Franklin,  
the Lost State

On returning home from King's Mountain in the fall of 1780, John Sevier found himself a popular hero. The Wataugans soon began to regard him as their leader now that Robertson had moved to the Cumberland country. They had pressing need of Sevier's soldierly gifts and cool courage. In his absence the Cherokee, learning that the Wataugans lacked necessary protection, had again invaded the settlements, burning and scalping the citizens and stealing a considerable number of horses. The triumphant veterans of King's Mountain had returned in time.

Sevier quickly summoned the militia of Washington County for an expedition against the Cherokee overhill towns. The settlers responded with alacrity. All the men loved "Chucky Jack," as they called Sevier, because in 1778 he had settled on the Nolichucky River. He had qualities which pioneers prized as highly as they did their property and freedom. He was affable, gracious and understanding; he carried a cool head on dauntless shoulders. He "gave his commands as to equals, and, because these orders appealed to his men as being wise and practical, they gave unquestioned obedience." In fighting he enjoyed his best ease, for he was an expert marksman and a skillful horseman: his shot rarely missed its target and his white race mare, when she plunged up a steep hill, was as surefooted as a mountain goat. Roosevelt vividly describes Sevier's tactics in Indian fighting:

Much of his success was due to his adroit use of scouts or spies. He always chose for these the best woodsmen of the district, men who could endure as much, see as much, and pass through
the woods as silently, as the red men themselves. By keeping these scouts well ahead of him, he learned accurately where the war parties were. In the attack itself he invariably used mounted riflemen, men skilled in forest warfare, who rode tough little horses, on which they galloped at speed through the forest.

On the battlefield the frontier fighters would dismount, shelter themselves carefully behind the trunks of trees, and dispose in the figure of a half-moon, the favorite Indian formation. Sevier would then send out a handful of men to lure the Indians on by firing on them and scampering back to their comrades.

Such were the tactics he employed when in December 1780 he marched against the Cherokee at Boyd's Creek, beyond the French Broad River. When the redskins rushed toward them, he and his men, 170 strong, popped from their hiding places in the half-moon formation. The right horn, led by Major Jesse Walton, swung in briskly; but the left horn, under Major Jonathan Tipton, an indifferent officer, was so slow that it left an open space on the field.

The Indians, bewildered by the unexpected appearance of the dreaded Sevier and his men, rushed past them, and those who were not killed or wounded escaped in a swamp which their pursuers found impassable for horses. Sevier, on his swift white mare, chased a brave who, seeing that he was about to be run down, turned and fired at him. The bullet grazed Sevier's queue without doing any other injury. Sevier spurred his mare and, having already emptied his pistols, attempted to kill the brave with his sword. The brave parried the keen thrusts with empty gun in a contest that seemed to be going against Sevier until one of his men, a dead shot, decided it in his favor.

The Wataugans had picked off twenty-eight Indians and had taken most of their weapons and all their provisions—without losing a man. In some of the bundles Sevier found proclamations from Sir Henry Clinton and from other British officers. Despite his success, Sevier could not refrain from bantering the delinquent Tipton for spoiling his chance of winning a resounding victory. The major was a younger brother of Colonel John Tipton, whom we shall presently meet. This incident may have
been the origin of the feud that arose between Colonel John Tipton and Sevier.

Sevier returned to the French Broad where, on an island, General Arthur Campbell and Major Joseph Martin augmented his troops by some four hundred men. The next day the entire force marched to the Little Tennessee, crossed it, swooped down on the important town of Chota, which the Cherokee had abandoned, and reduced it to ashes. From the surrounding hills where they had taken refuge, the Indians, half frightened, half enraged, watched their beloved homes crumble and disappear in smoke and flame. Up and down the Little Tennessee and then along the Hiwassee the scourge in buckskin repeated his dreadful performance again and again. Chilhowee, then Tellico, then Hiwassee, then Tallassee, then a half dozen nameless villages—each, by its destruction, lent an hour or two of summer heat to the bleak December weather. A thousand cabins, fifty thousand bushels of corn, were destroyed; twenty-nine warriors lost their lives; a score of women and children were rounded up. The Little Tennessee and the Hiwassee ran red with the blood of slaughtered cattle.

At last the braves, reduced to unbearable shame, agreed to sue for peace. They sent Nancy Ward, who in 1776, as we have
seen, had given the settlers timely warning of the intended attack by her tribesmen, to placate and to treat with the furious white men. But the Wataugans remained hard of heart, for they planned to carry fire and sword to the rest of the overhill villages. They found the villages almost deserted. The only persons who remained were a Captain Rogers, four Negroes and some Indian women and children, all of whom the whites made prisoners.

Then on January 1, 1781, the army broke up in detachments which, returning home by different routes, burned more villages. The braves, cowed by Sevier's harsh measures at the beginning of the campaign, never again ventured to meet him but hid in the mountain gorges inhabited by friendly Chickamaugas.

On dead warriors and in burned towns Campbell, Sevier and Martin found letters and proclamations from British agents and commanders, inciting the Cherokee chiefs to war against the white settlers. To these chiefs the three officers now sent a written message by one of their captured braves. They accused the chiefs of starting the war "by listening to the bad counsels of the King of England, and the falsehoods told you by his agents." The officers then offered to treat for peace, "out of pity to your women and children," and instructed six of the chiefs to meet Major Martin within two moons on Long Island in the Holston. The whites offered food, clothing and shelter to the wives and children of those Cherokee who had protested the war, providing they would take refuge on Long Island until peace was restored. They warned the chiefs that, if the white leaders did not hear from them within the allotted time, they would continue to regard the Cherokee as enemies. "We will then be compelled to send another strong force into your country, that will come prepared to remain in it, to take possession of it as a conquered country, without making you any compensation for it."

Some of the old chiefs came in for a big talk with Martin, but the young braves spurned all offers of peace and continued to prowl around the settlements, stealing and murdering. Sevier, suspecting that the mischief-makers were encouraged by the Indians who had taken refuge in the mountain gorges which his troops had not penetrated, gathered a force of 130 men and after the first thaw in March advanced against the Cherokee.
Without knowledge of the terrain, without even a guide, the frontiersmen pushed 150 miles into a country of trackless forests, dangerous precipices and treacherous peaks which no Wataugan had ever seen save Isaac Thomas, the trader, who had reached it from the eastern side of the mountains.

