

THE

CIVIL AND POLITICAL HISTORY

OF THE

STATE OF TENNESSEE

FROM ITS

EARLIEST SETTLEMENT UP TO THE YEAR 1796,

INCLUDING THE

BOUNDARIES OF THE STATE.

BY JOHN HAYWOOD.

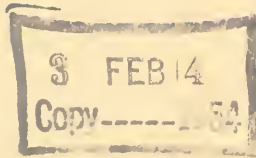
EXACT REPRINT OF THE EDITION OF 1823, PUBLISHED BY
W. H. HAYWOOD, GREAT-GRANDSON OF THE AUTHOR;

WITH A BIOGRAPHICAL SKETCH OF JUDGE JOHN HAYWOOD
BY COL. A. S. COLYAR.

PRINTED FOR W. H. HAYWOOD.
PUBLISHING HOUSE OF THE METHODIST EPISCOPAL CHURCH, SOUTH.
BARBEE & SMITH, AGENTS, NASHVILLE, TENN.
1891.



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DEDICATION.

THIS EDITION OF

HAYWOOD'S CIVIL AND POLITICAL HISTORY

IS RESPECTFULLY DEDICATED TO THE

TENNESSEE HISTORICAL SOCIETY.

PREFACE TO SECOND EDITION.

IN presenting at this time to Tennesseans Judge Haywood's Civil and Political History, patriotism and a natural love for the memory of the author are the motives that actuate me. Judge Haywood wrote that the illustrious deeds of our ancestors might not be forgotten; that we may "have domestic examples to imitate, to gratify the honest pride of the people in the fame of their country, to keep them in mind of the obligations they are under to maintain its glory undiminished, to supply them with standards of patriotism which they may endeavor to exceed and which they must not fall below;" that the sons and daughters of the "Volunteer State" may know from whence sprung that indomitable race who poured their blood as a libation upon the altar of their country and left their bones to bleach upon every battle-field in the war between the States. Looking upon the pages of history chronicled since their time, I say with gratification and pride that the pioneer fathers and mothers of the grand old State have not failed to transmit their shining virtues to posterity. I submit to the patronage of the people, without elimination or addition, an exact reprint of Judge Haywood's History, with the fullest confidence in their patriotism and the merits of the book.

WILLIAM H. HAYWOOD.

Brownsville, Tenn., November 22, 1890.

PREFACE.

TO THE PUBLIC.

IN almost every State of the Union some grateful countryman has celebrated in the historic page the worthies it has produced and the illustrious deeds it has performed under their conduct. This has been done for the benefit of posterity, that they may have domestic examples to imitate; to gratify the honest pride of the people in the fame of their country; to keep them in mind of the obligations they are under to maintain its glory undiminished, and to supply them with standards of patriotism which they may endeavor to exceed if they can, and which they must not fall below. But no one has yet attempted to record the memorable achievements of the eminent men of Tennessee. According to the sphere in which they have acted and the means placed within their reach, they have deserved from their country their lasting remembrance, their highest gratitude, and their most ardent affection. Already the time has come when to many of our inhabitants their names are but just known, while in the memories of others their actions are fading away. Ought not their names and their exploits to be rescued from the obliteration of time and the tomb of silence? Shall their illustrious deeds be erased from the recollections of succeeding generations, or be preserved only in the indistinct memorials of oral tradition? And shall posterity be left unacquainted with the examples which they have given to stimulate hereafter to glorious enterprises? If their splendid achievements cannot be transmitted to after ages in the rich dress they deserve, still it is better to perpetuate them in the most simple form than to let them wholly be forgotten. Such are the motives which have impelled the author to undertake this work. Without the affectation of modesty, but in true sincerity, he knows himself unequal to the task, but his hope and expectation is that of the materials which he has now collected and recorded some future historian may avail himself and be enabled to represent the historical occurrences of the periods embraced in this volume in a style of elegance suited to the high merit of the actors. Let no one censure his motives, for they are pure. There will indeed be much room to blame the defective performance of the author, but this he will hear with the greatest pleasure if the person dissatisfied will, for the benefit of his country, either produce a more perfect work or contribute to the amendment of this.

THE AUTHOR.

SKETCH OF THE AUTHOR.

Mr. W. H. Haywood—My Dear Sir: You ask me to write a sketch of your grandfather (Judge John Haywood) to accompany the new edition of his "History of Tennessee," which I understand is now in press. A mere sketch of Judge Haywood—and nothing else can now be attempted—as a preface to the forth-coming volume, is not what the present generation of Tennesseans is entitled to. This book ought to be reprinted along with an accompanying volume of the life of that eminent man. And I sincerely trust some one competent to do the work will collect the material and give to the public a detailed history of all the incidents of his public life, commencing in 1790 and ending in 1826, and at the same time—and what would be equally interesting—a sketch of his family, of his early life, his education and training, his person and personal habits, his wonderful powers as an advocate, his laborious and untiring work as a judge, together with anecdotes and incidents which illustrate his character.

As an advocate history—true history—will place him as the only peer of Felix Grundy; and as a judge, a man who, like Marshall, knew law intuitively as well as from books, and who had the courage and ability to blaze the way. As Judge John M. Lea said to me in a conversation about him, "He was the Lord Mansfield of the South-west."

His father, Egbert Haywood, was a gallant officer in the Revolution; and the son, who was born in Halifax County, N. C., in 1753, studied law when young; and though a rebel as his father was, there is no evidence that he took any active part in the war, though tradition says he was on the staff (and courageously did his duty) of a North Carolina officer.

Any thing like a full sketch of Judge Haywood's public life, leaving all personal matters out, would carry me far beyond the space set apart in your new edition. He was Attorney-general in North Carolina from 1791 to 1794, and it was in this position that he became widely known as an advocate.

Such was his popularity, and so high was the estimate put on him by the bar of North Carolina, that after serving something over three years as Attorney-general he was transferred to the bench, and for ten or twelve years he was on the bench of the Superior Court of North Carolina. During this time he was as completely *the* court as Chief-justice Marshall was of the Supreme Court of the United States.

Such was his capacity for and love of work that, like Judge William F. Cooper, he found much spare time for other work when he was on the bench, which he utilized both in North Carolina and Tennessee in writing books. In 1801 he published a "Manual of the Laws of North Carolina," a book which is still valuable as a compilation of North Carolina statutes.

About the same time he published "Haywood's Justice," and then he published the "North Carolina Reports," being the decisions of the Superior or Supreme Court of North Carolina from 1789 to 1806.

Chief-justice Henderson, of North Carolina, in a comparatively recent decision, referring to one of Judge Haywood's opinions, says of him: "I neither disparage the living nor the dead when I say that an abler man than Judge Haywood never appeared at the bar or sat on the bench of North Carolina."

Judge Haywood resigned his office as judge of the Superior Court to defend an old client charged with the crime of forging land warrants. It is said this old man, who was Secretary of State, was so universally condemned that the odium of his defense, in some sense, attached to his lawyer, and there is a tradition that this was the cause of Judge Haywood's removal to Tennessee; however this may be, immediately after this trial, and in a great measure through the influence of Judge Overton, who was his most intimate friend through the remainder of his life, he came to Tennessee and settled on the farm which he called "Tuseulum," now owned by J. N. Calhoun, seven miles from Nashville on the Nolensville pike, where he lived till he died, and where he was buried.

About 1802 or 1803 he came to Tennessee, and in 1812 he was elected one of the judges of the Supreme Court of Tennessee, where he remained until his death in 1826. At his home he established a sort of law and literary school, built near his dwelling some cabins, in which he gave instruction to the young men—especially young men studying law. This was done without pay. This was the first attempt at a law school in the South-west. It was a work in which he took great delight, for he was always fonder of young men than of old ones, and besides he was of a literary turn, and had a mind which could not be at rest, and it seemed could not be overstocked with work.

Under the early system of Tennessee, the judges of the Superior Court presided in the districts, as the judges of the Supreme Court of the United States do now. While he was on the bench, between 1812 and 1826, the time of his death, the changes were quite frequent, and during that time he had as his associates Judge John Overton, Hugh L. White, Robert Whyte, Archibald Roane, Thomas Emerson, Jacob Peck, William L. Brown, Samuel Powell, Harry W. Humphrey, John Catron, and George W. Campbell.

At that time there was no chief-justice, but Judge Haywood was the accepted presiding member. The system made the judges of the Superior Court familiar with the lawyers all over the State, and there are many good anecdotes which have been traditionally preserved of Judge Haywood.

He presided without any great amount of dignity, but commanded respect by his known superiority. He had no pride of opinion, and with him the doctrine of *stare decises* was not as potent as the doctrine of right and justice. Like all great minds in the legal profession, he readily saw, and promptly seized the strong points—the points in a case—on which the case must be decided, and hence he had but little patience with the discussion of irrelevant points; he would occasionally stop the lawyers in the middle of a case and decide it. He held the doctrine that courtesy to the bar must have a

limit when the public time was being subordinated to the demands of either ignorance or eloquence.

His one only fault on the bench is creditable to his heart, if not to his judgeship. He was a man of great sympathy and warm feeling, and always leaned to the oppressed, and his kindly nature made lawyers sometimes doubt him when a case was presented which might arouse his sympathies.

Mr. Francis B. Fogg in his life-time told me an anecdote which illustrates his judicial character. Mr. Fogg came to Nashville about 1815, and Judge Haywood became at once very fond of him (Mr. Fogg being quite literary in his tastes), and often took him along for company when he was going to hold court. Having taken young Fogg with him to the court at Franklin about 1816, by way of helping the young man along and of bringing him into notice, he, as usual, asked him to sit on the bench by his side. A case was on trial which Mr. Fogg assured me was all on one side, but the judge exercised great patience in hearing it argued, instead of promptly deciding against the plaintiff, who was a female. But after listening to the argument for some time, and knowing that there was some surprise at his patience, he turned to Mr. Fogg and whispered: "Mr. Fogg, I don't see how I can decide this case against that woman; she is very poor, and I am boarding with her." It was well known that his greatest trial in a judicial position was in pronouncing judgment in criminal cases, especially when the extreme penalty of the law was to be imposed. Whenever he could, he avoided it, by mitigating the sentence or granting a new trial. On one occasion a very bad man had been convicted, when the public was clamorous and the Attorney-general persistent. Finally he said to the Attorney-general: "This is signing the poor fellow's death-warrant, and I reckon I will have to do it, but I want you to understand this hanging must last for several years."

Having no pride of opinion, he would overrule his own cases if they were wrong without any qualification or explanation. At one time Spencer Jarnegan was arguing a question before him, and stated a proposition which the judge did not agree to, when the judge said: "Mr. Jarnegan, have you any authority for that proposition of law?" "Yes, sir, a very excellent authority," responded the ready Jarnegan, "I have a decision here of a very eminent judge of North Carolina, Judge Haywood." "Yes," replied the presiding judge with cautious forbearance, "I knew that young man; he was put on the bench of North Carolina when he was quite young, and he made many mistakes. Judge Haywood, of Tennessee, overrules Judge Haywood, of North Carolina."

While he was on the bench of Tennessee he compiled and reported what is known as "Haywood's Reports," in three volumes. Then, in conjunction with R. L. Cobbs, he compiled what is known as the "Statute Laws of Tennessee," besides writing a "Natural and Aboriginal History of Tennessee," a very curious book, in which he undertook to prove that the Indians came from Eastern ancient tribes. And then he wrote the remarkable book, "The History of Tennessee," which you are now having republished. Only a few copies of this book were printed. It has long been out of print, and not one man in ten thousand of the living Tennesseans has ever seen it. Hence you are doing the public a great service in reprinting it. Without "Hay-

wood's History of Tennessee," the history of our ancestors from 1769 to 1795 would be a blank when tradition—fireside history—ceases to be available.

For twenty-six years—from the time Robertson, the two Shelbys, and John Sevier made the first settlement on the Watauga until the State Government was formed in 1796—an Indian war raged. Before the Revolution, for several years, the British furnished the Cherokees, the Choctaws, and the Chickasaws with guns and ammunition, and in every way encouraged them in their depredations on the settlers. Then, during the Revolution, these Indians were the allies of the British, and kept up a running fight, using the rifle, the tomahawk, and the scalping-knife. After the war with the British was over, the Indians became the allies of the Spaniards, who maintained a threatening and warlike attitude toward the people of the frontier settlements, and through their influence the Indians continued their depredations.

For about twenty years John Sevier stood guard and protected the women and children (often in forts) on the Watauga and Nolachucky, and Gen. Robertson, after he left the Watauga settlement, was the protector in the West. After the United States Government was formed in 1787, the deplorable condition of the people on the frontiers, especially on the Cumberland, was time and again, by petitions and through messengers, fully made known to the government and assistance sought; but, notwithstanding Tennessee volunteers had by a signal victory in the darkest days of the Revolution at King's Mountain turned the tide which led to the surrender of Cornwallis, no aid was given, and the Tennessee settlements were left to the rapine and murder of the three most powerful of all Indian tribes. During all this time, except while the Revolution lasted, the United States not only gave no assistance, but actually forbade an open declaration of war, which the people of this Territory greatly preferred to the burning, killing, and scalping warfare which these Indians were carrying on.

