently an isolated incident, it may be assumed that in the event of a similar occurrence the community reaction would certainly have been duplicated as well. The same may be assumed for other educational institutions within the Southwest Territory, for those institutions represented more than a place to obtain knowledge. They, along with churches, traditional pastimes, gatherings and celebrations, and even the class structure which embraced the lives of the inhabitants, were all institutions which had represented stability in the Atlantic states. To attack these institutions and the people who controlled them, was to attack the very stability they were expected to produce on the frontier. And, as Campbell's account of the incident at Washington College suggests, the community would not tolerate such attacks and the attacker would invariably come to no good end. Campbell has thus revealed the importance attached to such institutions by all classes of people in the Southwest Territory; but he has also demonstrated the determination with which they protected the stability and control which was so necessary for establishing

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[139]"Recollections," David Campbell Papers.

a well-ordered society.

CONCLUSION

When William Blount returned to Knoxville from Philadelphia in the summer of 1793, he was aware that he had failed in his primary objective of securing a federal military offensive against the hostile southern Indians. Instead, he was sent back to the Southwest Territory with instructions to keep the active militia at a minimum and strictly on the defensive, put a stop to the unauthorized retaliatory expeditions being conducted by his citizenry, and generally "reestablish order to his government."[1]

Fulfilling such a directive, Blount knew, would be difficult. Without military support from the War Department, and with the territorial militia hampered by the defensive policy, he felt powerless to prevent Indian hostilities. Aside from the loss of lives and property which this would produce across the territory, Blount himself would almost certainly suffer a loss in popularity, for the people would undoubtedly hold him responsible for their suffering. In addition, the constant threat of Indian attacks discouraged immigration and thereby deflated land values, no small concern to William Blount the speculator.

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[1]Henry Knox to Daniel Smith, August 27, 1793, in Clarence E. Carter, ed., The Territorial Papers of the United States, (28 vols., Washington, 1934-1950), 4:301.

Blount realized that in order to alleviate these problems, it would first be necessary to find some means of subduing the Indians. In addition, it was now in Blount's best interest to complete the transition from territory to statehood as quickly as possible: only then would the people of the territory be properly represented in Congress and receive a just proportion of support and protection. The first of these objectives was simple enough for a man of Blount's talents. There was an ample number of volunteers who were willing to cross the Indian boundary in defiance of federal directives, and it is almost certain that Blount began at about this time to arrange the details of the Nickajack Expedition.[7]

Likewise, the second objective was within Blount's reach, for there was already much support for statehood within the territory. That support would be complemented by a successful conclusion of the Indian problem, which would lead to an increase in immigration and create the necessary population of 60,000 required by the Northwest Ordinance for statehood. But beyond this one requirement, the prerequisites for the transition were not clear. The Southwest Territory would be the first territory to exercise the provisions in the Northwest Ordinance regarding statehood; there were thus no

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[7]James G. M. Ramsey, The Annals of Tennessee to the End of the Eighteenth Century (Kingsport, TN, 1967 [1853]), 606-607; William H. Masterson, William Blount (Baton Rouge, 1954), 267-269.

precedents and much uncertainty surrounding the entire process. It was clear, however, that the final step would take place in Congress and the first step would be to elect a territorial assembly.

A territorial assembly was, of course, only the initial step towards statehood. Had Blount chosen to do so, it is very possible that he could have delayed the remaining steps in that direction for at least as long as he had delayed the first. But the Governor now had no intentions of delaying the movement. Indeed, Blount was determined to embrace the cause of statehood, become its champion, and speed the movement along as quickly as possible. On October 19, only a few weeks after his return from Philadelphia, Blount authorized elections for a territorial assembly. Elections were held in late December, and on New Year's Day the Governor called the newly elected House members to convene in Knoxville on February 24.[3]

Upon their arrival, the legislators first heard a discourse from Samuel Carrick, the theme of which was based on the first and second verses of the third chapter of Titus and was certainly agreeable to (if not selected by) Governor Blount: "Put them in mind to be subject to principalities and powers, to obey magistrates."[4] The primary task of the

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[3]Carter, Territorial Papers, 4:309, 319.

