Kentucky:
Struggle for Statehood

Boone's heroic defense of Boonesboro and, at about the same time, George Rogers Clark's brilliant campaign in the Illinois County sent waves of eager humanity to Kentucky, which by the end of the Revolution counted close to twenty thousand people. There they found much rich land but felt little security. For several years more the settlers grappled with poverty, even famine. To these sinister agents was soon added another. The representatives of a powerful northern organization known as the Grand Ohio Company, which pretended title to western Virginia and a large part of Kentucky under deeds fraudulently procured from the Six Nations of New York, spared no effort in sowing dissension among the settlers. By controlling the eastern delegates in the Continental Congress, the Ohio Company rendered that body powerless in the last years of the Revolution to execute its duties with its usual dexterity.

The new immigrants found most of the choice land of Kentucky already taken under grants from Virginia. Since many of the settlers came from Pennsylvania, they disputed these grants and sided with the land jobbers in scheming to overthrow Virginia's government in Kentucky and setting up in its stead a new state under authority from Congress. The ready puppet of the northern delegates—who, in turn, moved to the strings of the land jobbers—Congress lay claim to all of the country across the Allegheny Mountains. By 1781 it forced Virginia to cede her chartered region north of the Ohio. In surrendering this portion of her domain, Virginia hoped to satisfy the northern states, leaving her in undisputed possession of the territory which now comprises West Virginia and Kentucky. But the new claimants
of this region, conniving with the help of their pawns in Congress, denied Virginia's jurisdiction over it and persuaded many settlers to their way of thinking.

Virginia, fearing that she would soon be obliged to give up Kentucky, lost interest in governing and protecting that region. Realizing this, Indians of various tribes invaded Kentucky in numerous groups, killing settlers and burning their homes. The whites were powerless to defend themselves. Virginia denied them the right to attack the Indian towns north of the Ohio where their enemies were most vulnerable.

The Kentuckians naturally resolved to protect themselves by seeking separation from a state that could not or would not guarantee them security. This was only one of their several grievances. The great distance that separated them from the state capital aggravated the dangers which constantly lurked at their thresholds. Between the Kentucky frontier and Richmond lay hundreds of miles of high mountains, poor roads and perilous wilderness, all of which they must traverse for a look at a land deed, a word with a lawyer or the scratch of a magistrate's pen. These duties often entailed the ruinous expense of a long delay in Richmond before they could return home. Thus the settlers were obliged to spend much of their time guarding their lawful land titles.

Another economic reason that impelled the Kentuckians to seek independence from Virginia was Spain's refusal to permit them to navigate the lower Mississippi where she owned both banks of the river. In the eyes of that nation the American pygmy, if properly fed, would grow into a giant which might develop an appetite for its neighbor, Louisiana. Throughout the Revolution, therefore, Spain with the help of the United States' ally, France, schemed to persuade or coerce Congress to surrender to her the region between the Alleghenies and the Mississippi. When she failed to obtain this region, Spain asserted her exclusive ownership to the lower Mississippi, thereby forbidding it to Americans. Those who defied her policy were arrested and their boats and cargoes confiscated.

The Kentuckians were naturally resentful of a state of affairs which made them paupers amid their own riches. Their fertile
soil yielded an abundance of products for which they received less money than they had spent in transporting them across the mountains to the Atlantic seaports. In their fury they demanded that Congress should force Spain to reopen the Mississippi whose tributaries passed by their very doors. When Congress did nothing the Kentuckians resolved to make good, by their own efforts, John Jay’s remark that God had made the Mississippi as a highway for their use.

They had to wait several years, however, before they were presented with an opportunity to take the first steps toward separation. In November 1784 Benjamin Logan, founder of St. Asaph and now colonel of militia of recently organized Lincoln County, received word that the Cherokee planned a combined attack against the Kentucky settlements. This was mere rumor but Logan mistook it for truth and accordingly decided to take vigorous measures to thwart the red men.

Convening a number of inhabitants of the region at Danville, which was then the most important town in Kentucky, Logan communicated to them the information he had received. They agreed that the situation demanded an expedition against their enemies. But how should they proceed with it? No one in Kentucky was authorized to call the militia into service. Furthermore, they had no money to purchase an adequate amount of ammunition and no arms to put it to use. Even if the militia volunteered its services and furnished itself with arms and ammunition, the convention still could give no assurance that the government would pay the men for their services or reimburse their expenditures.

The existing laws could brand an expedition a conspiracy or a criminal act or an act of merit—depending on which of the terms prejudice or sympathy dictated. Faced with this predicament, the convention recommended that the people elect another group of delegates to convene in the ensuing month at Danville to find some means of preserving their country from the destruction which seemed to them impending.

This measure the delegates adopted. On May 23, 1785, the second Danville convention unanimously passed resolutions call-
ing for Kentucky's separation from Virginia and her admission into the Union. It also issued two papers, one as a broadside to the settlers and the other as a petition to the Virginia assembly. The broadside listed the principal grievances of the people:

We have no power to call out the militia, our sure and only defense, to oppose the wicked machinations of the savages, unless in cases of actual invasion.

We can have no executive power in the district, either to enforce the execution of laws, or to grant pardons to objects of mercy; because such a power would be inconsistent with the policy of government, and contrary to the present constitution.

We are ignorant of the laws that are passed until a long time after they are enacted; and in many instances not until they have expired: by means whereof penalties may be inflicted for offenses never designed, and delinquents escape the punishment due to their crimes.

We are subjected to prosecute suits in the High Court of Appeals at Richmond, under every disadvantage, for the want of evidence, want of friends, and want of money.

The petition declared that the remoteness of Kentucky from the seat of government, "together with other inconveniences, subjects the...people...to a number of grievances too pressing to be longer borne, and which cannot be remedied whilst the district continues a part of the state of Virginia."

Most historians believe that both papers were the brain children of General James Wilkinson. Though not a member of the convention, Wilkinson had guarded reasons for wanting to know what was going on. From a motive which, as we shall see, was far removed from patriotism, he had volunteered his grandiloquent pen in Kentucky's behalf. He was a jealous man with a large talent for intrigue which he concealed under a number of external graces and a glib intellect. His handsome face, his friendly approach, his sonorous voice, his exquisite manners and his brilliant pen—all were attractions by which he succeeded in duping even the most discerning of his countrymen.