When Judge Haywood came to Tennessee, the people were living who had passed through this long Indian war. Jackson, Sevier, and Robertson, three of the most remarkable men that this or any other country has produced, were living; they were all the intimate friends of Judge Haywood, and from them and his associates on the bench, who had all been Indian fighters, and the citizens generally, some of whom had felt the blows of the tomahawk, and all of whom had shared in the dangers and hardships of the long struggle with savage foes, he collected the facts for his "History of Tennessee." The people whose deeds of valor, whose trials of endurance, and whose noble manhood he was to write about were marked as the most wonderful people that this comparatively new country has produced. In many respects the victory of Sevier, Shelby, and Campbell over Ferguson at King's Mountain, and the victory of Jackson over Packerham at New Orleans, are the most astounding and signal victories recorded on the page of history. The soldiers with whom these wonderful victories were achieved, the same men who stood between the women and the children and the Indians' tomahawks for twenty-five years, were a people whose history, Judge Haywood felt, must not die. He has preserved their history with an accuracy and a detail which probably no other man could have done. With a fondness and a capacity

for writing, and a patience in collecting details which no other man in Tennessee has had, he entered upon the work while the facts were all known to the living of writing the history of this wonderful people.

His history is a diary of events, and there is scarcely an old family in the State that may not find in this diary some incident of deepest interest connected with its ancestry. It is not so much a history of the great men of the time as it is of the people in general. He has detailed more than four hundred tragedies, giving the family, the name of the member killed or scalped or taken into the Indian Nation, together with the pursuit, when pursuit was made, and the result. This history, or diary, will give to some competent historian at some future day all the initiatory facts for writing a history of Tennessee which will contain more intense tragedy and elevated romance than is found in the history of any modern people.

But if this "History" had closed with its "Preface," it would have marked John Haywood as a great man. His unaffected modesty but fixed purpose to perpetuate the deeds of a great and long-suffering people and to hold up to the coming generations, as examples for them to imitate, Sevier, Jackson, and Robertson, with many others equally brave but not equally great, and this modesty and patriotic desire, clothed in language that would adorn the writings of the most gifted and most scholarly, even of this day, will inspire in the breast of many a reader who picks up the new book a glow of feeling and a respect for the name of a man who lived before our day of colleges and universities.

One of the other works of Judge Haywood, his "Natural and Aboriginal History of Tennessee," is a book which seems never to have reached the public. It is badly printed, without head-notes, and with many mistakes of the printer. I can only hear of two copies; one of these I found preserved as a sacred relic by the judge's grandson, Mr. J. W. Baker. The book shows the author to be a man of vast reading, with a most curious fondness and talent for delving into hidden mysteries, and withal a man of scholarly and scientific attainments far beyond what the literary men of this day will allow to their great-grandfathers. This book, in the attempt to discover the family to which the Indians found here belong, shows a familiarity with the ancient Hindoos, the Chinese, the Persians, the Jews, and other ancient Eastern tribes, their habits and customs, which perhaps none of our modern literary explorers possess. The early finds in the way of coins, crockery, bones, skeletons, which he has given, and his deductions therefrom, are deeply interesting.

It is this book, together with his work called the "Christian Advocate," I imagine, that has given rise to the report that Judge Haywood accepted the doctrine of visible supernatural agencies; and, in all probability, this comes in part from the discussion of an intricate and mysterious question which I find in the book, and that is the question as to the power of *water witches*. He was a firm believer in the power of the forked switch, and argued it with an ingenuity that marks him as a man of infinite resources upon the most abstruse questions. He makes the mystery of the needle pointing to the pole—that is, the fact that it does point to the pole—a basis for discussing unknown agencies and powers of the mind with an interest and an ingenuity

that would surprise the modern mind-reader. He argues that the mind intently fixed on fresh water or intently fixed on salt water finds it; and he illustrates it by many instances of his own knowledge. The book, if ever republished, will be read with curious interest by all who have from recent developments come to believe in the operation of mind over mind through a yet unknown affinity. Judge Haywood turned prophet, and said, writing in 1822, that in fifty years the operation of one mind over another in a mysterious way would be an accepted doctrine.

But his book called the "Christian Advocate" is a literary curiosity—a book of rare merit. It (the volume) is divided into three books; the first into thirty-one chapters, the first chapter on prophesy and all the other chapters on the ancient people of the East, the many tribes, and then coming down through the Christian era showing the fulfillment of the prophecies. The wonder is that a man on the bench—for the book was written in 1819—could give so much time to curious questions of theology, science, and race problems. He was a most devout Christian, a firm believer in the direct operation of the Holy Spirit, and believed also in supernatural agencies, sometimes visible to the eye. His writings on the prophecies and their fulfillment ought to be reprinted and given to that class of the clergy of the present day who think platitudes about faith when learned by heart are the only needs of the pulpit.

The second book commences with a chapter on "The World Was Made, and Will Perish," and a most curious book it is.

The third book commences with a chapter on "All men are from one common stock." This book shows a knowledge of ancient history and of the similitude of races, ancient and modern, which will charm the man who is curious to know curious things. In this book he gives his views on the question of slavery. He believed with Washington and Jefferson that the policy of the government should be to fix bounds to its growth, and that the threatened conflict might be averted some system of emancipation ought to be adopted. But his broad humanitarian ideas carried him much farther in his feelings, and his views on this subject may be the reason why family and friends did not give the book a wider circulation; for at the time of his death we were approaching the great sectional struggle which terminated in the attempt at secession.

The Tennessee lawyer of the present day, if he traces the history of familiar principles, especially in relation to land titles and other questions peculiar to our jurisprudence, will be surprised to find how many of them had their origin (for many of them were new questions) in the massive brain of Judge Haywood; and it would be difficult to find one of his well-considered cases that has since been overruled.

Judge Haywood was in person an immense man, weighing 350 pounds. He was at times forbidding and rough, but his angry brow was but the forerunner of a gentleness which surprised and captivated.

In 1822 the late honored Judge Guild applied to him to be examined for a law license, and he describes the old judge as surly and gruff, but after giving him a rigid examination and at last putting the question to him: "What is an estate tail, with possibility of issue extinct?" and upon hearing

young Guild's answer, "That it was a question on which the authorities were not agreed, but that his definition was that it was a circumcision in violation of the canon law, carried to the utmost limit," he says the old judge laughed heartily, and Guild in his late book then gives this pleasing admonition as given to him.

"The scowl now passed from the old judge's brow, his face lighted up with a smile, and he became exceedingly pleasant, which was gratifying to me as indicating that I had made a very favorable impression on him. He then gave me some advice which contributed no little toward my future course. It was equal to that given to Villiers by Lord Bacon, when the former was elevated to the position of chief cabinet officer of the Crown. Judge Haywood said to me: 'That I was about to enter upon the practice of law; to tread the paths of a profession which was beset with many rough places and many obstacles that would be hard to overcome,' and added: 'You must enter that path impressed with the idea that your studies have just commenced. Your knowledge of the law is to be acquired by long and arduous studies. You will meet with many discouragements and disappointments in climbing the steeps of the profession, yet they *can* be overcome by constant toil and a firm resolution to become a man. You must show self-reliance. Take an office to yourself, and do not be like the vine supported by the oak around which it twines. Be courteous and affable to all, but familiar with none. Spend neither your days nor your nights in rounds of festivity or dissipation, either in drinking, gambling, or any other vice. Let not pleasure encroach upon your time, for time properly spent will bring wealth; and above all, maintain an unblemished reputation and strive at distinction at the bar. Be prompt in attending to your business, and reliable and honest in all your transactions. When retained in a lawsuit, take down all the facts given by your client, examine all the authorities diligently, ascertain what action or bill will lie, and whether the law is with your client. If you are satisfied upon these points, advise your client to sue. If you entertain reasonable doubts, frankly state them to your client, and decline to bring the suit, unless he shall take the responsibility and demand it. During your reading in vacation, have an eye to each case you have brought; take notes of the decisions, and when you come to argue each case, be fully prepared with a brief, showing the authorities. Some lawyers have a series of stereotyped questions which they put to all witnesses—a vicious practice which frequently slays their own clients. Always have in view some important object, some point in the suit that will control it, and bring this out strongly, if favorable to you, but avoid or weaken its force if attempted to be made by your opponent. Never keep a client's money an hour after it is collected, find him and pay it over to him; thus you will acquire a character for honesty, promptness, and reliability, which to a lawyer is a jewel above price.'"

An anecdote has been given me by Mr. Joseph Ramsey, of Bedford County, a gentleman of high character, and who remembers Judge Haywood well. Mr. Ramsey is ninety-two years old, but has all his faculties. The anecdote illustrates Judge Haywood's idea of the obligations of the lawyer. Mr. Ramsey says: "That one Sampson Williams and one Hopkins had a

land lawsuit. Judge Haywood was Williams's lawyer, and introduced a witness to prove the boundary, and that he was a chain carrier in making the survey, all of which he did prove very fully. On cross-examination, counsel asked him if he saw the new corner made? The answer was 'No!' 'But,' said the lawyer, 'you were there when they ran all the lines were you not?' The answer was: 'Yes!' 'And you didn't see the new corner made, and the old one destroyed?' 'No, I did not,' said the witness. 'Well now,' said the lawyer, 'can you explain how it is that you did not see the new corner made?' Hesitating, the witness said: 'They told me to turn my back when they made the new corner.' Judge Haywood immediately got up, put on his hat, and walked out of the court-house, after saying: 'Mr. Williams, I was employed by you to see that you got your rights, and *not* to aid you as a land pirate.'

One item of Judge Haywood's "History of Tennessee" impressed me as to his painstaking habits, and as to his inclination and powers of research.

After I was retained in the case of the State of Virginia *vs.* Tennessee, in the Supreme Court of the United States, failing after much labor, to get the early history of the dispute from other sources, I found in "Haywood's History of Tennessee" a full and complete statement of the question from the time the dispute arose, in the year 1700, between the colonies, tracing with great particularity every step and every attempt at a settlement until the compromise in 1802. It is a remarkable, concise, and no doubt truthful history of one of the most troublesome controversies that ever arose between the two governments, and at the end of nearly two hundred years we are indebted alone to Judge Haywood for preserving for us an accurate history of the long contest.

Judge Haywood wrote about 122 years after the controversy commenced, and hence it was no doubt a matter of great labor to collect all the facts. In a conversation with Judge N. Baxter, Sr., he gave me the following interesting sketch of Judge Haywood's appearance as he sat on the bench, and also his idea, most graphically and accurately stated, of the relative merits of Haywood and Felix Grundy: "He was the first judge I ever saw, and held the first court I ever saw in session. This was at Charlotte, Dickson County, about 1822 or 1823. I was much impressed with his personal appearance, and the picture photographed on my memory, as I now see it through the vista of more than sixty years as he sat on an ordinary split-bottom chair, is that he was a very large man and very corpulent. His arms, his legs, and his neck were all thick and short, his abdomen came down on his lap and nearly covered it to his knees. His head, which rested nearly on his shoulders, was unusually large and peculiarly formed. His under jaw and lower face looked large and strong, and his head above his ears ran up high and somewhat conical, and viewed horizontally it was rather square than round. His mouth was large, expressive, and rather handsome. You say of him 'that as an advocate true history will place him as the only peer of Felix Grundy.' From all I know of Judge Haywood as a practitioner of the law, gathered from every source, from tradition and inferred from his judicial opinions, I had not supposed that the analogy between the two was very striking. Haywood was, doubtless, a very successful practitioner, but won

his success with the court by his astute and superior knowledge of the law and with the jury by his great ability to estimate the value of his facts and present them in such array as made his argument intelligible and unanswerable, and thus enforced the accord of the jury *volens volens*. His arguments were addressed rather to the intelligence and judgment of the jury than to their passions or to any mere sentiment or prejudice. On the other hand, Judge Grundy, while no such astute and profound lawyer as Haywood was, and could not argue dry facts to that logical conclusion that Haywood could, yet he greatly surpassed Haywood in his knowledge of men. He may not have known as well as Haywood what he was talking about, but he knew infinitely better who he was talking to. And though his arguments were not logically conclusive, they were overpoweringly persuasive and winning. Haywood forced courts and juries to decide cases for him because they did not see any way out of it. Grundy let them decide cases for him because they wanted to and regarded the privilege as a boon. Grundy knew every man on the jury, not by name, perhaps, but he knew the man and the stuff he was made of; he could penetrate to his heart and to his brain; he knew what would move him and how to apply it, and when he was done with him the juror was ready to decide for him, facts or no facts, law or no law. The one practiced from the *books* and the *testimony*, the other practiced upon the *men* who were to decide the case."