Sometimes the mountains were too steep even for their sure-footed hill horses, which they were forced to dismount and lead up by their bridles. At last, much to their own surprise as well as to the Indians', they reached their destination. Falling like a thunderbolt on the town of Tuckasejah on the headwaters of the Little Tennessee they killed fifty warriors and took fifty women and children prisoner. Then they burned fifteen or twenty smaller villages, destroyed all the granaries of corn they could find and captured some two hundred horses.

Sevier lost only one man killed and one wounded. The braves were so amazed by the unexpected appearance of the white men, which seemed to them like an apparition, that they were unable to organize and fight. Before they fully realized what had happened Sevier and his men plunged once more into the wilderness, carrying prisoners and plunder and driving the captured horses before them. The campaign had lasted only twenty-nine days.

When he rode up to his house on the Nolichucky, Sevier found a message from General Nathanael Greene, requesting him to come to his assistance to cut off Cornwallis from his expected retreat through North Carolina. Sevier at once raised 200 men in Washington County and plunged across the mountains to Charlotte where he learned that Cornwallis had surrendered at Yorktown on October 19, 1781. Greene then ordered Sevier to turn south to the Santee River and there assist his fellow Huguenot, General Francis Marion, who was pursuing a force of several hundred Hessians under General Alexander Stewart. In November Sevier and Isaac Shelby rendered invaluable service in capturing a British post near Monk's Corner, South Carolina. This was one of the last engagements in the Revolution. Little remaining to be done, Sevier soon returned home.

Now that the end of the Revolution brought a temporary halt to Indian attacks, the Wataugans turned their attention to
the problem of their relation to North Carolina. At the end of
the American Revolution the Watauga country in present east­
er Tennessee was still a part of the western territory of North
Carolina and was composed of Washington, Sullivan and Greene
counties. We will recall that Washington County at the time of
its establishment late in 1777 embraced all the western territory
of North Carolina, now the state of Tennessee. Less than two
years later Sullivan County—named for the North Carolina hero
General John Sullivan—was formed from a small strip of Wash­
ington County and from territory claimed by Virginia and later
recognized as a part of that state. In April 1783 another county
was set off from the western part of Washington and named
Greene in honor of General Nathanael Greene.

At this time the three counties had a population of about
eighteen thousand, largely of English or Scotch-Irish descent.
In the early years when the Watauga and the Holston settle­ments
were believed to lie within the boundaries of Virginia, Virgin­ians predominated; but now Virginians and North Carolinians
were about equal in number. The Scotch-Irish with their sturdi­ness, their restless energy and the superior education that many of
them enjoyed, were the dominant group. Mingling with them
and the English were Germans, Irish, French Huguenots and
Welsh, all of whom eventually became good Americans by ac­cepting the social and political ideas first expressed by the Ger­man and Scotch-Irish immigrants of an earlier day.

The blending of these stocks produced a sturdy foundation
for a democratic commonwealth. The Wataugans had not been
sent across the mountains as colonists by crafty "promoters or
speculators interested in winning a principality for themselves
under the guise of colonizing the west." They had come on
their own initiative, bent on conquering the wilderness to estab­lish new homes where they formulated and attempted to abide
by their new concept of society. They were not rainbow chasers.
Most of them were too primitive, too naïve, too practical, to
wander far from their original settling places.

Like the settlers in the Cumberland country, the Wataugans'

... El Dorado lay not in the setting sun but in their valley, on
the farm where they lived, at their very feet. If romantic unrest
had brought them to the new country, it was soon exhausted. Many of them were possessed of an intense localism, a devotion to a certain spot of ground, a certain configuration of the landscape that to them meant home, freedom, wealth, that represented concretely past achievement and future progress.

In the past several years they had become increasingly dissatisfied with the treatment the state had accorded them. Their grievances were numerous and serious. Her failure to provide them with adequate protection against Indian attacks had resulted in the death of many of their relatives or friends.

On a plea of poverty North Carolina had refused to establish a Superior Court. The result was that settlements were infested with culprits of every degree of guilt and refugees who sought, in the supposed seclusion of the frontier, escape from conviction and punishment. The state had grudgingly granted the people a military force which soon proved too small to cope with the rapid growth and spread of the settlements. She had refused to appoint a brigadier general invested with the power to muster the militia of each of the three counties in case of emergency.

The representatives of the three counties reported to their constituents that North Carolina was reluctant to discharge, and sometimes openly rejected as informal or unauthorized, debts that had been contracted in guarding the settlements. The state scrutinized with unkindly eyes the claims of the Wataugans who had served her during the Revolution. The settlers' representatives in the assembly often told them that the people of the eastern counties referred to them as "off-scourings of the earth," "fugitives" and "outlaws." These same gentlemen also assailed the frontiersmen as grasping persons who seized on every pretense to "fabricate demands against the Government." Leading citizens of the eastern counties grossly insulted them by claiming that the industry and property of those east of the mountains were being converted into funds appropriated to discharge western debts.

Self-protection was the first law of the frontier. The Wataugans gradually became convinced that, since the mother state had neglected them, they must find other means, must draw on their
own resources, to extricate themselves from the unexpected difficulties that surrounded them. In short, they yearned to pull away and separate themselves entirely from North Carolina.

A number of circumstances encouraged their aspirations. Their neighbors in Kentucky, with whom they were always in touch by the tide of travel which flowed forward and backward along Boone's trail through Cumberland Gap, were seeking separation from Virginia. Having lived under the Watauga Association for six years, the settlers were not inexperienced in independent government. They were confident that North Carolina, being a weak state, could offer little resistance to a separatist movement. Furthermore, many of their leaders were Virginians who felt little or no loyalty toward North Carolina, and even the North Carolinians among them were inclined to side with the Virginians in any contest against the mother state.

The movement for separation from North Carolina had its origins in the late summer of 1780 when the Continental Congress passed a resolution stating that if Virginia, North Carolina and Georgia should agree to cede their western lands, these lands would, at the appropriate time, be laid out properly in separate states. In response to this resolution, Colonel Arthur Campbell, a prominent settler of the Holston, in January 1782 circulated a document in the counties of southwestern Virginia and western North Carolina, proposing that the settlers elect delegates to a convention which should meet later in the year to take the proper steps toward creating states from the regions.