Wilkinson's gifts for intrigue had all the polish of long and wide practice. As a young officer in the Revolution he won by
his elegant manners and brilliant address the favor of prominent men. Though his ability was never more than mediocre, his personality enabled him to climb from promotion to promotion. Success bared his shortcomings. He won the confidence of his superiors, only to plot their downfall; he won the love of his friends, only to betray them to his own aggrandizement.

When Burgoyne invaded New York, Colonel Hardin discovered an important movement of that general and communicated it to Wilkinson, who reported it as his own discovery. Later General Horatio Gates sent him to report Burgoyne's surrender at Saratoga to Congress. Invited to address that body, he won its favor and the rank of brigadier general—in preference to the two real heroes of Saratoga, Colonel Daniel Morgan and General Benedict Arnold.

When Gates became President of the Board of War, an office of great power, he made Wilkinson secretary of that body. Later Wilkinson became the moving spirit in the infamous cabal by which Gates and a few of his friends plotted to overthrow Washington and make Gates commander in chief of the Continental Army. But Wilkinson, soon sensing that the cabal would not succeed in its aim, betrayed its secrets to Lord Sterling. This Scotsman, whose title was pretended, went with the information to Washington's aide, Alexander Hamilton, who confronted Gates with the plot. Gates flew into a rage and vowed to challenge his betrayer, who saved his "honor" by denouncing Sterling as a liar and by dismissing his part in the cabal as the indiscretion of a "convivial hour." With this explanation Wilkinson avoided duels with Gates and Sterling; but his fellow officers were not deceived. Forty-nine other brigadier generals requested Congress to rescind his commission. Wilkinson quickly resigned.

Within eighteen months he was back on the payroll as clothier general—a post highly congenial to one of his peculiar talents. Accused of corruption, Wilkinson resigned and again protested his innocence. To a friend he rationalized that his resignation had resulted, not from "conscious guilt and an apprehension of punishment," but from "the difficulty, if not impossibility, of obtaining a public opinion against the infallibility of George Washington."
Impoverished but ambitious, bitter but undaunted, Wilkinson moved to Kentucky where in 1784 he borrowed enough money to open a trading post and build a fine frame house at Lexington. But he was more interested in land speculation than in the store which he left in the charge of an assistant who helped himself to the money of some of the sales. Before long Wilkinson was in dire financial straits which his scheming mind hoped to relieve by the devious route of local politics. His high military rank and his vaunted courage during the Revolution won him the support of the unsuspecting settlers. He was elected a delegate to the next Danville convention.

The old convention had had no intention of acting hastily on the important matter of separation from Virginia. To have more time for the gathering of additional information and for obtaining the unity of the settlers, before it adjourned it had recommended the election of delegates to another convention during the summer.

The third Danville convention met on August 8, 1785. Wilkinson was conspicuously present. He easily dominated the convention hall. In a fiery address he charged that the domestic taxes of Virginia were as obnoxious as the British colonial taxes had been. He was so loudly applauded that he was inspired to write another address. This was directed to the Virginia assembly and taken to that body by two prominent members of the convention, George Muter, Judge of the Supreme Court, and Harry Inness, Attorney General. The Wilkinsonian flavor is unmistakable as it pleads for separation:

To recite minutely the causes and reasoning which have directed and will justify this address, would, we conceive, be a matter of impropriety at this juncture. It would be preposterous for us to enter upon the support of facts and consequences, which we presume are incontestable; our sequestered situation from the seat of government, with the intervention of a mountainous desert of two hundred miles, always dangerous, and passable only at particular seasons, precludes every idea of a connexion on republican principles. The patriots who formed our constitution, sensible of the impracticability of connecting permanently
in a free government, the extensive limits of the commonwealth, most wisely made provision for the act which we now solicit.

To the sacred record we appeal. . . . 'Tis not the ill-directed or inconsiderable zeal of a few, 'tis not that impatience of power to which ambitious minds are prone; nor yet the baser considerations of personal interest, which influences the people of Kentucky; directed by superior motives, they are incapable of cherishing a wish unfounded in justice; and are now impelled by expanding evils, and irremediable grievances, universally seen, felt and acknowledged, to obey the irresistible dictates of self-preservation, and seek for happiness by means honorable to themselves, honorable to you, and injurious to neither.

We therefore . . . do pray that an act may pass at the ensuing session of assembly, declaring and acknowledging the sovereignty and independence of this district.

The delegates were so sure that this appeal would succeed that they adjourned the convention without providing for another. The next convention, they believed, would be for the purpose of drafting a constitution. One of the delegates, Judge Caleb Wallace, wrote to James Madison inviting him to become a citizen of the new state. But Madison, confessing a dislike for "your wilderness," politely refused the invitation.

The Virginia assembly lent a willing ear to Kentucky's plea. Anxious to rid itself of a region which had long proved a burden to govern and defend, it passed on January 10, 1786, an enabling act. It was willing to grant Kentucky separation, however, only on condition that she should become a part of the Union; it had no intention of permitting her to go to Spain through some intrigue or design on the part of some of her politicians.

The enabling act provided that the boundaries of the state of Kentucky should be those of the territory of Kentucky. The land claims of the new state, which were based on those of Virginia, were to be left unchanged. Kentucky was to assume a proportionate share of Virginia's Revolutionary War debt. The lands which Virginia had assigned to her soldiers were to be reserved until 1788. The Ohio River was declared free to all Americans. All disputes over the foregoing matters were to be settled by arbitration.
In addition to these terms the enabling act stipulated that the people of Kentucky should hold another convention in September 1786 and declare for separation under the terms of the enabling act. The new convention then should name a day before September 1787 when Virginia's authority over the region should cease. Thereupon the enabling act was to "become a solemn compact...provided, however, that prior to June 1, 1787, Congress shall assent" to Kentucky's admission into the Union in accordance with the specified terms.