Picking up here and there a scrap as to the inner and social life of Judge Haywood, then turning to his books, his "Civil and Political History of Tennessee," in which is preserved for future generations a diary of our ancestors of deepest interest which would have been lost if he had not lived, and then reading his curious researches into the mysteries of the "Natural and Aboriginal History" of the land we occupy before our ancestors came; and then his still more curious book, the "Christian Advocate," and then turning to the legal store-house in which, as Judge of the Supreme Court of two States, he laid the foundation of a judicial system broad and deep, tempering as only a great and good man could the stern mandates of the common law with equity and mercy, the reader of biography, ancient and modern, will ejaculate: "Where is his monument?" The echo must be: "The fitful fever of life being over, he sleeps well," but there is not a stone to mark the place. Somewhere about the home he loved so well, somewhere on the farm, and, perhaps, near the spot where he wrote books and where he so beautifully tempered the law with mercy in preparing his judgments, and where he pointed the young lawyer the way to fame with uprightness in his profession—somewhere here, but nobody knows just where, his remains repose. The descendants of a race of men whose deeds of valor and intellectual prowess put them at the very front, we must be painfully conscious of our indifference to their memories. Jackson's tomb is in decay; a few noble women are trying to rescue it—working with but little support to preserve and perpetuate the reputation of the living—for Jackson himself is immortal. While Pakenham, the vanquished, whose lifeless body Jackson sent back to Westminster Abbey, is made the subject of England's great appreciation of public service by a work of art for all England to see, Jackson, the victor, who with raw troops freed his country from an invading army, afterward under Wellington, at Water-

too, is, by the government for which he did so much, left, so far as it is concerned, without a stone to mark his resting-place; and his own State, whose very name he immortalized, niggardly commits his memory to a few loving women, who, like the women after the crucifixion, in sadness and sorrow looked after the body, are doing what they can to rescue the tomb of Tennessee's immortal hero. And it was only through the Tennessee Historical Society, after the State's neglect for more than seventy years, that the remains of John Sevier, the immortal hero of King's Mountain, and who for twenty years stood on the frontier and protected the women and children from the Indians' tomahawks, were rescued from a forgotten grave in a distant State. And the very founder of our judicial system is so far forgotten that not a finger can point to the spot where his bones lie. Tennessee is badly in need of a revival in the religion which intensifies *love of country* and binds us to our dead heroes.

A. S. COLYAR.

Nashville, Tenn., December 8, 1890.

HISTORY OF TENNESSEE.

CHAPTER I.

Boundaries of Virginia, 1606; of Carolina, 1662; Northern Boundary, 1665—North Carolina: Commissioners to Run the Northern Boundary—Convention of the Governors upon This Subject—Line Run in Part in 1728—The Middle of the Mississippi the Boundary to the West—Boundaries of the State Declared by the Constitution—The Declaration of Virginia—Extension of the Line, 1779; 1780—Dispute with Virginia Settled—Dispute with Kentucky Settled—Indian Cessions and Boundaries from Time to Time.

THE knowledge of societies existing in particular States, and of what they have done in those situations, is of great use, as it enables him who possesses it to anticipate, upon the recurrence of like circumstances, the results to be produced by them, and to adopt a suitable course both for himself and for those who are under his care. In that point of view, the history of Tennessee is worthy to be preserved. In it there is a peculiarity not likely often to recur. This pattern of humanity ought to be preserved while we yet have it in our power, otherwise a lapse of ages may intervene before the opportunity may be again presented of taking it with any exactitude. In viewing the first settlements of Tennessee, and those who were the principal actors in the establishment of them; in contemplating the obstacles opposed to their efforts, and the difficulties which were encountered in surmounting them; in noticing the expedients resorted to for the accomplishment of their purposes, will be also evinced an important truth that men, educated in poverty and almost in ignorance of literature of any sort, are yet capable of great achievements and of actions the most highly conducive to the prosperity and character of the nation to which they belong. Hence those in the higher ranks of life may learn a lesson very fit to be known by honest politicians, which is that all ranks in society, like the larger and smaller wheels in a time-piece, are necessary to the production of beneficial results, and are all perhaps equally worthy of the provident care of a wise legislator.

There is also another object in view: it is to show to the rising generation and to posterity, should this volume ever meet the eyes of posterity, who were the benefactors, to whom and to whose children the gratitude of the obliged ought to be directed. And as human action, when represented in an isolated state, unconnected with the circumstances of time and place, can be at best but imperfectly understood, a just elucidation of the subject requires an attention to the theater of action, as well as to the chronological order of every occurrence which took place. A part of this book, therefore, must be appropriated to the boundaries of the State, and to those boundaries within its limits which have at different periods of time been made between the Indians and white people.

Upon this subject we will first advert to the northern boundary, and next to the southern.

On the 23d of May, 1609, James I. of England, by his letters patent, reciting former letters patent dated the 10th of April, in the sixth year of his reign, which was 1606, gave and granted to Robert, Earl of Salisbury, Thomas, Earl of Suffolk, and a great number of other persons, "all those countries, lying and being in that part of America called Virginia, from the point of land called Cape or Point Comfort, all along the sea-coast to the northward, two hundred miles; and from the said point of Cape Comfort, all along the sea-coast to the southward, two hundred miles; and all that space and circuit of land, lying from the coast of the precinct aforesaid, up into the land throughout, from sea to sea, west and north-west," etc.

On the 24th of March, 1662-63, in the fifteenth year of the reign of Charles II. of England, he granted to the proprietors of Carolina, "all that province, etc., called Carolina, situate, lying and being in America, extending from the north end of an island called Luke Island, which lieth in the Southern Virginia seas, and within thirty-six degrees of north latitude, and to the west as far as to the South seas, and so respectively as far as the river Matthias, which bindeth upon the coast of Florida, and within thirty-one degrees of northern latitude, and so west, in a direct line, as far as the South seas aforesaid."

On the 30th of June, in the year of our Lord 1655, King Charles II. granted to the proprietors of Carolina "all that province, etc., in America, extending north and eastward as far as the

north end of Currituck River or Inlet, upon a straight westerly line to Wyonoak Creek, which *lies within or about thirty-six degrees and thirty minutes northern latitude*, and so west in a direct line, as far as the South seas, and southward and westward as far as the degree of twenty-nine, inclusive, of northern latitude, and south-west, in a direct line, as far as the South seas."

The southern part of Carolina and the northern, though belonging to the same proprietors, because of the remote distance of the settlements from each other, were placed under different Governors. There was at the time of the adoption of this measure a space of three hundred miles, with numerous Indians, between them. North Carolina was at first called *our County of Albemarle, in Carolina*. But about the beginning of 1700 it began to be called the *Colony of North Carolina*.* As the settlements began to extend, this unlocated boundary became the subject of much altercation between Virginia and North Carolina.†

The Virginians, under titles from the crown, had taken up lands to the southward of the proper limits; and the Carolinians, under warrants from the proprietors, were charged with taking up lands that belonged to the crown. Before January, 1711, commissioners had been appointed to run the boundary line; proclamations were issued forbidding surveys and grants for lands within the disputed limits, until the line should be marked, but without effect.‡ In January, 1711, commissioners were again appointed by the Governors of Virginia and North Carolina, but for want of money they also failed to accomplish their intended object. The public inconvenience experienced from these failures deeply affected the peace of society, and a remedy was sought for in the act of limitations. The preamble contains a brief but impressive enumeration of the prominent evils of the times, and of the causes which produced the act. "Whereas great suit, debate, and controversy hath heretofore been, and may hereafter arise, by means of ancient titles to lands derived from patents granted by the Governor of Virginia, the condition of which patents have not been performed, nor quit rents paid, or the lands have been deserted by the first patentees; or for, or by reason or means of, former entries or patents granted in this

* 1 Williamson, 162. † 2 Williamson, 16. ‡ *Ibid.*

government;" for prevention whereof, and for quieting men's estates, and for avoiding suits in law, this act professes to be made. It proposes for its own achievement the most important end of legislation, *the quieting of men's estates*. In 1728 the attempt was again repeated and failed, after the commissioners of both colonies had met at Currituck. Their instructions were so framed as to frustrate the attempt: they were directed to begin at the north end of Currituck River or Inlet, thence to run westwardly to the mouth of Wyonoak Creek, or Chowan River, whence it was to be continued a due west course. There was no Currituck River, but only a bay of that name, the head of which is 10' or 15' to the northward of the inlet where the line should begin. They could not agree upon the place called Wyonoak, nor could they agree at what place to fix the latitude of $36^{\circ} 30'$. They broke up without doing any thing, and the Governors of North Carolina and Virginia were obliged to fix upon terms that were explicit. They made a convention upon the subject of a boundary between the two provinces, which they transmitted to England for the king's approbation; the king in council agreed to the convention, and so did the lord proprietors, and returned it to the Governors to be executed. The agreement was "that from the mouth of Currituck River, setting the compass on the north shore thereof, a due west line shall be run and fairly marked, and if it happen to cut Chowan River between the mouth of Nottoway River and Wiccacon Creek, then the same direct course shall be continued toward the mountains, and be ever deemed the dividing line between Virginia and Carolina. But if the said west line cuts Chowan River to the southward of Wiccacon Creek, then from that point of intersection the bounds shall be allowed to continue up the middle of Chowan River, to the middle of the entrance into said Wiccacon Creek; and from thence a due west line shall divide the two governments. That if said west line cuts Blackwater River to the northward of Nottoway River, then from the point of intersection, the bounds shall be allowed to be continued down the middle of said Blackwater, to the middle of the entrance into said Nottoway River, and from thence a due west line shall divide the two governments.

"That if a due west line shall be found to pass through islands, or cut out small slips of land, which might much more conven-

iently be included in the one province or other, by natural water bounds, in such case the persons appointed for running the line shall have power to settle natural bounds, provided the commissioners on both sides agree thereto; and that all variation from the west line be punctually noted on the premises or plats, which they shall return to be put upon the records of both governments." Commissioners were appointed to carry this agreement into effect, both on the part of Virginia and North Carolina.

On the 15th of December, 1727, an answer was written by the Governor of Virginia to the Governor of North Carolina on the subject; and on the 16th of December, 1727, the commissioners of Virginia wrote to the commissioners of North Carolina on the same subject. The commissioners met at Currituck Inlet in 1728. The variation of the compass was found to be $3^{\circ} 1' 2''$ * W., nearly; and the latitude $36^{\circ} 31'$. The dividing line struck Blackwater one hundred and seventy-six poles above the mouth of Nottoway. The variation of the compass at the mouth of Nottoway was $2^{\circ} 30'$. The commissioners on the part of Virginia were: Col. Bird, Richard Fitzwilliam, and William Dandridge. On the part of North Carolina they were: John Lovick, Christopher Gale, Edward Mosely, and William Little. This line was afterward extended by Joshua Fry and Peter Jefferson, commissioners on the part of Virginia, together with Daniel Weldon and William Churton, from North Carolina.

When the revolution commenced, and North Carolina made a Constitution for herself, which was ratified on December 18, 1776, the boundaries of the State were declared to be as then recognized by Virginia and South Carolina, and which they have never since questioned: "Beginning on the sea-side, on a cedar stake, near the mouth of Little River, being the southern extremity of Brunswick County, which stands in $33^{\circ} 56'$, to 35° N. latitude; and from thence a west course, so far as is mentioned in the charter of King Charles II. to the late proprietors of Carolina. All the territories, seas, waters, and harbors, with their appurtenances, lying between this line and the southern line of the State of Virginia, which begins on the sea-shore, in $36^{\circ} 30'$ N. latitude; and from thence west, agreeably to the said charter of King Charles, they declared to be the right and property of the people of North Carolina."

* Williamson, 22.

By the treaty of peace signed at Paris in 1763, between the kings of Great Britain and France, it was agreed for the future that the confines between the dominions of the two crowns in America should be irrevocably fixed by a line drawn along the middle of the river Mississippi, from its source, as far as the river Iberville; and from thence, by a line drawn along the middle of this river and the lakes Maurepas and Pontchartrain. All the country between the Mississippi and the South Sea was abandoned by the British government in this treaty; yet the convention of North Carolina seemed to be stubbornly unwilling to recognize that relinquishment in 1776; when, at the same time, they looked forward to France and Spain as the most faithful friends they had in the existing contest with Great Britain.

Virginia, in a general convention of delegates and representatives from the several counties and corporations of Virginia, held at the capitol in the city of Williamsburg, on Monday, the 5th of May, 1776, made a declaration of rights, and agreed upon a Constitution or form of government. Amongst other things contained therein, it is ordained as follows: "Section 21. The territories contained within the charters erecting the colonies of Maryland, Pennsylvania, North and South Carolina, are hereby conceded and forever confirmed to the people of these colonies respectively," etc. Here was magnanimously cut off and surrendered all the territories which had been taken from Virginia by royal patents to satisfy the grants to the lord proprietors. The Mississippi and the latitude $36^{\circ} 30'$ were now firmly settled as the boundaries of North Carolina, and it was cheerfully hoped that no further difficulties would ever arise on the subject. Full of this expectation, the assemblies of Virginia and North Carolina, in 1779, appointed commissioners to extend the boundary line between them, as the extension of the western settlements then made it a necessary measure. They were to begin the extension of the line where Fry and Jefferson, and Weldon and Churton *ended their work*; and if that be found to be truly in latitude $36^{\circ} 30' N.$, then to run from thence due west to the Tennessee or the Ohio River; or, if it be found not truly in said latitude, then to run from the said place due north or due south into the said latitude, and thence due west to the said Tennessee or Ohio River, correcting the said course at due intervals

by astronomical observations. Col. Henderson and William B. Smith, on the part of North Carolina; and Daniel Smith and Doctor Walker, on the part of Virginia, met to extend the line in the year 1780. They ran it together about forty miles, when some difference took place, and the commissioners on the part of North Carolina ran a parallel line two miles north of the other line for about half the distance, and extended the line no farther. Mr. Walker and the other commissioner from Virginia extended the line to the Tennessee River, and marked its termination on the Mississippi by observations, leaving the line from the Tennessee to that place unsurveyed. The Virginia commissioners made a report to their constituents, which may be seen in the appendix to this volume.