[4]Knoxville Gazette, February 27, 1794.

representatives was the nomination of ten individuals, from which list the President was to select five to serve as the upper house of the territorial assembly. In addition, they took it upon themselves (as Blount had assumed they would) to address a memorial to Congress detailing their losses at the hands of the Creeks and Cherokees and urging a national war against the former tribe. With these tasks accomplished, the assembly was prorogued to August, when both houses would meet and begin to enact legislation.

The first full session of the territorial assembly, which met from August 25-September 30, was both productive and (for the most part) harmonious. The issues which were addressed reflect many of the concerns voiced by the citizens of the territory during the past years. In addition to the establishment of two colleges, one at Knoxville and another at Greeneville, the legislators also clarified the tax laws and certain judicial procedures for the county courts. Sevier County was created, and memorials were dispatched to Congress, one advocating pre-emption rights for those who had settled south of the French Broad and another urging punishment for the hostile Cherokee and Creek.

Only on the issue of taxation did the two houses clash. The upper house, dominated by large-scale landowners and speculators, called for a land tax of twelve and one-half cents per hundred acres, but the lower house, whose members generally owned much less acreage, refused to accept any less

than twenty-five cents. Ultimately the lower house prevailed, despite the efforts of Governor Blount, who had hoped to exert as much control over the lower house as he apparently did in the Council.

Blount could take solace in the assembly's call for a new census to be taken in July of the following year. While the announced purpose of the census was to apportion representation accurately in the territorial assembly, it would also determine if the territory contained the 60,000 inhabitants necessary for statehood. This action was at least partially prompted by an article which appeared in the Knoxville Gazette on the first day of the session. "Would it not be wise in the General Assembly," asked the article, "to take measures that this Territory may, as speedily as possible, become a member State of the Federal Union?"[5] Blount was no doubt equally satisfied with the designation of Dr. James White as the territorial delegate to Congress, for this meant that he could count on having another friend in the national capital.[6] Thus, both the assembly and the Governor could view the session as having been successful when it adjourned to reconvene in October of the next year.

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[5]Ibid., August 25, 1795.

[6]Journal of the Proceedings of the House of Representatives of the Territory of the United States South of the River Ohio (Nashville, 1852 [1794]), 14.

But many things would change before October. James White received some indication of this when he arrived at Philadelphia in November of 1794. The Northwest Ordinance clearly stated that a territory was entitled to a delegate in Congress who would be allowed to debate but not to vote. Beyond that, there were no guidelines and Whites's status and responsibilities were vague. Much of the reason for this was due to the fact that Congress itself had changed since that provision was passed. It was, for example, unclear whether White should be seated in the House of Representatives, as that body corresponded best to the Confederation Congress, or in the Senate, since he, like the Senators, had been appointed rather than elected. Indeed, the ongoing discussion of statehood--which had occasionally been seen in the pages of the Gazette for the past several years--revealed that there were some who believed White should sit in neither house. The provisions in the Northwest Ordinance for a territorial representative, claimed one such early letter to the paper, were "indisputedly superceded by the present form of government. . . . No member can exist in the present Congress without the power of voting- . . . Our constitution admits of no members except from states."[7] Not surprisingly, then, the Gazette reported that, upon White's arrival at Congress, the territorial delegate "had some difficulty in getting his

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[7]Knoxville Gazette, July 14, 1792.

seat"; the article did speculate, however, that "the Committee will report favorably."[8]

While the House committee did report favorably, admitting White to a seat in that chamber, it still was uncertain on several points regarding the status of this first territorial delegate. After some debate it was determined that White should have the same pay and franking privileges as House members but should not be required to take the oath as a member of the House, since he would not be voting (although future territorial delegates did, in fact, take the oath as a matter of course). On December 3 a law was passed by both Houses with these provisions and James White was seated as the first territorial delegate to Congress. He was energetic in his duties, which included a committee appointment, and exercised his right to debate on several occasions.[9]

But White's most important service was his lobbying efforts on behalf of the Southwest Territory. His primary objectives were to secure more effective federal protection from the Indians and congressional assistance in the transition to statehood. Ironically, the most beneficial

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[8]Knoxville Gazette, December 13, 1794.