Circumstances prevented the next convention from assembling at the designated time. Early in 1786 Indian tribes from north of the Ohio attacked several Kentucky settlements, compelling them to ask Virginia for military assistance. Governor Patrick Henry replied that he had informed Congress of the matter and had urged it to take measures to protect the settlements. In a private letter to Colonel Logan, however, Henry admitted that Congress had taken no account of his representation. At the same time Henry wrote to the county lieutenants ordering them to undertake expeditions against the offending Indians.

When the time for convening the fourth convention arrived, so many of its delegates were absent on military duty that it was unable to proceed with business. The delegates who remained in Danville addressed to the Virginia assembly a memorial informing it of the delay and requesting it to extend the time limit set for separation in the enabling act. After delegating John Marshall to present the memorial, the convention dissolved itself.

Not until January 1787 did a quorum of delegates present themselves in Danville. They reconvened only to learn that the Virginia assembly had repealed the enabling act. Then it had passed a new enabling act, explaining that, since unforeseen events had hindered the delegates from meeting on the date stipulated in the first act, Congress had not had sufficient time in which to deliberate on the propriety of admitting Kentucky into the Union. The new act then directed another convention to meet at Danville in September 1787 and to fix a day, not later than January 1, 1789, on which Virginia's authority should cease, provided Congress should assent to Kentucky's admission prior to July 4, 1788.
Needless to say, the people of Kentucky received information of this second enabling act with great “discomfiture and chagrin.” Independence was as far away as ever. Their depressed mood envisioned every ugly possibility. What could prevent the assembly from repealing the new act as it had the old? Could it not, if it wished, find plausible pretense for so doing? In that case the “evils and inconveniences” which had impelled the settlers to seek separation would continue, and might even increase!

Upon this aggravation came another. In March after the convention had adjourned, the Correspondence Committee of Western Pennsylvania, with headquarters in Pittsburgh, informed the Kentuckians that Minister of Foreign Affairs John Jay had made a definite proposition to Gardoqui to cede the navigation of the Mississippi for a period of twenty-five or thirty years in return for granting certain commercial advantages to the eastern states. In this letter the infuriated settlers saw nothing less than the “absolute sacrifice of every interest of the Western countries, to promote the prosperity of the east.” The newly organized Danville Club, which met every Saturday to discuss the current political situation in Kentucky, persuaded four prominent members of the adjourned convention, John Brown, John Sebastian, Harry Innes and George Muter, to address a protest to Congress saying, in part:

This is a subject that requires no comment—the injustice of the measure is glaring—and as the inhabitants of this district wish to unite their efforts, to oppose the cession of the navigation of the Mississippi, with those of their brethren residing on the western waters, we hope to see such an exertion made, upon this important occasion, as may convince Congress that the inhabitants of the western country are united in the opposition, and consider themselves entitled to all the privileges of freemen, and those blessings procured by the revolution; and will not tamely submit to an act of oppression, which would tend to a deprivation of our rights and privileges.

The protest was dispatched, but before it arrived in New York the Kentuckians were relieved to learn that Congress had rejected Jay’s proposal.
On October 17, 1787, the fifth convention assembled belatedly in Danville. Wilkinson was not a member. The previous spring he had departed for New Orleans—for what reasons we shall presently learn. The delegates again petitioned Congress to grant Kentucky statehood and suggested December 31, 1788, as the date on which Virginia’s authority should end. At about the same time they requested the Virginia assembly to appoint a delegate to plead Kentucky’s case in Congress. Complying with their wish, the assembly chose John Brown, a former delegate to the convention and now a state senator from the Kentucky region.

Doubting that his mission would succeed, Brown arrived in New York where Congress was in session. Circumstances were clearly against him. The Federal Convention, sitting in Philadelphia, had been proposing an entirely new government to supplant the insolvent Confederation. It had drafted the Federal Constitution and had submitted it to the states for ratification or rejection. Ratification by nine of them would mean the dissolution of Congress.

Another problem pressed Brown. He must obtain statehood for Kentucky before July 4, 1788, as stipulated in the second enabling act, or his mission would fail even though Congress should remain in session longer. Determined to overcome these handicaps, Brown promptly presented Kentucky’s petition, but Congress took no notice of it for over three months. Then, instead of giving its assent, it merely resolved on the expediency of admitting Kentucky as an independent member of the Confederation.

Accordingly, Congress appointed a committee to report the necessary act, but neither it nor the committee took action on the matter. Brown suspected with justification that the eastern members of Congress were responsible for the delay; they were, he wrote, jealous “of the growing importance of the western country” and therefore unwilling “to add a vote to the southern interest.”

The eastern members anxiously awaited ratification of the Federal Constitution, an event which would preclude the possibility of admitting Kentucky into the Confederation. Their hopes were soon realized. By July 2—only two days before the
limiting date set for statehood in the enabling act—nine states had ratified the Constitution. Thereupon the committee dissolved itself. Congress then passed a resolution directing its secretary to advise the Virginia assembly and Samuel McDowell, president of the Danville convention, that, in view of events, Congress was unable “to adopt any other measure.” However, it recommended statehood for Kentucky “as soon as convenience will permit,” and urged the Virginia assembly to change its enabling act to conform with the spirit of the Constitution.

Gardoqui quickly took advantage of Brown’s disappointment to approach him with an attractive offer. The Spanish chargé d’affaires agreed to open the Mississippi to the Kentucky settlers if Kentucky would declare her independence and empower some person to negotiate with Spain. But because of commercial treaties existing between Spain and other European powers, he added he could not grant them this privilege so long as Kentucky remained a part of the United States.

Brown listened with a friendly but objective demeanor, discreetly committing himself to nothing; he neither embraced nor rejected the scheme. He replied that he would reflect on the matter and would discuss it further with Gardoqui at a later date. After the interview Brown disclosed the Spanish proposition to his old friend and fellow delegate, James Madison, who shared the same house with him. The two men favored and discussed the Federal Constitution and exchanged views on the political situation in Kentucky. Madison advised Brown to keep Gardoqui’s scheme a secret. The impatience of the Kentuckians to obtain navigation of the Mississippi and their distrust of Federal policy, he feared, might induce them to support a proposition seemingly propitious to them.