At first both North Carolina and Virginia opposed the proposal. Land speculators in the two states had no intention of surrendering their lucrative occupations to the general government. North Carolina therefore decided to wait until her citizens could avail themselves of an opportunity to appropriate the best sections of the western lands. The assembly, moreover, naturally looked to the sale of these lands to fill its coffers. It reasoned that the cession could still be made after most of the best lands had been apportioned, and that the new state could be required to assume a portion of the debt incurred in the Revolution and to guarantee payment to North Carolina soldiers in the form of land.
Virginia opposed the cession of her western lands for similar reasons, but when she reversed her decision, North Carolina followed suit. On April 19, 1784, the North Carolina assembly, meeting in Hillsboro, introduced a bill consenting to the cession. Passed on June 2, it stated that Congress, upon accepting the cession, should recognize the rights of the veterans to the lands, should consider the value of the ceded land in proportioning the Revolutionary debt, and should lay out the region into a state or states to be admitted into the Union with the provision that slavery would not be prohibited save by the assembly of the state or states thus formed. Congress was to accept the cession within a year. Some days later the assembly passed a bill which declared that no change should be made in the government of the cession until Congress adopted it.

On receiving word of this bill, the separatists in Washington, Sullivan and Greene counties jubilantly began to form plans for the organization of a government during the intervening year. The Cumberland settlers took no part in the movement. Far removed from the Holston settlements, they had no ties with them. For many years the Cumberlanders had managed their own affairs and were therefore hostile to any movement toward better government that did not originate with themselves.

The Holston efforts, on the other hand, were hastened by dreams of high offices and emoluments which the creation of a new state would make necessary, and by the restlessness of the Indians who were threatening to go to war because North Carolina had failed to send them the supplies she had promised them in an earlier treaty. On August 23, 1784, the elected delegates of the three counties convened at Jonesboro—in the present northeastern Tennessee—and resolved that they had

... a just and undeniable right to petition to Congress to accept the cession made by North Carolina, and for that body to countenance us for forming ourselves into a separate government, and to frame either a permanent or temporary constitution, agreeably to a resolve of Congress.

Meanwhile, North Carolina had repealed her cession act. Largely through the council of Hugh Williamson, delegate to Congress from North Carolina, Governor Martin concluded
that the assembly had acted rashly in passing the cession bill. The people of the state, he argued, had not been consulted on the matter. Furthermore, North Carolina should, before ceding her western lands irrevocably to the federal government, be credited for the huge sums she had expended in the Indian campaign of 1776, and for the heavy military assistance she had extended to South Carolina and Georgia.

Williamson's attitude, however, cannot be considered a disinterested one. He knew that, as a speculator in the east, he could obtain land titles more easily under authority of North Carolina where he boasted influence, than in a new state where he would be unknown. Nevertheless, his sound economic reasoning convinced the assembly which, during the fall session of 1784, repealed the cession bill.

Before word of this action could reach the western settlements a second convention met on December 14 in Jonesboro. Sentiment was divided. Some of the delegates, believing that the bill would be repealed, genuinely wished to continue their allegiance to North Carolina. Nevertheless, the convention voted to form a separate state which eventually was named Franklin in honor of Benjamin Franklin, and not Frankland as Theodore Roosevelt and several other writers affirm.

The committee appointed todraft a course of action declared that separate statehood would "not only keep a circulating medium of gold and silver among us, but draw it from many individuals living in other states, who claim large quantities [of land] that would lie in the bounds of the new state." The statement implied that the western settlers felt money flowing toward the east with every article they purchased. To this grievance was added another. North Carolina had recently passed a law which assessed its eastern and western lands at the same value although the western lands were worth only one fourth as much. The creation of a new state would keep large sums in the west.

The constitution drawn up by the convention resembled that of North Carolina. It was, however, a temporary document. In an extraordinary resolution, the convention agreed to hold another convention which was to submit the constitution for revision, rejection or adoption.

At first John Sevier opposed the movement for statehood. For
the present his chief interest was land speculation. In the previous year he had become an associate with William Blount, Richard Caswell, John Donelson and another North Carolinian in the Muscle Shoals Company. This group aimed at developing lands which lay in the Great Bend region of the Tennessee River and which were valuable for farming and were strategically located for trade with the Indians. As spokesman for the company, Blount planned to secure legal title from either North Carolina or Georgia, each of which claimed ownership of the area, and to buy the land from the Indians by private treaty with the Cherokee.

Sevier had no intention of alienating his associates—all of whom were loyal to North Carolina—by supporting or encouraging the creation of a commonwealth at the expense of the mother state. Yet he realized that this stand would be unpopular with most of the Watauga and Holston settlers. If he carried it too far, he could not expect them to support his project should the movement for statehood succeed. He extricated himself from this dilemma by adopting a policy that proved both logical and practicable: he would oppose the movement for statehood until he saw that it could succeed even without his support, then he would embrace it. Thus he anticipated complete success for his political as well as for his business plans.

In March 1785 popular clamor in favor of a separate state resulted in the first General Assembly of Franklin. Meeting in Jonesboro, it elected Sevier governor, perhaps without opposition. He reluctantly accepted the office and henceforth worked diligently to maintain the independence of Franklin. Soon afterward the assembly organized courts and chose political and military officers of every grade. Nearly all those who had held commissions under North Carolina were retained in office—a policy which minimized the friction between the two states. Four new counties were created, taxes were levied and a number of laws were enacted.

Eager to gain the friendship of North Carolina, Sevier informed Governor Martin that the three original counties across the mountains had declared their independence and had erected themselves into a separate state. Martin replied by sending
Major Samuel Henderson, brother of Richard Henderson, to Jonesboro to investigate the proceedings of the rebel government. Major Henderson also delivered to the Franklin legislature a letter by Martin asking for an “account of the late proceedings of the people of the western Country.”

On the same day the governor addressed to the insurgents a spirited and elaborate manifesto in which he admonished them not to

... tarnish ... the laurels you have so gloriously won at King’s Mountain and elsewhere, in supporting the freedom and independence of the United States, and this state in particular, to be whose citizens were then your boast, in being concerned in a black and traitorous revolt from that government in whose defense you have so copiously bled, and which, by solemn oath, you are still bound to support.

The assembly, Major Henderson continued, would soon be convened and would discuss the “transactions of your leaders.”

Let your representatives come forward and present every grievance in a constitutional manner, that they may be redressed; and let your terms of separation be proposed with decency, your proportion of the public debts ascertained, the vacant territory appropriated to the mutual benefit of both parties, in such a manner and proportion as may be just and reasonable; let your proposals be consistent with the honour of the state to accede to, which, by your allegiance as good citizens, you cannot violate, and I make no doubt but her generosity, in time, will meet your wishes.

But if in their blind ambition they continued their “present unjustifiable measures,” the citizens must be prepared to suffer the consequences, for then North Carolina would be obliged to use force to “regain her government over the revolted territory or render it not worth possessing.”