[9]Annals of the Congress of the United States, 3rd Congress, 2nd session, November 3, 1794 - March 3, 1795 (Washington, 1849), 873-1082. See also Everett S. Brown, The Territorial Delegate to Congress and Other Essays (Ann Arbor, Mich., 1950), 3-38; Jo Tice Bloom, "Early Delegates in the House of Representatives," in John Porter Bloom, ed. The American Territorial System (Athens, OH, 1973), 65-76.

aspect of his efforts was not the limited success that he achieved, but rather the prejudicial attitude which those efforts uncovered. This air of superiority was sometimes openly displayed by many within the Federalist-dominated administration, for while Federalists did admit that the inhabitants of the west were American citizens, most agreed with Timothy Pickering's assessment of the frontiersmen as "the least worthy subjects of the United States."[10] White was directly exposed to this attitude shortly after his arrival in Congress and participated in one of his first extensive debates on the floor of the House after hearing a member classify his fellow frontiersmen as "semi-savages."[11]

Against this attitude Blount could do little; the mannerisms and lifestyles of the frontier were indeed foreign to the Federalist definition of "civilization." But there was another factor which sought to retard the progress of the Southwest Territory towards statehood, a factor which, Blount suspected, might ironically be turned to the advantage of the movement. Disturbed by the fiscal policies of Hamilton and especially by the provisions of Jay's Treaty, there were a growing number of people in the country who were beginning to oppose the policies of the Federalists. With Washington's

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[10]Timothy Pickering to Rufus King, June 4, 1795, in Charles King, ed., The Life and Correspondence of Rufus King (6 vols., New York, 1971 [1894]), 1:106-107.

[11]Annals of Congress, 3rd Congress, 2nd session (1794-1795), 1266, 1268-1269.

decision not to seek reelection in 1796, these oppositionists rallied behind their leader, Thomas Jefferson, and were perceived by the Federalists as a very real danger. The western and frontier regions, though small in numbers, were also a part of this opposition, a fact which had not escaped the Federalists. As territories these regions posed no threat to their control of government; but if admitted to statehood, the frontier regions would be invested with political power that would in all probability be used against the Federalists.

The effects of these factors on the Southwest Territory's plans for admission were no more clear than was the process itself. It was generally assumed, however, that after the territorial delegate had arrived in Congress, it was the responsibility of that group to continue the movement towards statehood. And, shortly after White's arrival in Philadelphia, Blount was informed that "a Bill will be brought in for the admission of this Territory into the Union as a State." The Governor's informant was confident that the bill "will pass into a law," and Blount accepted this optimism, releasing the information to the Knoxville Gazette for publication.[12]

Despite this initial confidence, it quickly became obvious to James White that Congress would not take the

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[12]William Blount to James Robertson, February 2, 1795, in "Correspondence of Gen. James Robertson," American Historical Magazine, 4(1899): 171-172; Knoxville Gazette, February 6, 1795.

initiative, and he so informed Blount in March.[13] But it was also obvious to White that the growth of partisan politics had produced some congressmen who were sympathetic to the territory's desire for statehood, particularly if the new state could be admitted in time to lend support to Jefferson in the 1796 election. These individuals had suggested to White a plan that he now offered to the Governor and in so doing he created a precedent that would be followed with few exceptions in the admission of all future territories into the Union.

Rather than waiting for Congress to act at some later session, it was suggested that Blount should take the initiative himself. If, as it was generally presumed would be the case, the census which had been ordered for the following year should reveal an adequate number of inhabitants for statehood and if the people could be shown to favor such a step, the Governor should call a constitutional convention. Under the provisions of that document, the citizens should then elect officers and present themselves and their completed constitution to Congress for admission as an established and functioning state.[14]

Blount had no difficulty accepting this plan. He was, of course, a Washington appointee and in the past had dutifully supported the administration. But he had become increasingly

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[13]James White to William Blount, March 19, 1795, in Carter, Territorial Papers, 4:385-386.