Brown took Madison’s advice. In a letter reporting the failure of his mission to his friends, George Muter and Samuel McDowell, he enclosed an account of his interview with Gardoqui. When a few days later he saw Gardoqui again, Brown maintained his usual discretion. He told Gardoqui that the people of Kentucky would soon elect a new convention which would doubtless resolve on the creation of an independent state. Then he disclosed his intention to return soon to Kentucky where he promised to
discuss the subject of their interview with the delegates. In bidding the Spaniard good-by Brown politely thanked him for his offer in the name of the people of Kentucky.

The sixth Danville convention, meeting on July 28, 1788, had the mortification to learn of Congress' failure to admit Kentucky into the Union. Prominent among the delegates to this convention was Isaac Shelby, who had moved to Kentucky in 1783. Shelby had married a daughter of Nathaniel Hart at Boonesboro and settled down as a cotton planter. He served as a trustee of Transylvania Seminary and, in 1784, had been chairman of the first Danville convention. Affable and politically sagacious, he was to become the first governor of the state of Kentucky. Shelby now had the backing of his colleagues in resolving a firm policy.

The convention recommended to the people the election of five representatives from each county to meet in Danville on November 4, 1788, and to delegate to them full power to adopt whatever measures they deemed expedient to obtain admission for Kentucky "as a separate and independent member of the United States of America, and the navigation of the river Mississippi." The delegates closed their meeting by voting to "wait on Mr. Brown, when he shall return to the district, and in the most respectful terms express to him the obligations which the convention and their constituents were under to him, for his faithful attention to their interests."

The general dismay and confusion that prevailed in Kentucky between the fourth and fifth Danville conventions provided James Wilkinson with the conditions he needed to stage the most brilliant of his intrigues. Unsuccessful in business—and afraid of his creditors in Kentucky—he determined to make his fortune elsewhere. His scheme was as bold as it was original. Wilkinson planned to take a boatload of Kentucky products to New Orleans, confer there with Governor Miró, win his friendship and obtain from him a monopoly of trade. In return Wilkinson was prepared to offer the King of Spain his great influence to detach Kentucky from the United States and to convert it into an independent buffer state that should serve to shield Louisiana from possible American aggression.
But how was he to guard himself against arrest and the confiscation of his boat and cargo? His imagination, always fertile in such matters, promptly furnished him with the answer. He would first send a friend to warn Miró that the arrest of such an important person as himself would precipitate a war which might well result in the conquest of Louisiana. Faced with this threat, Miró would be pleased to receive Wilkinson.

The scheme worked. The Spanish river authorities permitted Wilkinson’s friend to proceed with the cargo to New Orleans, and Wilkinson himself reached the city on July 2, 1787. He saw a gay emporium of over five thousand Spaniards and Frenchmen whose languages he did not understand and whose religion was distasteful to him. He saw evidences of squalor and ignorance, but also of wealth and culture. As he looked sensuously at the powdered Frenchwomen, dancing the quadrille in their intriguing finery, “he must have thought ruefully of his horny-handed wife in her homespun dress.” But he did not remain a stranger long. His friendly manner, his elegant address and his apparent sincerity soon won him the friendship of the Spanish officials.

Miró, who spoke a little English, was especially delighted by Wilkinson’s handsome face and his gift of repartee. In a conference with the governor the American explained that the people of Kentucky nursed serious grievances against both Virginia and the United States and planned to go their independent way. That was their ultimate goal; their immediate objective was to secure the navigation of the Mississippi by invading Louisiana and by driving out the Spaniards. Even now, said Wilkinson, a large American army to be commanded by George Rogers Clark was being formed at Vincennes for that very purpose.

Wilkinson’s tissue of lies impressed Miró immeasurably. George Rogers Clark! The mention of that conqueror made the Spaniard tremble and sent the American bounding up the lucrative path. Wilkinson hastened to assure Miró that his influence was so great that he could prevent the invasion. Indeed, he could do much more: he could persuade his “fellow countrymen” to repudiate the United States and ally themselves with Spain. As a reward for his services he asked only that he be given the exclusive privilege of trading with New Orleans in Kentucky products. The Kentuckians, envying his good fortune and eager
to share it with him, would embrace his program. True, the exclusive trade would yield him immense profit—this was purely incidental; his primary aim, he said, was to benefit the Kentuckians as well as His Catholic Majesty.

All of which was as clever as it was untrue. Wilkinson was interested neither in obtaining benefits for his fellow countrymen nor in urging them to establish a separate state. A critical study of the writings and documents dealing with his career should convince any discerning person that he was working solely for himself. Money was his mania.

Yet several writers with more learning than understanding have, after vigorous digging into archival materials, concluded that he meant to separate the region of Kentucky from the United States and that, therefore, he was a traitor to his country. Failing to find documentary evidence, they have resorted to innuendo and inference—and have succeeded in proving only their own pedestrian vagueness. In the knowledge of the present writer only two scholars—James Ripley Jacobs and Thomas Robinson Hay—have explained correctly Wilkinson’s connections with the Spanish governors of New Orleans. “It is largely a matter of interpretation,” says Hay in an admirable article, “to determine just what were Wilkinson’s intentions, motives, and aspirations. That he was unscrupulous and of a jealous disposition, that he was an adventurer and a dissimulator is evident in many ways; that he was a traitor rather than an opportunist and a speculator, is not by any means proved.” Wilkinson, continues Hay, “let the Spanish governors... think he was working in their interests, while he was doing the same thing with respect to his friends and associates in Kentucky and elsewhere.” His motives were obviously to profit financially from both parties without siding with either.

How did Wilkinson expect to dupe Miró? By the simple procedure of making promises that he would postpone from time to time while he fattened his purse by buying Kentucky products on his own terms and then selling them in New Orleans for several hundred per cent profit.

Miró welcomed the scheme for reasons easily seen. In limiting the use of the Mississippi to the Kentuckians he envisaged the
eventual downfall of the United States. Without a trade outlet the lands north of the Ohio, which the United States had acquired at the end of the Revolution, would be unsalable; immigrants from the east would by-pass them and settle in Spain's ally, Kentucky. Unable to sell her public lands on which she depended for finances to meet her expenses, the United States would eventually fall to pieces. The nation would separate into thirteen small, quarreling and lawless governments confined by the Alleghenies. Some would probably ally themselves with Great Britain, others with France and still others with Spain. Miró knew that his superiors in Madrid would like nothing better than this.