To the letter which Governor Martin addressed to the Frank-
lin legislature, Sevier replied by setting down in detail the reasons for the secession. He also thanked North Carolina

... for every sentiment of regard she has for us, but are sorry to observe that it is founded upon principles of interest, as is apparent [sic] from the tenor of your letter, we are doubtful, when the causes seases [sic] which is the basis of that affection, we shall lose your esteem.

By Henderson Sevier sent Martin a private letter which said in part:

It gives me great pain to think there should arise any Disputes between us and North Carolina, & I flatter myself when North Carolina be fully convinced that necessity and self-preservation have Compelled Us to the measures we Have taken, and could the people have discovered that No. Carolina would Have protected and Govern'd them, They would have remained where they were; but they perceived a neglect and Coolness, and the Language of Many of your leading Members Convinced them they were Altogether Disregarded.

Shortly after this letter was written Richard Caswell succeeded Martin in the executive chair of North Carolina. The new governor, associated with Sevier in the Muscle Shoal project, made known that he favored a more conciliatory attitude toward Franklin. Availing himself of Caswell's friendliness, Sevier wrote him a letter in which he voiced the determination of his people to remain independent:

Governor Martin has lately sent up into our country a Manifesto, together with letters to private persons, in order to stir up sedition and insurrection, thinking, thereby, to destroy that peace and tranquility which have so greatly subsisted among the peaceful citizens of this country. . . .

The menaces made use of in the Manifesto will by no means intimidate us. We mean to pursue our necessary measures, and with the fullest confidence believe that your legislature, when truly informed of our civil proceedings, will find no cause for resenting anything we have done. . . .
Our Assembly sits again in August, at which time it is expected commissions will be appointed to adjust and consider on such matters of moment, as will be consistent with the honour and interest of each party.

Sevier’s assurance seems to have satisfied Caswell that things would eventually be ironed out. He replied in a friendly letter:

... as you give me assurances of the peaceful disposition of the people, and their wish to conduct themselves in the manner you mention, and also to send persons to adjust, consider and conciliate matters, I suppose, to the next Assembly, for the present, things must rest as they are with respect to the subject matter of your letter, which shall be laid before the next Assembly.

When in August the Franklin assembly convened, it passed two measures aimed at winning a reconciliation with North Carolina. It returned the public money which had remained in the hands of former North Carolina officers who had become citizens of Franklin, and it appointed a commission to discuss its separate statehood movement before the North Carolina assembly. At the same time, however, it issued a call for a constitutional convention in November.

In a rich corn belt between Knoxville and Jonesboro lay the neat village of Greeneville which boasted more than forty houses built with square beams in the fashion of the old log cabins. At the center of the village stood the courthouse—a clapboard building of unhewn logs. It needed no windows, for light came in through the door and through the chinks between the logs. Here assembled the Commons of the Franklin legislature. More comfortable were the members of the Senate who gathered in one of the rooms of the village inn where some of the legislators boarded. Each guest paid twenty-five cents daily for his meals and room and twelve cents for the keep of his horse—if the animal ate only hay. A half pint of liquor or a gallon of oats cost twelve cents.

On November 14, 1785, the legislators solemnly gathered in the courthouse to provide a permanent constitution for the state
of Franklin. They were by no means a harmonious group. While Sevier and his many friends were determined to maintain the independence of Franklin, Colonel John Tipton and his small coterie wished to see the region returned to the allegiance of North Carolina.

Tipton was a strong-willed, jealous, unrelenting man who had shown military ability in Lord Dunmore’s War and had served as a recruiting officer in the Continental Army. Moving to Watauga in February 1782, he had settled on a farm on Sinking Creek, Washington County, about two miles south of the present Johnson City. He was one of the common run of mediocrity who know they can excel only in the absence of men of superior ability or personality.

Since Boyd’s Creek Tipton had resented Sevier for poking fun at his brother Jonathan’s failure in that engagement. Needless to say, Sevier’s popularity and his attainment of the governorship had only increased Tipton’s rancor and jealousy. Sullen and vindictive, he disavowed all connections with the new state and affirmed his loyalty to North Carolina.

Once the two men actually came to blows. At a general muster of the militia Sevier, reviewing Tipton’s regiment, requested him not to summon his men under the laws of North Carolina. The governor reminded Tipton that the state of Franklin had laws of its own. One word led to another and the altercation developed into a fist fight which Tipton won. His victory made him all the more determined to defeat and humiliate Sevier and to destroy Franklin.

To this end he succeeded in getting one of his friends, a preacher named Samuel Houston, to introduce the draft of an entirely new constitution. In this Houston changed the name of the state from Franklin to Frankland because, he said, the people were as free as the ancient Franks. The constitution of Frankland adopted a unicameral legislature and excluded ministers of the gospel, attorneys at law and medical doctors. The exclusion of ministers from the legislature was simply a precaution against infringement of full religious freedom which the old constitution guaranteed. The prejudice against lawyers was doubtless the inspiration of two of the leading delegates, Samuel Houston and
William Graham, ministers who looked on lawyers "with smothered envy and admiration, but always with jealousy, suspicion, and dislike." The duty of every honest citizen, they felt, was "to prevent any man whose business it was to study the law from having a share in making the law."

The proposed constitution also declared ineligible for office all persons of immoral character, those guilty of "such flagrant enormities as drunkenness, gaming, profane swearing, lewdness, Sabbath-breaking and such like," and those denying "the existence of God, of heaven, and of hell, the inspiration of the Scriptures, or the existence of the Trinity."

In many of its provisions Frankland's constitution showed the influence of the frontier. Though it required property qualification from the members of the legislature, it granted manhood suffrage, provided for the registration of votes and election by ballot, and specified that all legislation of a general nature be referred to the people before enactment could follow. The people were to elect the governor, the executive council and all county officials. The legislature was given the power to appoint the judges of the superior courts, the secretary of state and the treasurer.

The justices of the people must be "scholars to do the business," for they were chosen for life and were to receive no pay. To discourage the possibility of suspicion among the people regarding the governmental revenue, provision was made for the assembly to publish annually full accounts of income and expenditure.

This liberalism was the weapon by which Tipton and his friends hoped to defeat and discredit Sevier. The governor, they knew, had no desire to alienate his North Carolina associates, which included Governor Caswell, in the Muscle Shoals project. Sevier's policy, therefore, was aimed at reconciling himself to the state, though not at the expense of losing the esteem of his people by surrendering the independence of Franklin. He hoped to achieve his aim by using his great influence to obtain for Franklin a constitution modeled on that of North Carolina. This, Sevier believed, would please both his countrymen and his associates. To frustrate Sevier's program, Tipton and his friends
advocated a constitution that would place most of the power in the hands of the people. A democratic form of government would permit any man who had money or influence to acquire property. Thus Sevier and his North Carolina associates would eventually lose control of the Muscle Shoals project, or any future land scheme, and be overthrown.