As was to be anticipated, much disorder ensued from the running of these two lines; between them the authority of either State was not established; the validity of process from either State was not acknowledged; entries for the interstitial lands were made in the land offices of both States, and grants issued from both States. Crimes committed between the two lines could not be punished by either State, because in every indictment the *place, where* was a material averment, as also it was to set forth the county and State *in which* it lay. Such a state of society could not long be endured, and the State of Virginia applied to North Carolina in 1789 to remedy these evils by the establishment of Walker's line. The assembly of North Carolina which began its session at Fayetteville on the 2d of November, 1789, and rose on the 22d of December, referred to a committee the letter of the Governor of Virginia on this subject. They reported "that it was proposed on the part of Virginia that the line commonly called Walker's line be established as the boundary between the two States. Should this proposal not be acceptable to North Carolina, they then will appoint commissioners to meet any persons who may be appointed on the part of North Carolina, empowered to confer on the propriety of establishing Walker's or Henderson's line, and to report their proceedings to the Legislatures of their respective States." They then state the facts relative to the running of the two lines, and of Walker's line to the Tennessee, and of marking its termination on the Mississippi, and proceed: "As the difference between said lines could be only two miles. running most of the distance through a mountainous,

barren country, and as they have great reason to believe, from the information of Gen. Smith, that the line commonly called Walker's line is the true one, your committee are of opinion that the object is not worth the expense of sending commissioners to confer on the propriety of establishing Henderson's line in preference to that of any other; and do recommend that a law be passed confirming and establishing the line commonly called Walker's line as the boundary between North Carolina and Virginia, with a reservation in favor of the oldest grants from either State, in deciding the rights of individual claimants on the tract between the two lines commonly called Walker's and Henderson's line. Signed, Thomas Person, Chairman." This report was concurred with by both houses of the Legislature; at least so it is stated to have been, by the next report made upon the same subject. In the House of Commons, on the 11th of December, 1790, the committee to whom the letter from the Governor of Virginia, on the boundary line between North Carolina and the State of Virginia, was referred, reported "That in the opinion of your committee, the boundary line between North Carolina and Virginia be *confirmed* agreeably to the report of a committee *concurred with by both* houses, last session of assembly; and that a law be passed confirming the line commonly called Walker's line as the boundary between the States of North Carolina and Virginia, reserving the rights of the oldest patents, grants, or entries made in either of the States. All of which is submitted. Signed, Thomas Person, Chairman." On the 11th of December, 1790, this report was concurred in by both houses.

On the 7th of December, 1791, the Assembly of Virginia, having received official information that the Legislature of North Carolina had *resolved* to establish the line commonly called Walker's line as the boundary between North Carolina and Virginia therefore enacted that the line commonly called Walker's line shall be, and is hereby declared to be, the boundary line of this State. As these proceedings were after the cession act, and the latter of them after the date of the deed made by the North Carolina Senators in Congress, ceding to the United States the western territory, they were not recognized by the State of Tennessee as valid.

On the 13th of November, 1801, the Assembly of Tennessee, by an act passed for the purpose, authorized the Governor to

appoint commissioners to meet others appointed or to be appointed on the part of Virginia, to take the latitude and run the line. Commissioners were appointed for the same purpose by the State of Virginia. They all met at Cumberland Gap, and on the 18th of December, 1802, came to an agreement, which they reduced to writing, and signed and sealed; in pursuance of which they ran the dividing line between the two States. The agreement and the line run in pursuance of it, both States confirmed by an act of their respective Legislatures. The act of the State of Tennessee was passed on the 3d of November, 1803, and that of Virginia in the same year. Joseph Martin, Creed Taylor, and Peter Johnston were the commissioners on the part of Virginia; and John Sevier, George Rutledge, and Moses Fisk, on the part of Tennessee. The agreement, and the certificate of the surveyors who ran the dividing line, follow:

“The commissioners for ascertaining and adjusting the boundary line between the States of Virginia and Tennessee, appointed pursuant to public authority, on the part of each—Gen. Joseph Martin, Creed Taylor, and Peter Johnston, for the former; and Moses Fisk, Gen. John Sevier, and Gen. George Rutledge, for the latter—having met at the place previously appointed for the purpose, and not uniting from the general result of their astronomical observations, to establish either of the former lines, called Walker’s and Henderson’s, unanimously agreed, in order to end all controversy respecting the subject, to run a due west line, equally distant from both, beginning on the summit of the mountain generally known by the name of the White Top Mountain, where the north-east corner of Tennessee terminates, to the top of the Cumberland Mountain, where the south-western corner of Virginia terminates, which is hereby declared to be the true boundary line between the said States, and has been accordingly run by Brice Martin and Nathan B. Markland, the surveyors duly appointed for the purpose, and marked under the direction of the said commissioners, as will appear more at large by the report of the said surveyors hereto annexed, and bearing equal date herewith. The commissioners do further unanimously agree to recommend to their respective States that individuals having claims or titles to lands on either side of said line as now fixed and agreed on, and between the lines aforesaid, shall not, in consequence thereof, in any wise be prejudiced or affected

thereby; and that the Legislatures of their respective States should pass mutual laws to render all such claims or titles secure to the owners thereof.

“And the said commissioners do further unanimously agree to recommend to the States respectively, that reciprocal laws should be passed confirming the acts of all public officers, whether magistrates, sheriffs, coroners, surveyors, or constables, between the said lines, which would have been legal in either of the aforesaid States had no difference of opinion existed about the true boundary line. This agreement shall be of no effect till ratified by the Legislatures of the States aforesaid respectively, and until they shall pass mutual laws for the purposes aforesaid.

“Given under our hands and seals, at William Robertson's, near Cumberland Gap, the 8th of December, A.D. 1802.”

The certificate of the surveyors then followed in the report, in these words:

“The undersigned surveyors having been duly appointed to run the boundary line between the States of Virginia and Tennessee, as directed by the commissioners for that purpose, have agreeably to their orders run the same.

“Beginning on the summit of the White Top Mountain, at the termination of the north-eastern corner of the State of Tennessee, a due west course to the top of the Cumberland Mountain, where the south-western corner of the State of Virginia terminates, keeping at an equal distance from the lines called Walker's and Henderson's; and have had the new line run as aforesaid, marked with five chops in the form of a diamond, as directed by the said commissioners.”

This certificate is dated on the same day the report of the commissioners was. Laws were passed by the Legislatures of both States for the confirmation of all these stipulations.

As to the other part of the boundary between this State and Kentucky, proposals, and negotiations, and acts of Assembly continued to be made for many years, and matters seemed as if they never could be settled. At length, in 1819, Kentucky took a step of a very decisive character. Her commissioners, Alexander and Munson, came to the Cumberland River, and took the latitude upon its bank, sixteen or seventeen miles above the termination of Walker's line on that river, and to the south of it, and from thence ran due west to the Mississippi. Tennessee was

about to open a land office, and to appropriate the lands lately purchased by treaty from the Chickasaw Indians. Old entries had been made in the land offices of North Carolina, to a considerable amount, for lands north of Alexander and Munson's line; and if this territory should be lost to the State of Tennessee, either those claims must be satisfied out of the residue of the Chickasaw lands within the bounds of Tennessee, or must abide the event of a judicial contest between the two States, when there might be no longer any lands left wherewith to satisfy their claims, should the decision eventually be unfavorable to the State of Tennessee. Such were the existing circumstances at the meeting of the Assembly of the State of Tennessee, in September, 1819; and they imperiously called for the attention of the Legislature. The subject was referred to a committee, and they reported, giving a historical statement of all the material facts which related to Walker's line, and recommended the appointment of commissioners to negotiate afresh upon the subject of the boundary. The assembly passed a law upon the subject. It directed two commissioners to be appointed by joint ballot of both houses, who should forthwith repair to the Legislature of Kentucky, then in session, and come to an agreement for settling the boundary. It gave them full and absolute powers, without revision or control of the Legislature as to what they did, not needing the previous consent or ratification of the Legislature to make it valid. The Assembly foresaw the impossibility of reconciling all parties who might be affected by the treaty when made; and prudently, as they supposed, cut up the difficulties of future opposition by the roots, by this determined and unusual step. The commissioners elected were Felix Grundy and William L. Brown. Well aware of the high responsibility they had undertaken, and of the important consequences which were to ensue from their conduct, and aware, also, of the splendid talents which it was well known the State of Kentucky could put in array against them, they set forward, arrived at the place where the Legislature of Kentucky were in session, presented themselves, and made known their commission. They opened and conducted the negotiation with ability, and finally succeeded in making a convention, which may be seen in the "Appendix" to this volume.

As is the fate of every treaty, whether bad or good, and with

the acts of public servants, whether praiseworthy or otherwise, this treaty, as soon as it saw the light, was encountered with exceedingly animated opposition. It finally triumphed, however: the Legislature recognized its validity, and provided for its execution.

As to the southern boundary, in the year 1712, Gov. Hyde, in his commission, was called the Governor of North Carolina. From the year 1693 the legislative bodies were called assemblies, but prior to that time, parliaments.* In the year 1737 commissioners were appointed on behalf of North Carolina and South Carolina, to run a dividing line. The commissioners on the part of North Carolina were Robert Hilton, Matthew Rowan, and Edward Moseley. The commissioners began at a cedar stake, on the sea-shore, by the mouth of Little River, and having run a north-west line until they arrived, as they conceived, at the beginning of the thirty-fifth degree of north latitude, they altered the course by mutual consent, and ran to the river Pedee. At the termination of the north-western line, they erected a light wood stake, upon a mound of earth. The line was extended twenty miles by private persons, and that temporary line was continued farther in the year 1764. This was taken for the true line, according to Gov. Tryon's proclamation of the 9th of May, 1765. Since the Revolution it has been extended to the eastern boundary of the State of Tennessee.

Commissioners were lately appointed to run the dividing line between the States of Georgia and Tennessee, and they reported that they, pursuant to "an act to run and establish the boundary line between this State and the State of Georgia," proceeded to appoint Joseph Cobb, Esq., surveyor, and employed and appointed two markers and two chain-carriers, Robert Blair, Isaac Ray, Short Shelton, and David Boling; and that they arrived at Ross's, in the Cherokee Nation, on the Tennessee River, on the 15th of May, 1818, being the place to which they were ordered by the Governor's instructions; from whence they proceeded to Nickajack, on the Tennessee River, being the boundary line between the States of Georgia and Alabama, and met the commissioner, mathematician, and surveyor, who were appointed on the part of Georgia, on the 16th of May, 1818. And after exchanging their powers, proceeded to ascertain the thirty-fifth degree of north

* 1 Will., 162.

latitude. After sundry observations, and great delay, occasioned by unfavorable weather, on the 31st it was ascertained, by mutual consent of all concerned, to be one mile and twenty-eight poles from the south bank of the Tennessee River, due south from near the center of the town of Nickajack, near the top of the mountain. At this point, it was supposed, should be the corner of the States of Georgia and Alabama. "Here we caused a rock to be set up about two feet high, and four inches thick, and fifteen inches broad, engraved on the north side thus: '*June 1st, 1818, var. [for variation], six and three-fourth deg. east,*' which was found to be the variation of the compass. And on the south side of said rock was also engraved, '*Geo. lat. 35 north. J. Carmack.*' The corner-stone being set, we ran the line due east, lessening the variation by degrees, and closed it on the top of the Unaca Mountain, with five and a half deg. of variation. The line was marked by blazing all the trees on the east and west side that stood within six feet of the line, and all that stood on either side of these blazed trees were marked with the chops pointing to the line. It was measured and mile-marked, with the number of miles on the west side of the tree, and a cross on the east side. Old Mr. Ross's is two miles eighteen yards in Tennessee; David M'Nair's is one mile and one-fourth of a mile in Tennessee. We began the extension of the line on the first day of June, 1818, and closed it on the twenty-seventh of the same month. The length of the line is one hundred and ten miles lacking two outs, from the rock before described to the top of the Unaca Mountain. This mountain is the ridge that divides the waters of the Tennessee and the Hiwassee, the line running near the head of the latter river."

This report was made by Maj.-Gen. John Cocke, the Tennessee commissioner. Mr. Gaines, the mathematician on the part of Tennessee, was also to have signed it, but being absent, it was signed by Gen. Cocke alone.

The line west of Nickajack was extended in part by Gen. Coffee, and the residue by Gen. Winchester, to the river Mississippi, and all parties concerned acquiesced therein.