Miró was credulous but not a fool. Unwilling to rest complete confidence in Wilkinson's verbal promises, he called in Intendant Martín Navarro as a witness to their conference. The three men then contributed the ideas for a memorial which Wilkinson consented to write and sign. When the memorial was completed Miró sent it to Valdés, Secretary of State and President of the Council of the Indies.

The memorial displays all of Wilkinson's literary characteristics: his pompous and exuberant style, his ingenious dialectics and his brilliant and audacious mendacity. Wilkinson argued that navigation of the Mississippi was the fountain from which the western settlers hoped to find relief and comfort. "They will employ any means, however desperate, to attain it." In order to achieve this end they were determined "to separate themselves from the American Union." But Kentuckians wished no quarrel with Spain; indeed, they wanted to come to "an amicable agreement" with her. Her refusal to grant them this privilege might cause them to join England in hostilities against His Catholic Majesty.

Wilkinson now summoned God to the support of his arguments. The Almighty, he affirmed, made the Mississippi to help the people living on its banks:

When we cast our eyes on the country East of the Mississippi we find it of vast extension, varied in its climate, of excellent lands, the best in the New World, abounding in the most useful
mines, minerals and metals; on making this examination the question naturally arises: For what purpose did the Father of the Universe create this country? Surely for the good of his creatures, for we are taught that he made nothing in vain. Does it not, therefore, strike the most limited intellect that he who closes the only gate by which the inhabitants of this extensive region may approach their neighbors in pursuit of useful intercourse, oppose this benevolent design? Is not the Mississippi this gate? The privation of its use takes away from us Americans what nature seems to have provided for their indispensable convenience and happiness.

By this celestial path Wilkinson led the Spanish government head-on to the brink of hard reality. Compare the impregnable position of the Americans with the vulnerable exposure of the Spaniards:

The American defended by the barriers of nature is absolutely inaccessible to any adequate force that may be sent to reduce him, at the same time he can instantly introduce into the very heart of Louisiana any corps of troops judged necessary, which can be easily made to submit by means of the same channel by which they came down. Thus it is in his power to incommode and tire Louisiana, even with small parties, without those having to expose their wives and children and goods, and it cannot be doubted that a daring race of men, accustomed to war and familiarized with danger on account of their incessant hostilities with the savages, will not hesitate to expose their lives in a fight of so great moment to themselves and their posterity.

But Wilkinson hastened to assure the Spanish government that he had the power to obviate this evil:

If in the reply which I may receive to this memorial my propositions are admitted, I shall on my return to Kentucky proceed with careful deliberation, take advantage of my personal consideration and political influence in order to familiarize the people with whom I live with and make popular among them the aims that constitute the purpose of my present voyage, to which I have already fixed the sight of all that part that knows how to
discern in this community, and I will bind myself to constantly send by confidential messenger . . . exact accounts of the measures I may have adopted in this important business, the effect they produce as also of any procedure of Congress.

Wilkinson closed this masterpiece of dissimulation by enjoining the strictest secrecy to his project. Its success, he said, would depend largely on the continuance of Miró in office, “on account of his personal knowledge that both of us have formed.” He also remembered Martín Navarro, whom he recommended for the post of minister to the United States as “most advantageous for the promotion of the project.”

On completing the memorial Wilkinson clinched his arguments by giving Miró a declaration of his intention to expatriate himself—to repudiate the United States and take an oath of allegiance to His Catholic Majesty. Characteristically it remained an intention; it never became a fact. This political chameleon could without the slightest qualm change the color of his faith. In New Orleans he was a Spaniard; in Kentucky, an American. He was in complete accord with any side that could provide him with an opportunity to acquire wealth. He himself always avowed that he remained at heart an American. And for once he was probably telling the truth.

When Wilkinson submitted the memorial he received a written reply, signed jointly by Miró and Navarro, in which they granted him the right to send to New Orleans a cargo of tobacco, Negroes, cattle, hogs and apples worth between fifty and sixty thousand dollars. To give proof of his good conduct, Wilkinson made arrangements to deposit the proceeds in the provincial treasury. In turn Miró and Navarro assured him that, though they were not authorized to grant him the favors he asked, they were “persuaded that His Majesty will heed the reasons in the memorial, which fact you can make known to the prominent men and the other inhabitants of the district for their satisfaction and hope.”

Elated with his success, Wilkinson sailed to Charleston. Thence he traveled by land to Richmond where he lobbied against the new Federal Constitution whose passage would be detrimental to
his plans, visited George Washington in Philadelphia and relatives in Maryland and hurried on to Kentucky. In February 1788 he appeared in Lexington riding in a chariot drawn by four horses and surrounded by slaves and dogs, like a Roman general returning home from a victorious campaign.

He was as close-lipped on the matter of his pretended intrigue as he was loquacious in regard to the contract he had obtained. The Kentuckians, of course, were overjoyed. In their eyes Wilkinson was the answer to their economic prayers; he had found a market for their products. Wilkinson's popularity grew with every pound of pork and tobacco he bought, with every ship he had built, with every man he hired to act as agent or oarsman to take the produce to New Orleans.

In the spring of 1788 he formed a partnership with Major Isaac B. Dunn, who, with the assistance of a young adventurer named Philip Nolan, took to New Orleans a flotilla of twenty-five boats loaded with tobacco and flour that had lain in warehouses for three years. On arriving in New Orleans Dunn signed for himself and Wilkinson an agreement with Daniel Clark making him their agent for future shipments to Kentucky. Dunn returned home by sea, leaving Nolan to take a boatload of produce up the Mississippi. The boat, however, capsized in the frozen Ohio with a loss to Wilkinson and Dunn of $8,000. Wilkinson by letter criticized Oark for sending the boat in the dead of winter and discharged him.