[14]Ibid.

disenchanted with the policies of his superiors, particularly as they applied to his own government. Also, he was aware that there had been allegations of misconduct and corruption in his territorial government and knew that he was being unofficially investigated. As Blount fell increasingly into disfavor with the Federalists, he wrote that were it not for the prospects of statehood, "I would resign my appointment the moment I had Leisure to write it." After almost five years as Governor of the Southwest Territory, he had become "disgusted of the rascally Neglect of Congress & weary of the Duties of Office."[15] There now seemed little reason not to associate himself with the oppositionists. Indeed, for his goal of statehood, the Jeffersonians seemed to be his best hope, and he promptly began to put White's plan into effect.

Blount's first step was to reconvene the assembly in June, rather than waiting for October. Upon their arrival in Knoxville, Blount informed the legislators that the primary purpose for his action was to allow them to "take such measures as may be proper to effect the change of the form of government as soon as possible."[16] A vote revealed virtually unanimous support among the assembly for statehood and a bill

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[15]William Blount to John Gray Blount, March 28, 1795, in Alice B. Keith and William H. Masterson, eds., The John Gray Blount Papers (3 vols., Raleigh, NC, 1952-1965), 2:520-523.

[16]Journal of the Proceedings of the Legislative Council of the Territory of the United States South of the River Ohio (Nashville, 1852 [1795]), 4-5.

was passed which directed the Governor to call a constitutional convention if the "enumeration of the inhabitants," revealed a sufficient population.[17] The only objection came from Thomas Hardiman, representative from Davidson County, whose primary complaint was that statehood would mean additional taxes with no guarantees of additional benefits.[18] Some other brief business was taken up by the legislature, including the creation of a new county and another college, named in honor of the Governor and the President, respectively.[19] But the primary objective of the second territorial legislature was clearly statehood, and after only thirteen days they adjourned and went home to await the results of the "enumeration."

Few waited more anxiously than William Blount. Statehood would obviously mean that his appointment as territorial governor would be terminated, but he was confidant enough in his popularity among the people to presume that he would be elected Senator by the new state legislature. A seat in the United States Senate had been a goal of the Governor's since

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[17]Edward Scott, ed., Laws of the State of Tennessee (2 vols., Knoxville, 1821), 1:510.

[18]Knoxville Gazette, October 23, 1795. Objections to statehood on the basis of additional taxation, such as was voiced here by Hardiman, would also be heard in many future territorial assemblies. See Jack Ericson Eblen, The First and Second United States Empires: Governors and Territorial Governors (Pittsburgh, 1968), 222.

[19]Scott, Laws of Tennessee, 517-518, 520-522.

his days in the state legislature of North Carolina. It now had an added advantage in that it would enable him to retain a superior vantage point from which to oversee his business interests. "Take care of your Popularity," he warned Robertson, at the same time claiming that "My popularity here is at the greatest Perfection & I believe will hold."[20] While waiting for the heads to be counted, the Governor scanned what few eastern papers were available for news of the growing partisan conflicts. Although he had once considered himself to be a loyal Federalist, he had now joined the ranks of the opposition and seemed pleased at the difficulties which were confronting the Washington administration. The public censure of Jay's Treaty he found particularly entertaining. Writing to Robertson, he pointed out that "from Boston to Charleston the people are generally displeased with it," and smugly added that "the President is placed in a very unpleasant situation."[21]

The final count of the population of the Southwest Territory revealed a population of 77,262, well above the

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[20]William Blount to James Robertson, October 25, 1795, in "Correspondence of Gen. James Robertson," AHM, 4(1899): 77-78.