The eastern boundary of this State was established by the act of Assembly of North Carolina, 1789, ch. 3, commonly called the cession act, which ceded to the United States all the territory now called Tennessee, and which lay west of the bounds they

described. These bounds were as follows: Beginning at the extreme height of the Stone Mountain, at the place where the Virginia line intersects it; running thence along the extreme height of said mountain, to the place where the Watauga River breaks through; thence a direct course to the top of the Yellow Mountain, where Bright's road crosses the same; thence along the ridge of said mountain between the waters of Doe River and the waters of Rock Creek, to the place where the road crosses the Iron Mountain; thence along the extreme height of said mountain to where the Nolichucky River runs through the same; thence to the top of the Bald Mountain; thence along the extreme height of said mountain to the place where it is called the Great Iron or Smoky Mountain; thence along the extreme height of said mountain to the place where it is called Unacoy or Unaca Mountain, between the Indian towns of Cowee and Old Chota; thence along the main ridge of said mountain to the southern boundary of this State.

A controversy arose concerning the Unaca Mountain, and commissioners were appointed between the States of Tennessee and North Carolina to ascertain which was the mountain so called in the act of cession. The commissioners met at Newport, in Tennessee, on the 14th of July, 1821, to make the necessary arrangements for running and completing the line between the two States. Commissioners from North Carolina alone had run it in part, from the White Top Mountain, on the Virginia line, to the place where they stopped in 1797. This was near the Catatooche road, on the Smoky Mountain; from which place to the crossing of the Tennessee River, a few miles above the Talassee Old Town, is twenty-two miles; and from thence to the termination of the main Unaca Mountain, the last point designated in the act of cession, is seventy-nine miles, making the whole distance one hundred and one miles, to a hickory tree and rock, set up at the edge of the Unaca turnpike road, marked with the distance and initials of the two States. From that point the commissioners unanimously agreed to run due south, until they should strike the southern boundary of the two States, on the Georgia line, which was found by them to be one hundred and sixteen miles, at a point twenty-three poles east of the seventy-two mile tree, from the point where the southern boundary of this State strikes the south bank of the Tennessee River, at

the State of Alabama. This leaves the upper part of the Hiwassee River, contrary to what was expected, in North Carolina, including the Middle Settlements of the Cherokees, or what was termed the Valley Towns, which is sufficient in extent to make a considerable county in North Carolina, west of Haywood County. To this tract the Indian claim is yet unextinguished. The line having been run by the proper authority, their proceedings were fully ratified by the Legislatures of North Carolina and Tennessee, and the boundary between them, in this quarter, became thenceforth certain and fixed. The principal part of the Indian claim is extinguished by the late treaties.

The Indian boundaries which have been established by treaties, from time to time, are next to be described.

The first cession was made at Fort Stanwix, in the month of November, in the year 1766, by commissioners on behalf of his Britannic majesty, on the one part, and the Six Nations on the other. They then passed away from the Six Nations, the sole sovereigns of the soil, all their right south-east of the Ohio, and down to the Cherokee River, which, they said in the treaty, was their just right, and vested the soil and sovereignty thereof, in the King of Great Britain. In the year 1781 it became necessary to fix the extent of Indian claims, and the deposition of Col. George Croghan was resorted to for that purpose. He had lived nearly thirty years among the Indians, in the character of deputy superintendent, and seems to have possessed a more general knowledge of the state of their claims and the history of their wars than any other who has been drawn into public observation. His deposition is in these words: "George Croghan, Esq., being duly sworn on the Holy Evangelists of Almighty God, doth depose and say that the Six Nations claim by *right of conquest* all the lands on the south-east side of the river called Stony River; and that the Six Nations never had a claim of any kind, nor made any claim to lands below the Big Miami or Stony River, on the west side of the Ohio; but that the lands on the west side of the Ohio, below Stony River, were always supposed to belong to the Indians of the Western Confederacy; that Col. Croghan, the deponent, has for thirty years been intimately acquainted with the above country and the Indians, and their different claims to territory, and never heard the Six Nations claim, and knows they never did claim, beyond the above

description; nor did they ever dispute the claim of the Western Confederacy. Sworn to the 20th of October, 1781, before me, George Miller." Some visiting Cherokees, at the treaty held at Fort Stanwix, had, on their route, killed game for their support, and on their arrival at Fort Stanwix they immediately tendered the skins to the Indians of the Six Nations, saying, "They are yours; we killed them after we passed the "Big River," the name by which the Cherokees have always designated the Tennessee. The Six Nations claimed the soil by conquest, not as the aboriginal owners, and this is the traditionary account of their nation. Who were the aborigines, and whether they were all destroyed or driven from their possessions, and when these events happened, are left unfixed. But in 1750 they rested upon tradition, which at that time had lost the circumstantial details which belong to recent transactions. Certain it is, the whole country which they claimed was depopulated, and still retained the vestiges of an ancient and very numerous population.

In the fall of the year 1774 a treaty was commenced between a company composed of Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, William Johnston, John Luttrell, John Hogg, David Hart, and Leonard H. Bullock, of the one part, and the Cherokees of the other, which terminated in March, 1775. The treaty was held at Watauga. The company obtained from them, in fair and open treaty, two deeds. One of them was called the Path Deed, and the courses and boundaries expressed in it are as follow: "All that tract, territory, or parcel of land, beginning on the Holston River, where the course of Powell's Mountain strikes the same; thence up the said river as it meanders to where the Virginia line crosses the same; thence westwardly along the line run by Donelson, etc., to a point six English miles eastward of the Long Island, in the said Holston River; thence a direct course toward the mouth of the Great Kanawha, until it reaches the top ridge of Powell's Mountain; thence westwardly along the said ridge, to the beginning." The other deed, which was called the *Great Grant*, contained the following boundaries: "All that tract, territory, or parcel of land, situated, lying and being in North America, on the Ohio River, one of the eastern branches of the Mississippi River, beginning on the said Ohio, at the mouth of Kentucky, Cherokee, or what by the English is called Louisa River; thence running up said

river, and the most northwardly fork of the same, to the head spring thereof; thence a south-east course to the ridge of Powell's Mountain; thence westwardly along the ridge of the said mountain unto a point from which a north-west course will hit or strike the head spring of the most southwardly branch of Cumberland River; thence down the said river, including all its waters, to the Ohio River; thence up the said river as it meanders, to the beginning." The benefit of these cessions was claimed by the States of Virginia and North Carolina, under the Constitutions of these States, the proclamation of the King of Great Britain, soon after the treaty of 1763, for regulating the intercourse of the colonies with the Indians, and laws made in the time of their provincial dependence upon the crown of Great Britain.

After the Cherokee War, which terminated by a peace made in 1777, the boundaries agreed upon between the Cherokees and white people, and which were repeated, confirmed, and recognized by an Act of the Assembly of North Carolina in 1788, were these: "Beginning at a point on the boundary line which has been agreed upon by the Cherokees and colony of Virginia, where the line between that commonwealth and North Carolina shall intersect the same; running thence a right line to the north bank of the Holston River, at the mouth of Cloud's Creek, being the second creek below the Warrior's Ford, at the mouth of Carter's Valley; thence a right line to the highest point of a mountain called the High Rock or Chimney Top; from thence a right line to the mouth of Camp Creek, otherwise called McName's Creek, on the south bank of the Nolichucky River, about ten miles, be the same more or less, below the mouth of the Great Limestone; and from the mouth of Camp Creek aforesaid, a south-east course to the top of the ridge of the mountain called the Great Iron Mountain, being the same which divides the hunting-grounds of the Overhill Cherokees from the hunting-grounds of the Middle Settlements; and from the top of the said ridge of the Iron Mountain a south course to the dividing ridge between the waters of the French Broad River and the waters of the Nolichucky River; thence a south-westwardly course along the said ridge to the Great Ridge of the Appalachian Mountains, which divides the eastern and western waters; thence with said dividing ridge to the line that divides the two States of North and South Carolina."

In April, in the year 1783, the Assembly of North Carolina, in the plenitude of their sovereign power, at times not less dictatorial than any other sovereign power upon earth, assigned for the future new boundaries to the Cherokees, intending to appropriate all those lands not included within them, for redemption of their public debt, and to satisfy the claims which the officers and soldiers had upon them. These boundaries they thus defined: "Beginning on the Tennessee, where the southern boundary of North Carolina intersects the same, nearest to the Chickamauga towns; thence up the middle of the Tennessee and Holston to the middle of the French Broad River, which is not to include any island or islands in said river, to the mouth of the Big Pigeon River; thence up the same to the head thereof; thence along the dividing ridge between the waters of the Pigeon River and the Tuckasejah River, to the southern boundary of North Carolina." All other lands claimed, whether by Cherokees or Chickasaws, they included, either in the bounds of the entry office to be kept for the sale of lands by John Armstrong, or of the office opened for surveying and granting the lands promised to the officers and soldiers, or of the county offices for selling and entering lands. The boundaries for the military lands they established as follows: "Beginning at the Virginia line, where the Cumberland River intersects the same; thence south fifty-five miles; thence west to the Tennessee River; thence down the Tennessee to the Virginia line; thence with the said line east to the beginning." The bounds of John Armstrong's office were: "Beginning in the line which divides Virginia and North Carolina, at a point due north of the mouth of Cloud's Creek; running thence west to the Mississippi; thence down that river to the thirty-fifth degree of north latitude; thence due east until it strikes the Appalachian Mountains; thence with the Appalachian Mountains to the ridge that divides the waters of the French Broad River and the waters of the Nolichucky River; and with that ridge till it strikes the line established in 1777, and described in the Act of 1778," as before stated.

On the 2d of November, 1785, at Hopewell, on the Keowee, the United States of America and the Cherokees concluded a treaty, in which the Cherokee boundaries are declared to be as follows: "Beginning at the mouth of Duck River, on the Tennessee; thence running north-east to the ridge dividing the waters

running into the Cumberland from those running into the Tennessee; thence eastwardly along said ridge to a north-east line to be run, which shall strike the Cumberland River forty miles above Nashville; thence along the said line to the river; thence up the river to the ford where the Kentucky road crosses the river; thence to Campbell's line, near Cumberland Gap; thence to the mouth of Cloud's Creek to Holston; thence to the Chimney Top Mountain; thence to Camp Creek, near the mouth of Big Limestone, on Nolichucky; thence a southwardly course seven miles to a mountain; thence to the North Carolina line," etc.

On the 2d of July, 1791, the United States and the Cherokee Nation made another treaty on the treaty ground, on the bank of the Holston, in which the Cherokee boundaries are agreed upon: "Beginning at a point where the South Carolina Indian boundary crosses the North Carolina boundary; thence north to a point from a line to be extended to the river Clinch, that shall pass the Holston at the ridge which divides the waters running into Little River, from those running into the Tennessee; thence up the river Clinch to Campbell's line, and along the same to the top of Cumberland Mountain; thence a direct line to the Cumberland River where the Kentucky road crosses it; thence down the Cumberland River to a point from whence a south-west line will strike the ridge which divides the waters of the Cumberland from those of Duck River, forty miles above Nashville; thence down the said river to a point from whence a south-west line will strike the mouth of Duck River."

By a treaty made between the United States and the Cherokees, in the council house near Tellico, on the Cherokee ground, on the 2d of October, 1798, they ceded to the United States all the lands within certain specified points: "From a point on the Tennessee River, below Tellico Block-house, called the Wild Cat Rock, in a direct line to the Militia spring, near Maryville road, leading from Tellico; from the said spring to the Chilhowee Mountain, by a line so to be run as will leave all the farms on Nine Mile Creek to the southward and eastward of it, and to be continued along Chilhowee Mountain until it strikes Hawkins's line; thence along the said line to the Great Iron Mountain; and from the top of which a line to be continued in a south-eastwardly course to where the most southwardly branch of Little River crosses the divisional line to Tugulo River, from the place

of beginning, the Wild Cat Rock, down the north-east margin of the Tennessee River, not including islands, to a point or place one mile above the junction of that river with the Clinch; and from thence by a line to be drawn in a right angle, until it intersects Hawkins's line, leading from the Clinch; thence up the said river to its junction with Emmerly River; thence up Emmerly River to the foot of Cumberland Mountain; thence a line to be drawn north-eastwardly along the foot of the mountain until it intersects with Campbell's line."

By a treaty made on the 27th of October, 1805, the Cherokees ceded all the lands north of a line beginning at the mouth of Duck River; running thence up the stream of the same to the junction of the fork at the head of which Fort Nash stood with the main fork; thence a direct course to a point on the Tennessee River bank, opposite to the mouth of Hiwassee River, providing for certain reservations; thence up the middle of the Tennessee, but leaving all the islands to the Cherokees, to the mouth of Clinch River; thence up Clinch River to the former boundary line agreed upon with the said Cherokees, making some reservations for the use of the Cherokees.