Long and angry debates broke in the assembly over the new document. Each side issued pamphlets which, distributed among the settlers, started many fights and ended many friendships. But Sevier's popularity in the convention proved too strong for Tipton to dissipate. The legislators finally adopted the North Carolina constitution as that of Franklin. Tipton and his friends bowed to circumstances, but they would not admit defeat. Before long they began to formulate new plans to overthrow Sevier.

Meanwhile Governor Caswell of North Carolina pursued his policy of reconciliation. Five days after Franklin adopted the North Carolina constitution, the assembly at his request passed an act which stated that it wished to extend to the rebellious western counties "the benefits of civil government . . . until such time as they might be separated with advantage and convenience to themselves." North Carolina was ready to pass over, and "consign to oblivion, the mistakes and misconduct of such persons in the above-mentioned counties, as have withdrawn themselves from the government of this state; to hear and redress their grievances, if any they have, and to afford them the protection and benefits of government."

The act granted pardon to all those who might return to the allegiance of North Carolina and provided for the appointment of civil and military officers to replace the incumbents of the Franklin government. It empowered the voters of the three rebellious counties to choose representatives loyal to North Carolina. And it promised them that at the proper time they would be granted independence and be admitted as a state of the Union.

This proclamation provided Tipton with a new weapon in his relentless war against Sevier. Openly championing the cause of North Carolina, Tipton mustered the support of all those who cherished the same sympathy and called for elections to choose
representatives to the assembly of the old state. Tipton himself ran for senator from Washington County and won. He and his elected friends then proceeded to reorganize the state of Franklin in the interest of North Carolina.

Tipton’s activities resulted in the unsavory spectacle of two governments functioning in Franklin over the same people. Each government held court in the same county. Each government appointed some of the same men to office. Each government laid taxes on the same citizens. Father fought against son; brother, against brother. Every fresh provocation from one side led to retaliation from the other.

Between Tipton and Sevier arose a deadly hatred which found expression in furious attempts on the part of the one man to increase his support to overthrow the other. Tipton held court under the authority of North Carolina at Buffalo; Sevier held court at Jonesboro, only ten miles away. These courts frequently required the sheriff of one government to pass into the jurisdiction claimed by the other, a journey which nearly always ended in a bloody fight and sometimes in petty feuds among villagers and even among members of the same family. Needless to say, the office of sheriff required the patience of a Job and the strength of a Samson.

Sevier and Tipton themselves did their utmost to encourage the strife. Once Tipton with a few men entered the courthouse in Jonesboro, drove the judges into the street and seized the papers from the clerk. Forthwith Sevier retaliated by taking the records from the North Carolina courthouse in Washington County. At another time some of Tipton’s men broke up a Franklin court sitting in Greeneville. Conditions had reached an acrimonious impasse which neither North Carolina nor Franklin could long afford to tolerate.

Meanwhile Sevier had covered himself with fresh glory in a new campaign against the Cherokee. In the late fall of 1785 commissioners from the federal government had met the Indians at Hopewell, South Carolina, and concluded with them a treaty which confirmed to them a considerable extent of territory claimed to have been previously ceded by the tribe. The treaty permitted the Cherokee to punish any settler who refused to
move off land guaranteed to them and to arrest any settler whom
they suspected of being guilty of a capital offense. Imagine the
anger of the Franklinites when they discovered that the treaty,
in addition, placed their permanent capital, Greeneville, in Cher­
okee territory, and that it forbade them from expanding along
the rich valleys of the Holston, Nolichucky and Tennessee
rivers!

Sevier, frustrated for the time being in the Muscle Shoals
project, temporarily lost his customary affability in a torrent of
profanity. He called a special meeting of the legislature which
appointed commissioners of its own to negotiate a second treaty
with the Cherokee. When this tribe responded by killing several
Franklinites, Sevier early in 1786 took the field with 160 men
and crossed Unaka Mountain to the Hiwassee where he burned
three villages known as the valley towns and killed 15 warriors.
From his headquarters he sent out spies or scouts who soon
returned and reported that they had discovered a long Indian
trail. Sevier immediately led his troops toward the trail. But
learning that the warriors greatly outnumbered him and that
they were led by John Watts, a cunning and daring commander
who was probably trying to lure them into a narrow defile,
Sevier and his officers saw the folly of pursuing the Indians with­
out reinforcements. Sevier led his force homeward.

On reaching Franklin he learned that the feud with North
Carolina had grown. Deploring the prevailing misery, his people
in October 1786 persuaded him to make another attempt to come
to some understanding with Governor Caswell. In a respectful
but earnest letter Sevier announced to Caswell that the Franklin
legislature had appointed a commission to present its case before
the North Carolina assembly which, he hoped, would “cheer­
fully consent to the separation of Franklin.” He was confident
that the population of Franklin, though now “inconsiderable,”
would soon be as large as that of some of the eastern states. “I
have always considered myself happy while under the govern­
ment of North-Carolina, and highly honoured with the different
appointments they have been pleased to offer.”

The Franklin commission was originally composed of two
men: Judge David Campbell—a young brother of Colonel Arthur
Franklin, the Lost State

Campbell—and William Cocke, but at the last moment the judge became ill and remained in the west. Cocke, after leaving Boonesboro where we last saw him in 1776, had moved to the Watauga region, had taken part in King's Mountain, had become a lawyer in 1783, had served as state's attorney for North Carolina and had worked assiduously for the independence of Franklin.