[21]William Blount to James Robertson, January 18, 1794, in Carter, Territorial Papers, 4:324-326; William Blount to James Robertson, August 24, 1795, in "Correspondence of Gen. James Robertson," AHM, 4(1899): 66.

necessary 60,000.[22] Blount quickly authorized elections for delegates to the state constitutional convention to be held in mid-December, after which he called the convention to meet in Knoxville on January 11, 1796. The delegates elected Blount as President of the convention, and under his guidance they wrote a document in less than a month and declared it operational.[23] Blount promptly sent a copy to Pickering, Secretary of State, and awaited elections for the First Tennessee General Assembly. After their election, the legislators of the new state met in Knoxville on March 28, 1796 and on the next day, Blount sent a letter to Pickering informing the Secretary that the territorial government was terminated.[24]

Many within Congress, however, were not so sure. Events in the territory had moved forward very quickly, culminating on April 11, when Washington presented Congress with Tennessee's constitution and request for admission. The President had made no recommendations, although he admitted

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[22]Carter, Territorial Papers, 4:404-405; Ramsey, Annals of Tennessee, 648; Andrew C. Holt, "The Economic and Social Beginnings of Tennessee," Tennessee Historical Magazine, 8(1924): 85. Holt's figure for the slave population of Hawkins County differs from both Carter and Ramsey. Despite this discrepancy, all three sources arrive at the same total population of 77,262.

[23]The features of this document are discussed in John D. Barnhart, "The Tennessee Constitution of 1796: A Product of the Old West," Journal of Southern History, 9(1943): 532-548.

[24]Carter, Territorial Papers, 4:407-408, 419-420, 422.

the technical right of a territory to statehood. But in the Senate, where a Federalist majority ruled, the prospect of statehood for Tennessee was met with alarm and suspicion. "No doubt this is one twig of the electioneering cabal for Mr. Jefferson," wrote one Federalist Senator. "It probably originated from the quarter where much mischief is brewed. It threatens disquiet to the country, and vexation to the government."[25]

To counter this threat, the Federalists in Congress rallied behind the leadership of Rufus King, Senator from New York. With less than two months remaining in the session, it seemed likely that they could postpone any action on the admission of Tennessee until the next session, and thus after the Presidential election in the fall. Technically, the only obligation of Congress was to determine if Tennessee's constitution was republican in nature. But the first criticism of the document focused on the hasty manner in which the document had been drawn up, and maintained that it conflicted in some areas with the federal constitution.

The most serious criticism, however, was reserved for the census. It was improper, said the Federalists, for the people of a territory to take their own census without federal

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[25]Chauncey Goodrich to Oliver Woolcott, May 13, 1796, in George Gibbs, ed., Memoirs of the Administrations of Washington and John Adams, Edited from the Papers of Oliver Woolcott, Secretary of the Treasury (2 vols., New York, 1846), 1:338-339.

supervision, since the results could not be verified and would certainly conclude whatever the people of the territory wished to be concluded. In the case of the Southwest Territory they pointed out that the enumeration had been taken during September, October and November, the period of heaviest immigration through the territory. And while the federal census was worded so as to count only the "persons resident within," the territorial census had avoided such words as "inhabitants" or "residents" and counted the "people within." It was thus possible to count travellers, visitors, or anyone else who happened to be in the territory at the time. Also, the total population as finally recorded was just sufficient to entitle the new state to a second representative in the House and thus a fourth electoral vote in the upcoming election. Based on these and other objections, King's Senate committee to whom the question of admission had been referred reported on May 5 that the territory was "not at this time entitled to be received as a new State into the Union."[26]

The situation was very different in the House of Representatives; according to one Federalist Senator, "the majority of ill-disposed men in the House [is] greater than at any former period."[27] He was referring, of course, to the

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[26]Annals of Congress, Fourth Congress, First session (1795-1796), 81, 91-94.

[27]Chauncey Goodrich to Oliver Woolcott, May 26, 1796, in Gibbs, Memoirs, 1:341-342.

Jeffersonians and while the Federalists in the House offered the same arguments as were presented in King's Senate report, they were in the minority and the House committee's recommendation for admission was accepted and sent to the Senate. The stalemate continued until the House offered a compromise amendment which would admit Tennessee but, in reference to the disputed census, lower the number of representatives from two to one until the federal census of 1800 could establish an accurate population. This was also rejected by the Federalist majority in the Senate and, with the session nearing a close and the admission of Tennessee seemingly defeated, several key Federalists, including Rufus King, departed early for home.