By a treaty made with the Cherokees, and dated the 7th of January, 1806, they relinquished to the United States all right, title, interest, or claim which they then had, or ever had, to all that tract of country which lies to the northward of the river Tennessee, and westward of a line to be run from the upper part of the Chickasaw Old Fields, at the upper point of an island called Chickasaw Island, on said river, to the most eastwardly head waters of that branch of said Tennessee River called Duck River, excepting two small tracts which are described in the treaty. And by an elucidation of this treaty, made on the same day, it is declared to be the intention of the Cherokees to cede to the United States all the right, title, and interest which the said Cherokee Nation ever had to a tract of country contained between the Tennessee River and the Tennessee Ridge, which tract of country had, since the year 1794, been claimed by the Cherokees and Chickasaws; the eastern boundary whereof is limited by a line so to be run from the upper part of the Chickasaw Old Fields as to include all the waters of Elk River; and it is declared that the eastern limits of said tract shall be bounded by a line so to be run from the upper end of the Chickasaw

Old Fields, a little above the upper part of an island called Chickasaw Island, as will most directly intersect the first waters of Elk River; thence carried to the Great Cumberland Mountain, in which the waters of Elk River have their source; thence along the margin of said mountain until it shall intersect lands heretofore ceded to the United States at the said Tennessee Ridge.

By two treaties, one dated on the 8th of July, 1817, the other on the 27th of February, 1819, the Cherokee Nation ceded to the United States all their lands lying east and north of a certain line described in the treaty: "Beginning on the Tennessee River, at the point where the Cherokee boundary with Madison County, in the Alabama territory, joins the same; thence along the main channel of said river to the mouth of the Hiwassee; then along its main channel to the first hill which closes in on said river, about two miles above Hiwassee Old Town; thence along the ridge which divides the waters of Hiwassee and Little Tellico, to the Tennessee River at Talassee; thence along the main channel to the conjunction of the Cowee and Nanteyalee; thence along the ridge in the fork of said river to the top of the Blue Ridge; thence along the Blue Ridge to the Unaca turnpike road; thence by a straight line to the nearest main source of the Chestotee; thence along its main channel to the Catahouchee; and thence to the Creek boundary; it being understood that all the islands in the Chestotee, and the parts of the Tennessee and Hiwassee, with the exception of Jolly's Island, in the Tennessee, near the mouth of the Hiwassee, which constitute a portion of the present boundary, belong to the Cherokee Nation; and it is further understood that the reservations contained in the 2d article of the treaty of Tellico, signed the 26th of October, 1805; and a tract equal to twelve miles square, to be located at the first point formed by the intersection of the boundary line of Madison County, already mentioned, and the north bank of the Tennessee River, thence along the said line, and up the said river, twelve miles, are ceded to the United States, in trust for the Cherokee Nation, to be sold by the United States, and the proceeds vested in the stock of the United States; the interest to be applied for diffusing the benefits of education amongst the Cherokees; and also the rights vested in the Unaca Turnpike Company by the Cherokee Nation

are not to be affected by this treaty." This cession was in full satisfaction of all claims which the United States had on account of the cession to a part of the nation, who have emigrated, or might thereafter emigrate, to the Arkansas, and this treaty is a final adjustment of that of the 8th of July, 1817.

The Cherokee hunting-grounds had been so long exposed to those enemies of animal existence, powder and ball, the obvious but sometimes overlooked cause of the decrease of game, of Indian manufactures, and of Indian population, that they no longer afforded a plentiful subsistence for the owners. Those who were still addicted to the chase resolved to remove to a country on White River, where their employment would be rendered more profitable by the greater plenty of game which they found there. Deputies from the Lower Towns were sent to the government of the United States, to make known their desire to continue the hunter life, and also the scantiness of game where they lived; and under these circumstances, their wish to remove across the Mississippi River, on some vacant land of the United States; and they desired, as a part of the Cherokee Nation, for a division to be made of their country, so as to include all the waters of the Hiwassee to the Upper Towns. The President permitted those who wished to remove to send an exploring party to reconnoiter the country on the waters of the Arkansas or White Rivers; "the higher up the better, as they will be the longer unapproached by our settlements, which will begin at the mouths of these rivers. The regular districts of the government of the United States were already laid off to the St. Francis. When these parties," said the President, "shall have found a tract of country suiting the emigrants, and not claimed by other Indians, we will arrange with them, and give in exchange *that*, for a just portion of the country they have, and to a part of which, proportioned to their numbers, they have a right.

"Every aid toward their removal, and what will be necessary for them to have, will then be freely administered to them, and when established in their new settlements, we shall still consider them as our children, give them the benefit of exchanging their peltries for what they will want of our factories, and always hold them firmly by the hand." They explored the country accordingly, on the west side of the Mississippi, and made choice of the country on the Arkansas and White Rivers, and settled

themselves down on the United States lands, to which no other tribe of Indians have any just claim. They duly notified the President thereof, and of their anxious desire for the full and complete ratification of his promise, and sent on their agents to execute a treaty. The nation of the Cherokees then ceded to the United States all the lands north and east of those boundaries, which were finally adjusted and settled by the treaty of the 27th of February, 1819, which have been before described.

By a treaty with the Chickasaws, made between them and the United States at Hopewell, on the Keowee, near Seneca Old Town, on the 10th of January, 1786, their bounds were established as follows: Beginning at the ridge that divides the waters running into the Cumberland from those running into the Tennessee, at a point in a line to be run north-east, which shall strike the Tennessee; thence running westwardly along the said ridge till it strikes the Ohio; thence down the southern bank thereof to the Mississippi; the same course to the Choctaw line of Natchez District; thence along the said line or the line of the district, eastward, as far as the Chickasaws claimed on the 27th of November, 1782; thence the said boundary eastwardly, shall be the limits allotted to the Choctaws and Cherokees, to have and hunt on, and the land at present in the possession of the Creeks.

By a treaty made the 20th of September, 1816, the Chickasaw nation ceded to the United States, with the exception of certain reservations specified in the treaty, all right or title to lands on the north side of the Tennessee River and relinquished all claim to territory on the south side of said river, and east of a line commencing at the mouth of Caney Creek, running up said creek to its source; thence a due south course to the Ridge Path, commonly called Gaines's road; along said road south-westwardly to a point on the Tombigbee River well known by the name of the Cotton Gin Port, and down the western bank of the Tombigbee to the Choctaw boundary.

By a treaty made in 1818, the Chickasaws relinquished their title and claim to all the lands within the bounds of this State, and wholly extinguished and put an end to the same.

CHAPTER II.

Indian Traders, 1690—Abundance of Game—Hunters—French Fortresses—The Road of the Traders—Treaty with the Cherokees, 1756—Fort Loudon Built, 1757—Fort Chissel, 1758—One on the North Bank of the Holston—Holston, Why so Called—War with the Cherokees—Fort Loudon Taken—The Garrison Massacred—Hunters in 1761—Names Given to the Mountains and Water-courses—Old Furnaces on Clear Creek—Hunters in 1762—Hunters in 1763—Hunters in 1764—Col. Smith, 1766—Returned in the Fall of 1767—Christian and Anderson Explored the Country, 1768—Settlements Begun, 1768, 1769—Scotch Traders—Regulators—James Robertson—Lands Leased of the Indians—Henderson's Purchase, 1775—Association on Watauga, 1772—Domestic Government—Commissioners—Lease Made by the Cherokees for Eight Years—Lease Made to Brown & Co.—Settlements Enlarged—Parker and Carter—Purchase in Fee by the Lessees—Deed Made by the Indians—A Great Race at Watauga—Indian Killed—Robertson Goes to the Indian Nation and Appeals Them—Shawnees, War and Battle—The Part Taken by James Robertson—Cession of the Indians to Henderson in 1775—Andrew Greer—Boyd's Creek—British Incite the Cherokees to War, 1776—War Determined On—Military Officers Appointed on Watauga—Forts Built—Members Elected for the Convention of North Carolina—John Sevier—Battle of the Long Island—Expedition against the Cherokees, under Col. Christian, 1776—Another, under Rutherford, from North Carolina—Another, under Col. Williamson, from South Carolina—Treaty of 1777 Made with the Cherokees—County of Washington Erected in 1777—Land Office Opened, 1777—Cry Raised in the Assembly of North Carolina against Those Who Had Entered Land in the Washington Office—Indians—Horse Thieves, Measures Taken to Expel Them—James Robertson, Agent to the Cherokees, Gov. Caswell's Instructions to Him—Shelby's Expedition against the Cherokees Commenced April, 1777—Northern Boundary Ordered to Be Extended, 1779—Sullivan County Erected—Expedition under Sevier in 1779—Battle on Boyd's Creek—Indians Incited to War by the British in 1780—Scouting Companies—Bradly and Others Killed—Troops under Shelby Marched to North and South Carolina, 1780, and Others under Sevier—Post on Poccolet Taken—Battle at the Cedar Spring—Battle at Musgrove's Mill—Battle of King's Mountain.

WHILST Doherty in 1690, Adair in 1730, and other traders from South Carolina and Virginia, visited and for years together resided in the Cherokee country, carrying on a gainful commerce with the natives, it was discovered that another source of great profit lay within the bosom of the wilderness. The ancient inhabitants had left signs of their former residence, but they had long since departed. The animals, freed from the pres-

ence of ferocious man, fearless and undisturbed, had securely propagated, and filled the wilderness with their numerous broods. Their flesh could be exchanged for goods of European manufacture; and their skins and furs commanded, in the markets of the European colonists, gold and silver. Frequently, in the course of one season, the industrious hunter would return with packages of peltry enough to bring him \$1,600 or \$1,700, an immense sum in those days, and sufficient to procure a great portion of the best land, and other property of the country. No Indians then lived on the Holston or Clinch Rivers. But all the waters from the Holston to the head waters of the Kentucky and the Cumberland were without a single human inhabitant. The old maps of the western countries give some insight into their early circumstances, in the time of the French claim to all the countries between the Mississippi and the Alleghany Mountains, south of the lakes of Canada. These old maps lay down the river Holston and call it Cherokee River. The river to the south of it occupies the position which the French Broad does. The river to the south of Holston as laid down in the old maps is called the Tanses or Tanasees. The Big Tennessee, below that, is called the Ho-go-hee-gee. Clinch is not laid down, nor is the Cumberland, but from other sources it is known that the French called the latter the Chauvanon, while the English called it the Shawanoe. The Indians called the Holston the Coot-cla. French forts are represented in these maps as standing, one at the mouth of the Cataway, supposed to be the Kentucky; one on the south of the Ohio, on the bank of the river; another at the mouth of the Oubach, now the Wabash, on the north side of the Ohio, on the bank; another near the junction of the Ohio with the Mississippi, on the north side of the former; another at the Chickasaw Bluffs, on the Mississippi, called Prud-home; another near the east bank of Red River, west of the mouth of the Arkansas, and west of an old Indian village called Ackensa; another at the junction of the Coosa and Tallapoosa. The fort was called Halabama, as well as the river. An Indian settlement below was called Halabamas. Bear Creek is laid down with numerous Indian settlements upon it. Fifteen or sixteen miles up the Tennessee from its mouth they had another fort; and somewhere upon the head waters of the Tombigbee, a fort called Thoulouse. One of the Indian towns, eastwardly from the present site of

Natchez, is laid down by the name of Mosco. At the mouth of the Kanawha, on the north-west side of the Ohio, is a fort marked, called Shawnoah; one on the Illinois running into the Mississippi called Fort Creveceur; one on the north-western extremity of Michigan, called Fort Miami; and one about half-way up the Illinois marked French fort. A nation of Indians called the Chevanoes is laid down as settled below the Cherokees in the country adjacent to where Fort Deposit now stands, on the Tennessee, and southwardly of it, which is supposed to be the people now called the Shawnees, who may have settled there under the auspices of their old friends and allies the Cherokees, after the expulsion of the Shawnees from the Savannah River. This conjecture is fortified by the circumstance that the French in ancient times called what is now the Cumberland by the name of the Shauvanon, on which the Shawnees were for many years settled. Mr. Vaughan, who lived as late as the year 1801, in the county of Amelia, in Virginia, was employed about the year 1740, as a packman to go to the Cherokee Nation with some Indian traders. The country was then but thinly inhabited to the west of Amelia; the last hunter's cabin that he saw was on Otter River, a branch of Staunton, now in Bedford County, Virginia. He exactly describes the different prospects of the mountains, the fords of the river, and the Grassy Springs at the present residence of Micajah Lee, now in Hawkins County, in East Tennessee. The trading path from Virginia, as he describes it, proceeded nearly upon the ground that the Buckingham road now runs on, and to the point where it strikes the stage road in Botetourt County; thence nearly upon the ground which the stage road now occupies, crossing New River at the fort, at English's Ferry, onward to the Seven Mile Ford, on the Holston; thence on the left of the line, which now forms the stage road, and near the river to the north fork of the Holston, and crossing the same at the ford, where the stage road now crosses it; and thence nearly upon the same ground which the stage road now occupies to Big Creek; thence leaving the ground that the stage road now runs on, and crossing the Holston at what is now called Dodson's Ford, three miles south-east of Rogersville; thence on by the Grassy Springs, the present residence of Micajah Lee, nine miles south-west of Rogersville; thence down the waters of the Nolichucky to the French Broad, and crossing the same below the mouth of

Little Pigeon River; thence up Little Pigeon River to its ford, thence leaving the waters of the Little Pigeon, over some small mountains, to Tuckaleeche Town, on Little River. This was an old path when he first saw it, and he continued to travel upon it, trading with the Indians, until the breaking out of the war between the French and English nations about the year 1754.