Meanwhile Wilkinson was sparing no effort to give Miró evidence of his loyalty. Using his popularity with certain political leaders, he got himself elected as a delegate to the seventh convention which met in Danville on November 3, 1788. From the moment the convention opened he cunningly managed to direct most of its proceedings in such a manner that record of them would convince Miró he was exerting all his influence to bring about the eventual success of their scheme.

The convention resolved itself into a committee of the whole, of which Wilkinson was nearly always chairman. The committee studied Congress' resolution recommending statehood for Kentucky and the resolution, passed in the previous convention, granting full power to the five representatives of each county to
try to gain statehood and navigation of the Mississippi. The result of this deliberation was the appointment of two special committees: one was to request the Virginia assembly to grant independence to Kentucky; the other was to ask Congress "to take immediate and effective measures for procuring the navigation of the Mississippi."

John Brown offered a resolution setting forth Kentucky's desire for separation from Virginia and admission as an independent state into the Union. Needless to say, this was highly injurious to Wilkinson's pretenses, and by his contrivance, it was laid on the table. Instead Wilkinson used his old weapon of temporizing by offering a resolution which suggested that an address be distributed among the people, "urging the necessity of union, concord, and mutual concession, and solemnly calling upon them to furnish" the delegates "with instructions in what manner to proceed on the important subject" submitted to them. The resolution was unanimously adopted.

At this juncture his confidant, Harry Innes, by prearrangement, called on Wilkinson for an account of his sojourn in New Orleans. He rose and in a matter-of-fact manner stated that Miró had requested him to commit to writing his sentiments on navigation of the Mississippi. He then produced a copy of his memorial and began to read it. By carefully passing over the incriminating passages he succeeded in presenting an interesting essay in defense of navigation of the river. As he finished each page he handed it to another confidant, John Sebastian, who guarded them all as if they were treasures and disposed of them as soon as he could. The unsuspecting delegates greeted Wilkinson's version of the memorial with loud applause.

When the room was quiet again Wilkinson called on John Brown to give an account of his conferences with Gardoqui. Mindful of Madison's warning that public knowledge of the matter might arouse a mighty demand to accept Gardoqui's offer, Brown hesitated to stand. Obliged to make some sort of reply, he said that, though he was not at liberty to mention what had passed between Gardoqui and himself in their private conversations, he could assure the delegates that, if they remained united in their councils, everything they wished for would be realized.
In the last session of the convention Wilkinson resumed the chairmanship of the committee. By ingenious manipulation he obtained a resolution to approve his memorial. In return, the convention requested McDowell to present him the thanks of the delegates "for the regard which he therein manifested for the Interest of the Western Country." This motion, passed without a dissenting vote, was calculated to furnish Miró with additional proof of his influence in Kentucky. At Wilkinson's suggestion the convention ordered that the proceedings of the convention be published in the *Kentucky Gazette*.

Again Wilkinson played Miró against time. In a letter to the governor he disclosed that the people of Kentucky had been invited to adopt "all the measures necessary to secure for themselves a government separate from that of the United States because it would have been evident that Congress had neither the will nor the power to satisfy their hopes." Then he went on to explain that he had decided

... to wait for the effects which will result from the disappointment of these hopes ... The same effect will be produced by the suspension of the navigation of the Mississippi, which lies entirely in the power of Spain, and which must reduce this section of the country to misery and ruin; and as it has been stipulated that the operations of the Federal Government shall be uniform, the new Congress will have to lay taxes, without exception. Whatever, over the whole country submitted to its jurisdiction. The people here, not having the means of paying these taxes, will resist them, and the authority of the new government will be set at naught, which will produce a Civil war, and result in the separation of the West and the East.

This event, Wilkinson averred, was "written in the book of destiny," though its advent must await "the natural effect of political measures." In concluding his letter he requested Miró to forbid navigation of the river to anybody save "those who understand and promote the interest of Spain in this part of the Country...."

Wilkinson enclosed a copy of the *Kentucky Gazette* containing the proceedings of the convention. Thus Miró was deceived
into believing he had incontestable proof that Wilkinson had read his memorial to the convention, that the delegates had been informed of the scheme to detach Kentucky, that Brown's pro-Union resolution had been rejected and that, instead, the convention had adopted Wilkinson's resolutions calling for popular instructions and for another convention—all without a dissenting vote. Miró could also learn in the newspaper that the convention had approved the memorial and had even voted its author an ovation. He would have no doubt that Wilkinson was really working to detach Kentucky from the United States and to convert it eventually into a Spanish dependency.

Wilkinson's satisfaction was short-lived, however. In the autumn of 1788 Dunn brought word from New York that Gardoqui had given Colonel George Morgan, a shrewd land speculator and veteran of the Revolution, permission to establish a colony in the southwest corner of present Missouri. This was in keeping with the Spanish policy of attempting to circumvent the United States by encouraging the establishment of American colonies in Spanish territory west of the Mississippi.

The capital of the proposed colony, New Madrid, was to be a frontier metropolis with a natural lake, straight and wide streets and sidewalks, fragrant groves and orchards, park highways, schools and churches of every denomination, for Gardoqui had promised to grant the prospective colonists the special dispensation of religious toleration. This wilderness Utopia was to be free of all taxes, poverty and white hunters. New Madrid was to thrive on agriculture and commerce alone, and the buffalo and bear in the surrounding forest were to be reserved for the neighboring Indians.

The establishment of such a colony would, of course, ruin Wilkinson's monopoly since Kentuckians could dispose of their products in nearer New Madrid where they would be detained until they could be taken to market in New Orleans. Alarmed, Wilkinson hurried to confer with Miró on the matter, arriving in New Orleans in July 1789 with a cargo of tallow, tobacco, butter, bacon, hams, lard and smoked beef. Bad news greeted him: Isaac Dunn had found his wife unfaithful and had in a moment of jealous rage put a bullet through his head, leaving
his partner responsible for $10,000 in joint obligations. Depressed
and bitter, Wilkinson went to see Miró, who told him he had re-
cently held an interview with Morgan, whose project he had, for
obvious reasons, disparaged.