A brilliant orator, Cocke now appeared before the North Carolina assembly and depicted vividly the perilous conditions which had impelled the people of Franklin to separate from the parent state. To whom could they have turned for relief from the storm? Their horizon had promised them no bright prospect. They had had no money to raise troops to defend themselves against the Indians; no authority to levy men; no power to lay taxes for the support of the government; no hope that North Carolina would defray their necessary expenditures. What, then, should they have done to stay the uplifted tomahawk? How were their women and children to avoid impending destruction? Could they have relied on Congress? No! Congress had not accepted them and was, moreover, too feeble to extend them any assistance. Should they supinely await the return of good fortune? Delay meant death, meant the yells of savages dinning through the settlements. The citizens of Franklin had no choice, said Cocke, but to turn pleadingly to North Carolina. Surely the people of that state would not harden their hearts against their western brethren who in perilous times had always heeded their cries of distress. Let them now reciprocate with the wide hand of generosity! Let them now relieve the circumstances by granting Franklin independence, remembering that all animosity should be forgotten and that the errors of their western brethren were, after all, the “offspring of the greater errors” committed by North Carolina. For it belonged to a magnanimous people

... to weep over the failings of their unfortunate children, especially if prompted by the inconsiderate behavior of the parent. Far should it be from their hearts to harbour the unnatural purpose of adding still more affliction to those who have suffered but too much already. It belongs to a magnanimous people to give an industrious attention to circumstances, in order
to form a just judgment upon a subject so much deserving of their serious meditation, and when once carefully formed, to employ, with sedulous anxiety, the best efforts of their purest wisdom, in choosing a course to pursue, suitable to the dignity of their character, consistent with their own honour, and the best calculated to allay that storm of distraction in which their hapless children have been so unexpectedly involved. If the mother shall judge the expense of adhesion too heavily to be borne, let us remain as we are, and support ourselves by our own exertions; if otherwise, let the means for the continuance of our connexion be supplied with the degree of liberality which will demonstrate seriousness on the one hand, and secure affection on the other.

To this appeal the North Carolina assembly listened attentively, but it would not retreat from its established policy. Cocke went home, his mission a failure.

Caswell now endeavored to end the strife in the western counties by offering the Franklinites a plan of his own. To this end he requested Sevier to receive a commissioner whom he was about to appoint and send to confer with him. Sevier consented to the proposal. Caswell then chose Evan Shelby, whom he had recently appointed brigadier general of the Washington District, as the commissioner. In selecting Shelby, Caswell acted with diplomatic wisdom. Shelby, like Sevier, had always been identified, "in all his sympathies and interests," with the Watauga country. Shelby and Sevier, moreover, were close friends. They had been neighbors for many years; they had fought at King's Mountain. Each admired the other, and each strongly desired independence for Franklin, though Shelby thought it should be achieved only with the consent of North Carolina.

Caswell felt that Shelby's remarkable candor, good sense and patriotism would assure success of his plan. On March 20, 1787, Shelby with a few officers met Sevier and a small group of his friends at Samuel Smith's house. The plan which Shelby disclosed provided that every man in Franklin should choose for himself which government he wished to acknowledge and pay his taxes to it accordingly. Sevier submitted it to his people, who
accepted it. Thus was adopted a “live and let live” policy pending redress of grievances.

During this interlude of peace Sevier decided to enlist the support of the man for whom the state was named. On April 9, 1787, he wrote to Benjamin Franklin reiterating the grievances which his people nursed against North Carolina and requesting the aged statesman to champion the cause of the western state with his illustrious pen. On June 30 Franklin replied that since he had been away in Europe he was not well acquainted with conditions in the state but that he intended to study the records of Congress and to report “if anything should occur to me.” In closing, Franklin advised Sevier to effect some satisfactory compromise with North Carolina:

There are only two Things that Humanity induces me to wish you may succeed in: The Accomodating your Misunderstanding with the Government of North Carolina, by amicable Means; and the Avoiding an Indian war, by preventing Encroaching on their Lands. . . . The Inconvenience to your People attending so remote a Seat of Government, and the difficulty to that Government in ruling well so remote a People, would I think be powerful Inducements with it, to accede to any fair & reasonable Proposition it may receive from you towards an Accomodation.

In accordance with Franklin’s advice Sevier decided to go personally to the North Carolina assembly to seek reconciliation with that body. But before he could do so he received information that struck a fatal blow to his Muscle Shoals project and, consequently, to the state of Franklin.

The lands lying in the Great Bend of the Tennessee were by now acknowledged to be under the jurisdiction of the state of Georgia. For several years Franklin and Georgia had enjoyed very friendly relations. The governors of the two states had exchanged complimentary letters, and Georgia had made Sevier a brigadier general of militia for the region in the Great Bend, which the state had recently organized as Houston County.

When in April 1786 Georgia had declared war against the Creek Indians, she had requested assistance from her friends in
Franklin. The two states had then made a bargain. In return for 1,500 soldiers, Franklin was to receive land grants in Muscle Shoals, which Sevier and his associates had been denied by the Treaty of Hopewell. For nearly two years the alliance had occasioned much correspondence between the two states, but Georgia, financially embarrassed and short of ammunition, was unable to wage the war she had declared.

Such was her position when at the end of 1787 the Federal Constitution was submitted to the states. Georgia, wisely exchanging her frustrated plans against the Creeks for the support of a strong central government, promptly accepted the Constitution. A few months later in February 1788 she informed Sevier that Congress, assuming control of Indian affairs, had sent a commission to make peace with the Creeks and that in consequence no force would be sent against them. This meant that Georgia, requiring no military service from Sevier, would grant him no land in the Great Bend of the Tennessee.

Thus crumbled with one blow Sevier's Muscle Shoals project and, in consequence, his cherished hope of independence for Franklin. To this adversity was added the anguish of seeing his followers melt away by the hundreds. With their loss Franklin began to totter. On March 1, 1788, Sevier's term as governor would end, and no one cared to succeed him to the post. He himself had seceded reluctantly from North Carolina. He had done so because he needed the support of the western settlers to maintain the Muscle Shoals project of his associates. Now that dream had faded, and with it his desire for political separation.

The North Carolina officers eagerly took advantage of Sevier's misfortune to wrest from the falling state what vestige of governmental authority remained. This proved an easy matter. The political leaders of Franklin were happy to accept offices offered them by North Carolina, which, continuing its wise policy of reconciliation, had issued acts of "pardon and oblivion" for those who wished to return to the fold. Many members of the Franklin Council of State, of the judiciary and of the legislature found political fortune in North Carolina. Among them was David Campbell, who was appointed to the North Carolina assembly
and who soon rose to the judgeship of the Superior Court for the Washington District at Jonesboro.

Tipton seized on Sevier's downfall to deal him a crushing blow. Joseph Martin, who was friendly toward Sevier, had recently succeeded Evan Shelby as brigadier general of the Washington District. But Tipton, acting quickly in Martin's temporary absence, sent Sheriff John Pugh to seize Sevier's slaves toward the payment of North Carolina taxes.

Pugh carried the slaves to Tipton's house at Sinking Creek about ten miles east of Jonesboro. When Sevier, who had been away fighting Indians, learned of this act, he flew into a towering rage. Swearing to seek out this Saul who hounded him "in all the dens and hiding places of the country," he mustered about a hundred and fifty of his followers, led them straightway to Tipton's house, and ordered him by letter to surrender unconditionally.