At the commencement of the French War, and in the year 1755, when Braddock was defeated in his attempt upon Fort Du Quesne, the Cherokees were inimical to the English colonies. Gov. Dobbs, of North Carolina, deputed Capt. Wattle to treat with them, and also with the Catawbas. In 1756 he made a treaty offensive and defensive with Atta Culla Culla, or the Little Carpenter, in behalf of the Cherokees; he also made a treaty with the Catawbas. The chief of each nation required that a fort should be erected within their respective countries for the defense of their women and children, in case the warriors should be called away against the French and their Indian allies. In consequence of their applications, Fort Loudon was built in the year 1757; a garrison was placed in it, and the Indians invited into it artisans, by donations of land, which they caused to be signed by their own chief, and in one instance by Gov. Dobbs, of North Carolina. The Cherokees, as late as the year 1759, carried on war, in conjunction with the Virginians, against the French and such of the Indians as still adhered to their interests. After the fall of Fort Du Quesne, in November, 1758, French emissaries from Louisiana were sent to detach them, if possible, from their connections with the English; and their assiduity and address, together with some displeasure which the Cherokees had taken at the behavior of the Virginians toward them in conducting the war, gave to the nation a strong bias in favor of French propositions. Col. Bird, in 1758, marched with his regiment from Virginia, and built Fort Chissel, and stationed a garrison in it: he also built a fort on the north bank of the Holston, nearly opposite to the upper end of the Long Island. It was situated on a beautiful level, and was built upon a large plan, with proper bastions, and the wall thick enough to stop the force of small cannon-shot. The gates were spiked with large nails, so that the wood was all covered. The army wintered there in the winter of 1758. There were no white settlements on Watauga in 1768. Watauga signifies the River of Islands,

or the Island River. The Holston River was known to the Cherokees by the name of Watauga. The name was lost, and a new one assumed from the following circumstance. Some years before 1758, one Stephen Holston, a resident of that part of Virginia, which afterward bore the name of Botetourt, in his traveling excursions to the south and west, came to the head waters of a considerable river. Allured by its inviting appearance, and by the fertility of the lands on its banks, and the variegated scenery which it presented, as also by the quantity of game which he saw there, he proceeded some distance down the river. When he returned and related to his countrymen what discoveries he had made, they called the river by his name. There being two forts, Fort Chissel and Fort Loudon, some persons were tempted to make settlements between them, on the Watauga River, shortly before the breaking out of the Cherokee War. Alienated by the dexterity of French management from their allies, the Virginians, who took no pains to secure a continuance of their esteem, the Cherokees began to show their disinclination to the English colonists in the year 1759. A body of Cherokees, as well as another of Tuscaroras, had aided the colonists in the reduction of Fort Du Quesne. Some of the Cherokees in this service had lost their horses, and replaced them with others which they found running in the woods. This the Virginia colonists resented. Indeed, through the whole campaign, the Virginians had treated them very contemptuously. The Virginians, as a nation, though generous, hospitable, humane, brave, and munificent, like many individuals of the same cast, are little inclined to obtain by condescension and suavity that to which they are entitled by their merits. This sentiment, among those of the lower ranks, degenerates into rudeness. While the French in Louisiana, by their emissaries, were acting toward the Indians in the most engaging and flattering way, and were plying them with the arts of seduction, the Virginians seized this occasion of the taking of the horses as a fit one to be made subservient to the purposes of their hatred. They fell upon the warriors, who were unconscious of any offense, murdering some and making prisoners of others. The excessive impolicy of this step soon became very apparent. A storm of indignation raged in the breast of every Cherokee, and burst in acts of vengeance upon the devoted frontiers. Gov. Littleton, of South Carolina, made

preparations to force them into repentance for their desertion. He levied a formidable army. They sent commissioners to treat with him; he ordered them into the rear of his army, under guard for their safety, as was pretended. After arriving at the place of destination, they were shut up together in a hut. The Indians agreed that their chiefs should be retained as hostages until an equal number of those who had slain the inhabitants on the frontiers should be given up in exchange for them, and it was further agreed that the Cherokees should seize and deliver up every white or red man coming into their country who should endeavor to instigate them to war against the English colonists. The hostages were left prisoners in Fort St. George. No sooner had the army retired than the Cherokees attempted by stratagem the release of the hostages. On the 16th of February, 1760, two Indian women appeared at Keowee, on the other side of the river. Mr. Doherty went out, and accosting them, asked what news? Oconnestota joined them, pretending some matter of business; he drew from the fort several of the officers to converse with him. He requested a white man to go with him as a guide to the Governor, and they promised to give him a guide. He then said he would go and catch his horse, and threw his bridle three times around his head. At this signal twenty-five or thirty muskets were fired upon the officers from different ambuscades. One of them was mortally wounded, and the others of them less dangerously. The officer highest in command in the fort, Ensign Milne, ordered the soldiers to shackle the hostages. They resisted, and killed one man on the spot, whereupon the garrison fell upon and killed every man of the hostages. In the night the fort was attacked, but without effect. A bottle of poison was found with one of the dead hostages, probably intended to be dropped into the well; and several tomahawks were found buried in the earth.

On the 3d of March, 1760, the Indians, to the number of two hundred, assaulted with musketry the fort at Ninety-six, but made not the least impression; and were obliged to retire with loss, burning and ravaging all the plantations within their reach on the frontiers of South Carolina, North Carolina, and Virginia, and, as usual, committed the most shocking barbarities.

Col. Montgomery, with a detachment of regular troops, joined by a number of provincials raised in South Carolina, entered

the Cherokee country and destroyed all their lower towns. The Cherokees met him near the village of Etchoe, and treated him so rudely that, though he claimed the victory, he retreated to Fort St. George, whence he shortly afterward went to New York. The Cherokees, on his departure from the country, in the same year, 1760, invested Fort Loudon. Fort Loudon stood on the north side of the Little Tennessee, and about one mile above the mouth of Tellico, in the center of what then constituted the Cherokee country. They besieged it till the want of provisions compelled the garrison to accept the terms offered to them. These were a safe retreat to the settlements beyond the Blue Ridge. In pursuance of the agreement, the white people, after throwing into the river their cannon, with their small-arms and ammunition, except what was necessary for hunting, broke up the fort, and commenced their march to the settlements in South Carolina. They were suffered to proceed without molestation about twenty or twenty-two miles, to what is now called Katy Harlin's Reserve. At this place, about day-break, the Indians fell upon and destroyed the whole troop—men, women, and children—except three men—Jack, Stuart, and Thomas—who were saved by the friendly exertions of the Indian chief called the Little Carpenter; except, also, six men who were in the advance guard, and who escaped into the white settlements. The surrender of the fort took place about the 7th of August, 1760. I. Christie, one of the six men who thus escaped, is yet alive, and resides among the Cherokees. It is said that between two and three hundred men, besides women and children, perished in this massacre. The Indians made a fence of their bones, but after the close of the war they were, by the advice of Conostota, king of the Overhill Cherokees, removed and buried for fear of stirring afresh the hostility of the English traders, who began again to visit them.

Canada being conquered in 1760, troops could now be spared for the relief of Virginia, North Carolina, and South Carolina, on whose frontiers the Indian war raged in the most terrific forms.

Early in June, 1761, Col. Grant, with a strong detachment of regular troops, aided by the South Carolina Provincials and friendly Indians who had joined him, marched from Fort Prince George for the Cherokee towns. Near the battle-ground of the

last year the Indians met and fought him. The action commenced about eight o'clock in the morning and continued until about eleven, when the Cherokees began to give way. They were pursued, and a scattering fire was kept up for five hours, after which Grant marched to Etchoe and burned it, as he did all the towns in the Middle Settlement. Their houses and their corn-fields were destroyed, and the whole country laid waste. The Cherokees sued for peace, and in the summer of 1761 the war was put to an end by a treaty of peace. In the course of the war the settlements around Fort Loudon, which were the only settlements of white people in what is now the State of Tennessee, were entirely broken up.

In the year 1761, as soon as the state of Indian affairs would admit of hunting with safety in the wilderness, certain persons, chiefly of Virginia, hearing of the abundance of game with which the woods were stocked on the Western waters, and allured by the prospects of gain which might be drawn from this source, formed themselves into a company composed of Wallen, Scaggs, Blevins, Cox, and fifteen others, and came into the valley now called Carter's Valley, in East Tennessee. Part of these men came from Pennsylvania, the greater part from several counties in Virginia, contiguous to each other.

Daniel Boone came from the Yadkin, in North Carolina, at the head of one of these companies, and traveled with them till they came as low as the place where Abingdon now stands, and there left them. Wallen and his associates went through the Mockason Gap, in Clinch Mountain; and established a station on Wallen's Creek, which runs into Powell's River, now in Lee County, Va. There they hunted eighteen months. They named Powell's Mountain from seeing the name, "Ambrose Powell," inscribed on a tree near the mouth of Wallen's Creek, on Powell's River. From the name given to the mountain they called the river "Powell's River" and the valley "Powell's Valley," names they have ever since retained. They named Clinch River and Clinch Mountain from the following circumstance: An Irishman was one of the company; in crossing the river he fell from the raft into it, and cried out, "Clinch me! clinch me!" meaning, lay hold of me. The rest of the company, unused to the phrase, amused themselves at the expense of the poor Irishman, and called the river Clinch. They named the Copper

Ridge from minerals of copperas appearance, which they found upon it; Newman's Ridge after a man of that name, who was one of the company; Wallen's Ridge from the name of Wallen, one of the company; also Scaggs's Ridge from a person of that name, who was one of the company. They then went through Cumberland Gap, and, when there, agreed that Wallen should name the mountain. He, having come from Cumberland County, Va., gave it the name of Cumberland Mountain. They proceeded to the river now called Cumberland, and called it North Cumberland. Fourteen miles farther was the Laurel Mountain, where they terminated their journey, having met with a body of Indians whom they supposed to be Shawnees.

On the south of Rogersville, toward the southern boundary, is the Paint Mountain, bearing S. 60° W., and the Nolichucky, which runs into the French Broad. The next mountain is Bay's Mountain, in the same direction; next Holston; then Clinch Mountain; next Copper Ridge, Clinch River, Newman's Ridge, Powell's Mountain, and then to Virginia. Cumberland Mountain bears N. 46° E., and between the Laurel Mountain and the Cumberland Mountain the Cumberland River breaks through the latter. At the point where it breaks through in the State of Kentucky, and about ten miles north of the State line, is a creek called Clear Creek, which discharges itself into the Cumberland River, bearing north-east till it reaches the river. It rises between the Great Laurel Hill and the Cumberland Mountain. Its length is about fifteen miles. Not far from its head rises also the South Fork of the Cumberland, in the State of Kentucky, and runs westwardly.

On Clear Creek are two old furnaces, about half-way between the head and mouth of the creek, which were first discovered by hunters in the time of the first settlements made in this country. These furnaces then exhibited a very ancient appearance. About them were coals and cinders, very unlike iron cinders, as they have no marks of rust, which iron cinders are said uniformly to have in a few years. There are likewise a number of the like furnaces on the South Fork, bearing similar marks, and seemingly of a very ancient date.

One Swift came to East Tennessee in 1790 and 1791, and was at Bean's Station, on his way to a part of the country near which

these furnaces are. He had with him a journal of his former transactions, by which it appeared that in 1761, 1762, and 1763, and afterward in 1767, he, two Frenchmen, and some few others had a furnace somewhere about the Red Bird Fork of the Kentucky River, which runs toward the Cumberland River and Mountain, north-east of the mouth of Clear Creek. He and his associates made silver in large quantities at the last-mentioned furnaces. They got the ore from a cave about three miles from the place where his furnace stood. The Indians becoming troublesome, he went off, and the Frenchmen who were with him went toward the place now called Nashville. Swift was deterred from the prosecution of his last journey by the reports he heard of Indian hostility, and returned home, leaving his journal in the possession of Mrs. Renfro. The furnaces on Clear Creek, and those on the South Fork of the Cumberland, were made either before or since the time when Swift worked his. The walls of these furnaces, and horn buttons of European manufacture found in a rock house, prove that Europeans erected them. It is probable, therefore, that the French, when they claimed the country to the Alleghanies in 1754 and prior to that time, and afterward up to 1758, erected these works. A rock house is a cavity beneath a rock jutting out from the side of a mountain, affording a cover from the weather to those who are below it. In one of these was found a furnace and human bones and horn buttons, supposed to have been a part of the dress which had been buried with the body to which the bones belonged. It is probable that the French who were with Swift showed him the place where the ore was.

When the regiment, under the command of Col. Bird, marched from Virginia to the West, the frontier settlements of that colony was at Fort Lewis, which stood a few miles east of the present site of Salem, which is now in Botetourt County. Vaux's Fort, higher up the Roanoake, had been then recently taken by the French and Indians, and the company, of which we have been speaking, advanced by degrees, year after year, still farther into the interior. They made their first hunt in the year 1761, in the section of country which is now called the Blevins Settlement, in Sullivan County. They then resided on Smith's River, a branch of Dan, dispersed over the country that is now called Patrick and Henry Counties. There were no settlers at

that time west of the Blue Ridge, except a few men who worked at the lead mines.