Wilkinson demolished Morgan with a barrage of epithets
which sprang from an unconscious estimate of his own character:
the colonel was an opportunist, a schemer, a turncoat; he sought
to ally himself with anybody who provided him with an oppor-
tunity to turn a dishonest dollar; he was completely unworthy
of His Majesty's trust. Morgan's project, moreover, would do
Spain no good. On the contrary, it would do immeasurable
harm, for the Americans who settled in New Madrid would never
become loyal subjects of Spain. By maintaining "constant con-
tact with their compatriots in Kentucky," they would keep "all
their old prejudices and principles," remaining as American as
when they lived on the Ohio.

Furthermore, if Gardoqui allowed the Kentuckians to dispose
of their products at the free port of New Madrid so far from the
market at New Orleans, it would cause all sorts of difficulties
which would lead to misunderstanding and perhaps even war
between Spain and the United States. Wilkinson warned Miró
that such an event would completely ruin their plans.

The governor, impressed by these arguments, assured Wilkin-
son that he was opposed to the project and that he would do all
he could to discourage it. But Miró changed his mind completely
and formed a favorable impression of Morgan when a few months
later Spain reversed her foreign policy in order to gain the
friendship of the United States. Circumstances external to our
story, however, forced Morgan to abandon the project.

Two other important matters had sent Wilkinson southward:
he expected the arrival of a reply to his memorial, and his finan-
cial circumstances were such that he was impelled to seek imme-
diate compensation for his "services" to Spain. In pursuance of
the second matter he penned a second memorial in which he
informed the Spanish government that lack of funds prevented
him from maintaining his personal influence and that of "many
who cooperate with me." He mentioned money, he said, "with
extreme repugnance," and only because he was in such "critical
circumstances.” He estimated his immediate need at $7,000 which he felt was due him for his services to Spain and as reimbursement for journeys he had made and was to make in his capacity as secret agent of Spain. In conclusion Wilkinson “pointed out that he had invested $14,000 in merchandize shipped from New Orleans in order to convince the people along the Ohio that merchandize could be transported to New Orleans at a lower cost than to the Atlantic seaboard across the Appalachian Mountains.” Miro gave Wilkinson the sum he requested with the understanding that it should be repaid if the Spanish court refused to allow it as a pension.

The ease with which he secured the money prompted Wilkinson to ask Miro for a much larger sum. He pretended to the governor that he had obtained the support of a number of Kentucky “notables” in their scheme and that these requested bribes for their services. He drew up a list of his “supporters,” each of whom was to be pensioned in proportion to his importance. “To have one's name on the list was no index of dishonesty—only an indication that Wilkinson considered the person worth mentioning.” Even his bitterest political foes, Thomas and Humphrey Marshall, were included. Why not? In this windfall of Spanish dollars, Wilkinson was to be the chief, if not the only, beneficiary:

Harry Innes, attorney and counselor at law, now has

$500.00 from the State of Virginia ............... $1000.00
Benjamin Sebastian, Jurist ......................... $1000.00
John Brown, Member of Congress ..................... $1000.00
Caleb Wallace, one of our Judges, enjoys $1000.00 from
the State of Virginia ......................... $1000.00
John Fowler, zealous advocate of our cause and a man of
influence ........................................... $1000.00
The above are confidential friends, who support my plans.

Benjamin Logan, lately a Major of Militia .............. $ 800.00
Isaac Shelby, a planter of means and influence ........ $ 800.00
James Garard, Colonel of Militia and a man of influence $ 800.00
These favor separation from Virginia and an amicable agree-
ment with Spain.
William Wood, a Minister of great power ................ $ 500.00
Henry Lee, Colonel of Militia ............................ $ 500.00
Richard Taylor, a planter of much influence ............ $ 500.00
These favor separation from Virginia, but their aims do not go beyond that.

General Lawson arrived in Kentucky just at the time I was leaving there; he is a gentleman of high attainments and Military knowledge, is my friend and will embrace our principles ....................... $1000.00

George Nicholas, has lately arrived in Kentucky; he is among the more wealthy gentlemen of the Country, of great ability and it will be a great point to attract him to our political aims. I have for some time been an intimate friend of his and I believe that he will offer his services .................. $2000.00

Alexander Scott Bullitt, a man of means and ability, but very capricious. Nevertheless he will serve our cause .................. $1000.00

Thomas Marshall, Surveyor ............................... $1000.00

Humphrey Marshall, a villain without principles, unscrupulous and may cause us much harm ......... $ 600.00

George Muter, has $1000.00 from the State of Virginia $1200.00

Green Clay, a private party of some influence ....... $ 500.00

Samuel Taylor, .......................... $ 500.00

Robert Caldwell, Colonel of Militia ................... $ 500.00

Richard Sanderson, Surveyor, Popular, but not very capable .................. $ 500.00

Wilkinson submitted the list in vain. About this time Miró received a reply to Wilkinson's first memorial. It completely shattered their plans.

The Council of Ministers, meeting in November 1788, had flatly rejected Wilkinson's proposal that Spain foment a revolution in Kentucky. The Council, fearing trouble with the United States, had declared that until the frontiersmen established their own independence Spain could form no connection with them. Miró was instructed to continue his correspondence with Wilkinson but was forbidden to spend any money to encourage a fron-
tier revolution or to make promises to, or even engagements with, the revolutionists.

The truth was that Spain, unsure of her European position, felt the need of American friendship and could not afford to be implicated in fomenting a revolution so close to her own dominions. Miró informed Wilkinson that the King of Spain had abandoned his unwise course of trying to conspire with the Kentuckians; indeed, he had completely reversed his former policy by encouraging Americans to migrate to Louisiana. Henceforth, by paying a 15 per cent duty, Kentuckians were to be permitted to ship their goods through New Orleans. Furthermore, they could escape this duty by migrating to Louisiana where they were promised free land, religious freedom, equal trading privileges and the right to sell tobacco at high prices to the royal warehouses. Miró explained to Wilkinson that Spain by this policy hoped to strengthen her weak colonies with a wealthy and loyal population.