Though Tipton had only fifteen men with him he proved as stubborn as his enemy was angry. He promptly sent word back to fire and be damned. Whereupon Sevier arrayed his men on a sunken piece of ground about two or three hundred yards from the house and ordered them to shoot at its corners while he loudly threatened to demolish it altogether. Tipton, convinced that Sevier was in earnest, dispatched messengers during the night to his friends, Colonel George Maxwell and Colonel Thomas Love, begging them to hasten to his assistance.

The next morning, February 27, Sevier again demanded unconditional surrender. When Tipton ignored the order, Sevier posted some of his men on an eminence of limestone rocks which lay near the road that led to the house, and ordered them to resume their shooting. They accidentally wounded in the shoulder a woman who, in company with another woman, was emerging from the house.

At this juncture Colonel Love, who was hastening to Tipton's assistance with ten or twelve men—all he could gather—learned of the guard at the rocks and resolved to hold a parley with them. Leaving his companions, he pranced up, hemming and coughing, on his horse, but found the place deserted. The cold was bitter
and the guards had rejoined the main force to warm themselves by the fires. When Love returned to his companions and told them that the guards were absent from their post, they let out a whoop and went in full gallop to Tipton's house. Their arrival encouraged Tipton to hold out.

At dawn a heavy snow began to fall. Sevier dispatched sentinels to the road on which Maxwell was approaching, but the cold was so intense that they soon went to warm themselves. In their absence Maxwell arrived and marched to within gunshot of Sevier's camp without being detected. When daylight made objects visible, Maxwell's troops at his command fired a volley and raised a shout that "seemed to reach to heaven." With jubilant shouts of deliverance Tipton and his men ran out of the house and joined Maxwell, who had already attacked Sevier's troops in the heavy snowfall and forced them to retreat.

Sheriff Pugh was mortally wounded. Several of Sevier's men were wounded and captured, among them his two sons who had ventured into camp in the belief that it was still in their father's possession. Sevier's troops fled in all directions, some throwing away their rifles in their desperation to get away. Tipton swore to hang Sevier's sons, but he desisted when Colonel Love convinced him that such an act would bring grave consequences on himself. Tipton then released them and even returned to their owners the property he had seized in the camp. In vain did friends of both the two men try to get them to patch up their differences. Then Joseph Martin obtained from North Carolina authority to take the Sevier tax case into his own hands, a measure which restored peace.

When on March 1 his term of office expired, Sevier tried to retrieve his popularity by winning fame in a campaign against the Cherokee who, despite their many setbacks, were still determined to drive the whites from the land assigned to them by the Hopewell Treaty. In May 1788 a brave named Slim Tom fell on Sevier's friends, the Kirk family, while Kirk himself and his son were away, and massacred eleven of them in the yard of their home. When the horrified father and son returned they gave the alarm.
Sevier hastily gathered the militia, led it to a Cherokee village on the Hiwassee River, burned the village to ashes and killed or made prisoner those who had not fled. He imposed the same punishment on some villages on the Tennessee. Among Sevier’s soldiers was Kirk’s son, who burned to avenge the murder of his mother and his brothers and sisters. In Sevier’s absence, young Kirk went with the consent of his superior officer to the house where the Indian prisoners were lodged and tomahawked one of them while his comrades looked on. The other prisoners, five or six in number, realizing that the same fate awaited them, conveniently bowed their heads while Kirk hacked them down one by one. When Sevier returned he remonstrated loudly against the barbarous act. Kirk soon silenced him. If you had suffered the same anguish as I, he asked, would you not have done likewise? With this incontrovertible argument the young man escaped punishment. Tipton of course seized on the incident to justify further his hatred for Sevier. He accused the former governor of consenting to absent himself in order to permit the crime to take place.

One who watched Sevier’s dwindling political career with intense curiosity was Don Diego Gardoqui. The Spanish chargé d’affaires was then working diligently to utilize the statehood aspirations of the Kentucky and Tennessee frontiersmen in the interest of his own country. Learning of Sevier’s tussle with Tipton, which he construed as armed insurrection against the authority of North Carolina, he dispatched an emissary to sound the governor in regard to a possible understanding with Spain.

The emissary, Dr. James White, Superintendent of Indian Affairs for the Southern Department, was one of many Americans whom Gardoqui employed as his agents in his efforts to limit the United States to the Atlantic states by separating her western lands and creating them into buffer states. Gardoqui already had had occasion to write to Sevier. Alarmed over the unprovoked depredations and murders of the Cherokee, Sevier, like Robertson, had persuaded Governor Samuel Johnston of North Carolina to address Gardoqui and request him to exert his influence to put a stop to the Indian attacks. Gardoqui, sensing
a rare opportunity to enlist Sevier’s support in his scheme, ex-
pressed to him this dexterous sentiment: “His Majesty is very
favorably inclined to give the inhabitants of that region all the
protection that they ask for, and, on my part, I shall take very
great pleasure in contributing to it on this occasion and other
occasions.”

The shrewd Spaniard now put nothing down in writing. He
merely instructed White to make every effort to win Sevier over
and gave White $300 to cover the expenses of his trip. Arriving
in Franklin in July 1788, White found that circumstances made
Sevier ready to clutch any helping hand. By his heroic exploits
against Chickamauga and Cherokee in the remote western coun-
ties of Franklin, ‘Chucky Jack had regained much of his old
popularity. Even Tipton had to admit that Sevier’s numerous
followers were ready to support him in any movement that had
a chance of success. With the material assistance of Spain, Sevier
could wage a successful campaign to drive the supporters of
North Carolina from Franklin. The United States, he believed,
would not interfere, for in August North Carolina had post-
poned ratification of the Federal Constitution and she was, there-
fore, not a member of the Union. The success of his plans would
enable Sevier to revive the state of Franklin and perhaps reach
a new understanding with Georgia on the Muscle Shoals project.