With Congress set to adjourn on June 1, the Senate received once again on May 30 the House bill for admission and, once again, it was rejected. But on the next day, the House requested a joint committee of conference to resolve the differences between the two houses. The Federalists in the Senate no longer had the numbers to prevent this joint committee, nor could they prevent the appointment of Aaron Burr, a staunch Jeffersonian, as one of its members. Before the day was over the committee recommended to Congress that "the Senate recede from their disagreement to the amendment of the House of Representatives."[28] The act for the admission

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[28]Annals of Congress, Fourth Congress, First Session (1795-1796), 115-117.

of Tennessee was passed that same day and on June 1, the last day of the session, placed before Washington and signed into law.[29]

The event was dismally received by the Federalists. "It is possible," wrote one, "this act may have most serious effects."[30] But among Jeffersonians, and especially among Tennesseans, it was a victorious occasion. James White, the territorial delegate to Congress who had observed the contest from his seat in the House, now hurriedly wrote to a friend "I have just time to tell you Tennessee has this moment passed all forms," adding that "the admission of the State was owing to some of the opponents in the Senate going off."[31] But upon further reflection, White would certainly have agreed that there were many other factors involved in the transformation of the Southwest Territory to the state of Tennessee.

The final element, of course, was a political one. And, in many ways, the political transition was symbolic of the entire territorial experience, for it was done largely through the efforts of the territorial inhabitants themselves.

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[29]Charlotte Williams, "Congressional Action on the Admission of Tennessee into the Union," Tennessee Historical Quarterly, 2(1943): 291-315; Samuel C. Williams, "The Admission of Tennessee into the Union," ibid., 4(1945): 291-319.

[30]Chauncey Goodrich to Oliver Woolcott, June 1, 1796, in Gibbs, Memoirs, 1:343.

[31]James White to John Overton, June 1, 1796, in John Overton Papers, Murdock Collection, TSLA.

Admittedly, the political passage was aided by Jeffersonian supporters in Congress. Similarly, the changes which were seen in other aspects of territorial development received some encouragement and assistance from outside interested parties. But in each instance, it was primarily the efforts of the people of the Southwest Territory, relying on their own background and experience, which initiated these changes. Just as the statehood movement in the Northwest Territory has been connected to an effort by the inhabitants there to "extend the social and political world" they had known in the East,[32] it was the establishment of similarly familiar institutions and traditions in the Southwest Territory which facilitated the transition from territory to statehood.

The lack of federal assistance during the transition was, of course, not altogether surprising. The concept of an interactive federal government was, in the late 1790s, still in the future; but the Federalists seem to have grasped that concept and might have at least employed it in the territories, fostering political allegiance in the process. Their efforts would have been supported by the ideology of the Northwest Ordinance, which allowed (and even encouraged) extensive federal involvement in its territories. Admittedly, the document was designed to complement the Land Ordinance of

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[32]Andrew R.L. Cayton, "Land, Power, and Reputation: The Cultural Dimensions of Politics in the Ohio Country," The William and Mary Quarterly, 47(1990): 266-286.

1785 and facilitate land sales; but even so, the essence of the Northwest Ordinance was that the federal government would guide its territories through their "colonial" period as rapidly as possible. But, despite the fact that this was the first opportunity to employ the lofty ideals of the Northwest Ordinance, a preoccupied federal government virtually ignored the development of the Southwest Territory.

By the spring of 1796, the Southwest Territory could no longer be ignored. A continuation of the territorial government carried no more advantages for the inhabitants of the region, either socially, economically, or politically. Indeed, the only advantages for maintaining the territory were to the Federalists. Ironically, their actions in attempting to prevent statehood unwittingly created an important precedent for the admission of future states. Had the Federalist view prevailed, the Southwest Territory (and presumably all future territories) would have awaited admission until the dominant party thought it politically expedient to direct a census, call a constitutional convention and perhaps admit them to statehood. Instead, the people of Tennessee, and those of future states, were able to maintain significant control over the procedure of admission and therefore could not be held in the sort of indefinite colonial status which the framers of the Northwest Ordinance had sought to prevent.

The background and experience of the people of the

Southwest Territory had thus done much more than facilitate the transition from territory to statehood; they also helped to set a precedent which assured that similar transitions in the future would take place within the anti-colonial idealism created by the Revolutionary experience.

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