Thunderstruck by this reversal of fortune, Wilkinson returned to Kentucky in the fall of 1789 to learn the fatal word that his countrymen were preparing to draw up a constitution under which they hoped to enter the Union. On December 29, 1788, in response to the address submitted by the Danville convention, the Virginia assembly had passed a third enabling act which authorized elections for a new convention to decide again on the expediency of separation. The second and eighth articles of this document were materially altered, to the detriment of Kentucky, for they proposed that she should pay a part of Virginia’s state debt and was denied any right to unappropriated lands after she was made into an independent state.

The eighth convention, meeting in Danville on July 20, 1789, during Wilkinson’s absence, found the terms of the enabling act “inadmissable and injurious to the people.” It therefore addressed a memorial to the Virginia assembly requesting it to remove the obnoxious articles. The assembly complied by passing a new enabling act which provided for the election of delegates to a new convention at Danville on July 26, 1790, to determine for a fifth time whether the people of the region wished to separate from Virginia. If the convention decided in the affirmative, the people
were authorized by the new enabling act to designate a day before the first of November 1791 on which the authority of Virginia should cease, provided the federal government should give its consent and take the necessary measures for the election of a convention to form a constitution.

In the light of these events Wilkinson saw the possibility of being discovered and branded a traitor. To avoid this he abandoned all hope of finding fortune through intrigue and resolved to seek it instead in the army. As a result of the failure of his New Orleans trade his finances were in a bad way. He had borrowed, had earned, large sums; but the more he pursued wealth, the more it eluded him. All his life he had wanted to live like a maharajah. He had entertained lavishly and speculated unwise on land schemes. Now he was contriving either to meet or, more often, to evade his debts.

To recoup his blasted fortune and silence his creditors, Wilkinson sent a cargo of tobacco to New Orleans, but misfortune dogged its progress. One of the boats sprang a leak and three others grounded in the river. Wilkinson's misfortunes ran in pairs. From New Orleans came word that only about half the cargo had passed the royal inspection and that his contingent expenses equaled the sum he should have received from a profitable sale of all his tobacco. He found himself $6,000 in debt. In despair he sent a circular letter to his creditors, begging them to refrain from pressing their claims. They waited grumblingly.

Bankrupt and disgusted, Wilkinson professed a sudden aversion for political life. He refused to seek election as a delegate to the next convention. Instead he confined himself for the time to the management of his tottering business affairs.

Wilkinson's vanity forbade him to confess deception to Miró outright. He preferred to let himself—and the governor—down gradually. He began by making excuses for accomplishing less than he had expected. In one letter he failed to mention the "notables" whom he had hitherto represented to Miró as his confederates. In another he confessed that he "had opened myself only to the Attorney General Innes and to Colonel Bullitt," though he softened the blow to the governor by adding that he
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had indirectly “sounded others, whom I also found well disposed to adopt my ideas.” Then he attempted to restore his own damaged vanity by obliquely blaming Spanish policy for the failure of their scheme:

The general permission to export the products of this country through the Mississippi river, on paying a duty of 15 percent. has worked the consequences which I feared, because, every motive of discontent having been thus removed, the political agitation has subsided, and to-day there is not one word said about separation. Nor are the effects produced by this pernicious system less fatal in relation to our plan of fostering emigration to Louisiana. Every year, the inhabitants and landholders of these parts had ever present in their minds the terrible prospect of seeing their produce perish in their hands for want of a market, but now they no longer have any such apprehensions on account of the ready outlet they find at New Orleans for the fruits of their labor—which circumstances has diffused universal satisfaction in this district. . . .

Eventually Wilkinson admitted that even Innes and Bullitt had deserted his “plan,” and that only Sebastian remained to assist him.

Thus the deceiver gradually bared himself to the deceived. But the governor was just as reluctant to admit credulity to his superior as Wilkinson had been to confess deception to the governor. In a letter to Valdés, Míró expressed surprise at the sudden change that Spain’s new policy had wrought upon the attitude of the Kentuckians, and he wavered between an expression of confidence in Wilkinson’s continued services and a confession of doubt in his loyalty:

Although I thought with Wilkinson that the commercial concessions made to the Western people might deter them from effecting their separation from the United States . . . yet I never imagined that the effects would be so sudden, and that the large number of influential men, whom Wilkinson, in his previous letters, had mentioned as having been gained over to our party,
would have entirely vanished, as he now announces it, since he affirms having no other aid at present than Sebastian.

I consider that I am exposed to err in expressing an opinion on the acts of a man, who works at six hundred leagues from this place, and who had undoubtedly rendered, and is still rendering services to His Majesty, as I have explained it in my other dispatches. But the great falling off which I observe in his last letter induces me to believe that, full of good will and zeal, and persuaded from the experiences of past years, that he could bring around to his own opinions the chief men of Kentucky, he declared in anticipation that he had won over many of them, when he had never approached them on the main question. ... Nevertheless, I am of opinion that said brigadier-general ought to be retained in the service of his Majesty, with an annual pension of two thousand dollars.

Despite these apologies for Wilkinson's conduct and the recommendation of a pension for him, Miró had no intention of giving him another opportunity to dissemble with impunity. He therefore decided to pursue the only wise policy in the game of corruption: "set a thief to catch a thief, and a spy after another spy." In concluding his letter to Valdés the governor recommended that Sebastian be pensioned also, "because I think it proper to treat with this individual, who will be able to enlighten me on the conduct of Wilkinson, and on what we have to expect from the plans of the said brigadier-general."

Thus the links in this chain of infamy were completed. Wilkinson was employed to watch the Kentuckians; Sebastian, to betray his confederate, Wilkinson. In 1792 the two men began to receive their pensions. By this time Wilkinson, commissioned by President Washington as a brigadier general in the United States Army, had begun another intrigue against his superior, General Anthony Wayne. Four years later, when Wayne died, Washington made Wilkinson commander in chief of the army—a position which, despite his continuing intrigues, he held for nineteen years.

As for Kentucky, she had long before passed triumphantly into the Union. The ninth convention, meeting in Danville on
July 27, 1790, decided in favor of statehood and advised Congress, which gave its consent. Accordingly, a constitutional convention in December 1791 drew up a constitution which Congress approved on February 4 of the following year. In June Kentucky became the fifteenth state of the Union. The fourteenth state, Vermont, had been admitted the previous year.