With these objectives in mind, Sevier accepted Gardoqui’s
offer of help. Since he had no notion of playing the puppet of
Spain a minute longer than was necessary, Sevier refrained from
promising to become a citizen of that country. On September 12
he wrote two letters to Gardoqui and sent his son, James, to
deliver them in New York. In one letter he revealed his intention
to establish a colony at Muscle Shoals and requested Spanish
intervention to prevent the southern Indians from attacking the
settlers in that region. In the other letter he urgently petitioned
Gardoqui for a loan of a few thousand pounds to enable him to
“make the most expedient and necessary preparations for de-
fense” against North Carolina:

... upon consulting with the principal men of this country, I
have been particularly happy to find that they are equally dis-
posed and ready as I am to accept your propositions and guarantees. You may be sure that the pleasing hopes and ideas which the people of this country hold with regard to the probability of an alliance with, and commercial concessions from, you are very ardent, and that we are unanimously determined to that score. The people of this region have come to realize truly upon what part of the world and upon which nation their future happiness and security depend, and they immediately infer that their interest and prosperity depend entirely upon the protection and liberality of your government. . . . Being the first from this side of the Appalachian Mountains to resort in this way to your protection and liberality, we feel encouraged to entertain the greatest hope that we shall be granted all reasonable aid by him who is so amply able to do it, and to give the protection and help that is asked of him in this petition. You know our delicate situation and the difficulties in which we are in respect to our mother State which is making use of every stratagem to impede the development and prosperity of this country. . . . Before I conclude, it may be necessary to remind you that there will be no more favorable occasion than the present one to put this plan into execution. North Carolina has rejected the Constitution and moreover it seems to me that a considerable time will elapse before she becomes a member of the Union, if that event ever happens.

James Sevier delivered this letter to Gardoqui. On October 10 Gardoqui wrote to Miró recommending to Spain's attention Dr. White and James Sevier, the emissaries of Franklin, with their plans and proposals. But a sudden change in Spanish policy ended the project before Miró could act.

By this time Sevier had been arrested by order of Governor Johnston on a charge of high treason. The man to whom the order was originally given was Judge Campbell who was to exercise his authority after he had examined the "affidavits of credible persons." Campbell's judicial opinion was that any affidavit against Sevier could not be made by a credible person. He refused to issue the warrant. It was finally issued by one of Tipton's friends, Spencer, who had been judge of the Superior Court of North Carolina in the west. Spencer sent Tipton to make the arrest.
Sevier was at the Widow Brown's Inn with some of his men when Tipton at last came up to him. The sun had just risen. Tipton and his posse were about to enter the inn when the portly and dauntless widow, surmising the reason for the visit, "drew up her chair into the doorway, plonked herself down on it, and refused to budge for all the writs of North Carolina."

Tipton blustered; Widow Brown rocked. Sevier, aroused from sleep by the noise, sprang from his bed and dressed hurriedly; looking through a crack in the door, he saw Colonel Love. He opened the door and held out his hands, saying, "I surrender to you."

At the sight of his enemy Tipton became enraged: "I'll hang you," he blurted; "I'll hang you!" Then, thrusting his pistol against Sevier, he threatened to shoot at the least show of resistance. Sevier's comrades, shouting furiously, urged him to put up a fight, but he, perhaps remembering the beating that Tipton had once given him, admonished them to respect the law. Tipton, feeling that no jail in the western country could hold Sevier for long, escorted him on horseback to Jonesboro. Fearing a riot, he left him in charge of a deputy sheriff at Widow Pugh's with orders to take him to Morganton for trial. Before Tipton departed for that town he called two of the guards aside and gave them instructions of which the more honorable among them were ignorant. When the party entered the mountains, Gourley and French were to lag behind with the prisoner until the others were out of sight on the twisting trail. Then French was to kill Sevier and assert that he had done so because the prisoner had made an attempt to escape.

The plan failed. Gourley, suffering from a qualm of conscience, informed Sevier of what awaited him and gave him an opportunity to escape. Sevier plunged down the mountainside, but became entangled in the underbrush. French overtook him and fired. Again fate interceded in Sevier's behalf: the ball had dropped out of French's pistol. So Sevier reached Morganton, but he did not go to jail. His old comrade-in-arms, General Joseph McDowell, took him home, wined and dined him, and became his security for a few days while he visited relatives and awaited trial.
Back home across the mountains Sevier's friends received word of his arrest with great indignation. Their feeling of retaliation and revenge would not have been keener had the chiefs and warriors of the entire Cherokee nation fallen on and butchered defenseless women and children. Sevier's sons, James and John, and Major Nathaniel Evans, Doctor James Cozby, Jesse Greene and John Gibson—old friends who had served him faithfully in many Indian campaigns—immediately planned to rescue him. Their intention was to secure his release by stratagem, or, that failing, to set fire to the town and in the ensuing confusion to break into the prison and rescue the prisoner.

On the day of the trial while settlers from the surrounding country filled Morganton to see the famous prisoner with their own eyes, Sevier's friends approached as near to the town as they deemed prudent. While four of them concealed themselves near the road Cozby and Evans entered the town and, tying their horses to the limb of a tree near the courthouse, mingled with the crowd. In one of the stables Evans found Sevier's white race mare and, with her bridle carelessly thrown over her head, led her up to the courthouse door.

Meanwhile Cozby had entered the courthouse, "and there, arraigned at the bar, sat the object of their solicitude; there he sat, as firm and undaunted as when charging hosts of Wyuca on the Lookout Mountain." Slowly Sevier turned his head; his eyes met Cozby's. Sevier knew that rescue was at hand, but, taking a cue from Cozby, he remained perfectly calm. Cozby waited for a pause in the trial and then, stepping forward, asked the judge if he were through with the man. Cozby's question, his manner and the tone of his voice caused every person in the courthouse to look at the speaker and then at the judge in amazement. Sevier seized this moment to make his getaway. Catching a glimpse of his mare, he sprang to the door, made one long leap to the saddle and sped away with his friends. Up in front in the courthouse sat an old man who admired Sevier intensely and who had been watching the trial with rapt attention. "I'll be damned if you ain't through with him!" he crowed to the judge, guffawing and slapping his knee.

That night Sevier and his rescuers rested at the house of a...
friend, about twenty miles away. The following day they began an easy journey to their homes, happy in having achieved a bloodless victory. Nobody dared attempt to recapture Sevier and no further effort was made to prosecute him.

The capture and brief expatriation of Sevier served only to awaken in his behalf a higher appreciation of his services and a deeper conviction of his claims to the esteem and consideration of his countrymen. His return was everywhere greeted with enthusiasm and joy. In November the North Carolina assembly passed an act of pardon and oblivion with respect to Franklin. Though this act debarred Sevier from office, it automatically operated to clear him of the alleged offense of high treason.

The people of Greene County soon called on Sevier to represent them in the senate of North Carolina. He was elected without difficulty, whereupon the assembly pardoned him, let him take his seat with his colleagues and with extraordinary consideration honored him with the rank of brigadier general. Sevier had at last achieved his long sought reconciliation with North Carolina—but at the expense of Franklin, the lost state.