The next fall, which was in 1762, they hunted on the waters of the Clinch. They crossed the Blue Ridge at the Flower Gap, New River at Jones's Ford, and the Iron Mountain at the Blue Spring Gap. They traveled down the south fork of the Holston, and then, crossing the fork of the Holston, and going to the Elk Garden, on the waters of the Clinch, they found some Indian signs. They proceeded in the same direction, crossing Clinch River to the Hunter's Valley, so named from their traveling to and down it. They traveled down the valley seven or eight days, about S. 60° W., to Blackwater Creek, which they named. They fixed their station-camp near the road that leads from Rogersville to Jonesville, or Lee Court-house, in Virginia. There they shot bullets into a tree to try their guns. The spot on which it stands is N. 20° W., nineteen miles from Rogersville, and about one mile north of the State line. Some of the company traveled down to Greasy Rock Creek, and fixed a station there. It stood about where the line now is between Claiborne and Hawkins Counties. Here the hunters killed a great many bear, and their garments were very much besmeared with grease. At the place where they went to the creek to drink, there is a small rock descending into the water, upon which they were used to lie down and drink. The rock, like their garments, became greasy, and hence the creek took the name of Greasy Rock Creek.

In the fall of the year 1763 this same company of hunters, with the exception of one or two who staid at home, went through Cumberland Gap, and hunted for the season on the Cumberland. In the fall of 1764 the Blevins connection made their fall hunt on the Rock Castle River, near the Crab Orchard, in Kentucky, and continued to hunt in the woods there for several years afterward. Daniel Boone, who then lived on the Yadkin, came among the hunters to be informed of the geography and locography of these woods, saying he was employed to explore them by Henderson & Co. Henry Scaggins was afterward employed by them to explore the country on the banks of the Cumberland, and fixed his station at Mansco's Lick. About the last of June, 1766, Col. James Smith, late of Bourbon County, in Kentucky, set off to explore the great body of rich lands which

by conversing with the Indians he understood to be between the Ohio and Cherokee Rivers, which the Indians had then lately ceded by treaty, made with Sir William Johnston, to the King of Great Britain. He went in the first place to the Holston River, and thence traveled westwardly, in company with Joshua Horton, Uriah Stone, and William Baker, who came from near Carlisle—four in all—and a mulatto slave about eighteen years of age, which Mr. Horton had with him. They explored the country south of Kentucky, and no vestige of any white man was to be found there, more than there now is west of the head waters of the Missouri. They also explored the Cumberland and Tennessee Rivers, from Stone's River down to the Ohio. Stone's River is a fourth branch of the Cumberland, and empties into it eight or ten miles above Nashville. These travelers so named it in their journal, after one of themselves, Mr. Uriah Stone; and ever since that time it has retained the name. When they came to the mouth of the Tennessee, Col. Smith concluded to return home, the others to proceed to the Illinois. They led his horse to the Illinois, as it was difficult to travel him through the mountains. They gave to Col. Smith the greater part of their ammunition, which amounted to half a pound of powder and a proportionate quantity of lead. Mr. Horton also left with him the mulatto boy, and Smith set off with him through the wilderness for Carolina. Near a buffalo path they made them a shelter; but, fearing the Indians might pass that way and discover his fire-place, he moved to a greater distance from it. After remaining there six weeks he proceeded on his journey, and arrived in Carolina in October. He thence traveled to Fort Chiswell, where he left the mulatto boy at Mr. Horton's negro quarters. He thence proceeded to Mr. George Adams's, on Red Creek, and returned home to Conococheague in the fall of 1767.

Attached to the regiment of Col. Bird, in the time of the French War, were Gilbert Christian and William Anderson, who were both pleased with the appearance of the country they had seen, and wished to explore it more carefully after they had returned from service. They engaged John Sawyer (now Col. Sawyer), of Knox County, in East Tennessee, to accompany them in this tour through the wilderness. They, in company with four others, making seven in all, in the year 1768 left the county of Augusta, in Virginia, and traveled to the waters of

the Holston. They traversed the country from the Holston to the Clinch Mountain, and down it.

In the month of February, in the year 1769, they crossed the North Fork of the Holston at the same place where the ford now is, above the mouth of the river, and pursued their usual mode of traveling till they came as low as Big Creek, now in Hawkins County, where they found themselves in the hunting-grounds of a large party of Indians. They turned about and went back up the river ten or fifteen miles, and concluded to return home. After they had crossed the north fork, going home, about twenty miles above the crossing-place there was a cabin on every spot where the range was good, and where only six weeks before nothing was to be seen but the howling wilderness. When they passed by before, on their outward destination, they found no settlers on the waters of the Holston, save three families on the head springs of the rivers. Thus East Tennessee began to be permanently settled in the winter of 1768-69. Ten families of these settlers came from the neighborhood of the place where Raleigh now stands, in North Carolina, and settled on the Watauga. This was the first settlement in East Tennessee. Soon afterward it was augmented by settlers from the hollows in North Carolina and from Virginia. About the years 1768, 1769, 1770, such was the reigning fashion of the times as eminently promoted the emigration of its people from North Carolina. The trade of the country was in the hands of Scotch merchants, who came in shoals to get rich and to get consequence. The people of the country were clothed in the goods they imported, and to be dressed otherwise was scouted as a sign of barbarity and poverty. The poor man was treated with disdain, because unable to contribute to their emoluments. He was excluded from their society, unless when he was to be reminded of his insignificance, and to be told with brutal freedom of the low rank which he held. The rich were led into extravagant modes of living, far beyond what their incomes could support. Labor was proscribed as fit only for the degraded and vulgar, and every man in the country, of any standing, vied with his neighbor in the splendor of his appearance, in the expenditures of his family, and in the frivolous amusements with which he passed his time. These traders were taken for a superior class of beings; their dress was imitated, their manners, their amusements, even their

hobbling gait and broad accent. The very women of the country believed that there was no dignity but in a connection with them. The Governors of the province were alternately Scotch or English who favored their pretensions. The members of the council were chiefly Scotch, and the members of the Assembly also. To supply the means for the expensive living which was then fashionable clerks of courts and lawyers demanded exorbitant fees for their services. The great excellency of a clerk consisted in making out the highest bill of costs, and yet keeping within the pale of the law. All sums over forty shillings were sued for and recovered in courts of record. The business was immense, and the extortions of clerks, lawyers, and tax-gatherers fell with intolerable weight upon the people. Sheriffs, in the collection of taxes, exacted more than was due, and appropriated the surplus to their own use. The offenders were the men in power, who were appointed by the law to redress the wrongs of the people. Those who were injured met and petitioned the Legislature for relief, and made representations of the malpractice which they had suffered. Their petitions were rejected and treated with disdain. Driven by oppression to desperation and madness, the people rose in bodies, under the title of "Regulators."

The royal forces, under the command of Gov. Tryon, met the "Regulators" near the Great Alamance, on the 16th of May, 1771, and defeated them, killing above two hundred of them on the field of battle. Some of them were taken by the victors and hanged; others took the oath of allegiance, and returned home; others fled to Holston, where the dread of British power, at a subsequent period, made them tories. In these afflicting circumstances it became necessary for men of property to come to the westward in quest of the means to repair the dilapidations of their broken fortunes, and for the poor to go somewhere in search of independence and a share of respectability, absolutely unattainable in the country of their nativity. In the wilderness beyond the mountains they were promised at least exemption from the supercilious annoyance of those who claimed a pre-eminence above them. Under these incentives, full streams of emigration began to flow in various directions from the misgoverned province of North Carolina. The day of retribution was not far behind, and when it came in the dawn of the revolution,

the enraged populace, ever prone to extremes, exhibited many of those models of excellence in match coats of tar and feathers, which frequently they were hardly restrained from decorating with the illumination of liquid flame. Is it meant to applaud such violence? No, but to hold it in abhorrence. Yet candor is obliged to confess that as in every other misfortune there is some speck of consolation, so also there was one in this: that if the rude fury of the people must fall somewhere, it did not upon this occasion miss the most deserving candidates for popular distinction. When the oath of allegiance to the new State government was offered to the people of North Carolina, as a test of distinction between the friends of the new State who would take it and its enemies who would not, this whole body of men, with very few exceptions, who had so lately been the tyrants of the country, refused to take the oath and left the United States. Amongst others who had withdrawn from the oppression which they had made fashionable was Daniel Boone, from the Yadkin, who removed in 1769 or 1770; and James Robertson, from Wake County, in North Carolina, early in 1770. He is the same person who will appear hereafter by his actions to have merited all the eulogium, esteem, and affection which the most ardent of his countrymen have ever bestowed upon him. Like almost all those in America who have ascended to eminent celebrity, he had not a noble lineage to boast of, nor the escutcheoned armorials of a splendid ancestry. But he had what was far more valuable—a sound mind, a healthy constitution, a robust frame, a love of virtue, an intrepid soul, and an emulous desire for honest fame. He visited the delightful country on the waters of the Holston, to view the new settlements which then began to be formed on the Watauga. When he came to the Watauga, in 1770, he found one Honeycut living in a hut, who furnished him with food for his subsistence. He made a crop this year on the Watauga. On recrossing the mountains he got lost for some time, and, coming to a precipice over which his horse could not be led, he there left him and traveled on foot. His powder was wetted by repeated showers of rain, and was so spoiled that he could not use it for the purpose of procuring game for his food. For fourteen days he wandered without eating, till he was so much reduced and weakened that he began seriously to despair of ever returning to his home again. But there is a prov-

idence which rules over the destinies of men, and preserves them to run the race which is appointed for them. Unpromising as were the expectations of James Robertson at that time, having neither learning, experience, property, nor friends to give him countenance, and with spirits drooping under the pressure of penury and a low estate, yet the God of nature had given him an elevated soul, and planted in it the seeds of virtue, which made him in the midst of discouraging circumstances look forward to better times. He was accidentally met by two hunters, on whom he could not, without much and pressing solicitation, prevail so far as to be permitted to ride on one of their horses. They gave him food, of which he ate sparingly for several days, till both his strength and spirit returned to him. This is the man who, in the sequel of this history, will figure so deservedly as the greatest benefactor of the first settlers of the country. He reached home in safety, and soon afterward returned to the Watauga, with a few others, and there settled. Boone had been there at an earlier period, and was then there also. Robertson and sixteen others, in 1772, entered into a covenant with each other to purchase lands of the Indians, if they could do so upon reasonable terms. They did not complete the covenant amongst themselves, which Boone communicated to Henderson, and it eventuated in the formation of a company by Henderson, who actually made a purchase in 1774 and 1775.

Some transient persons who had come to the Watauga previously to Robertson, intending to become residents there, were men of bad character; others, again, were men of industrious habits and of honest pursuits, who sought for good lands to reward their toils in the tillage of the earth. Soon afterward some arrived who had fled from oppression, in the character of "Regulators;" some came thither who had withdrawn from the demands of public justice in their own country, and sought the most remote and inaccessible frontiers that they could find. Afraid of their own government and of the rewards due to their demerits, and unwilling to trust themselves among the savages for fear of the punishment for offenses like those which had driven them from the bosom of civilization, they herded together in the wilderness, and involuntarily rendered to their country a beneficial service, which in no other way could have been extracted from them. They formed a barrier on the frontier be-

tween the savages and the industrious cultivators of the soil. As society gathered around them in their new situation they again inquired for new frontiers, and established new stations, to be resorted to by a feeble population but just commencing. A part of them, unable to abandon the practice to which long usage had naturalized them, retreated into inaccessible parts of the mountains, and there settled for some time in the enjoyment of their darling occupation. When the inhabitants first settled that part of East Tennessee now composing the counties of Sullivan and Hawkins, on the north side of the Holston River, they agreed among themselves to adhere to the government of Virginia, as well for protection against the Indians as against the numerous bands of horse-thieves who infested the frontiers at that early period. It was known, however, as early as the year 1771, from an experiment made by the late Col. Anthony Bledsoe, who was a practical surveyor and extended the boundary line as far west as Beaver Creek, nearly on the same parallel as it was afterward run by the commissioners mutually appointed by both States, that they would fall into the State of North Carolina upon the extension of the boundary line. Those who settled on the south side of the Holston adhered to North Carolina, and lived without law or protection except by rules of their own adoption.

In 1772 the settlement on the Watauga, being without government, formed a written association and articles for their conduct. They appointed five commissioners, a majority of whom was to decide all matters of controversy, and to govern and direct for the common good in other respects. The settlement lived under these articles for some time. James Robertson was one of the five commissioners. He soon became distinguished for sobriety and love of order, and for a firmness of character which qualified him to face danger. He was equally distinguished for remarkable equanimity and amenity of manners, which rendered him acceptable to all who knew him.

Early in 1772 the colony of Virginia held a treaty with the Cherokees, and agreed upon a boundary between them, to run west from the White Top Mountain, in latitude $36^{\circ} 30'$. Soon after this Alexander Cammeron, a deputy agent for the government of Great Britain, resident among the Cherokees, ordered the Watauga settlers to move off. Some of the Cherokees expressed a wish that they might be permitted to stay if they

would make no further encroachments. This avoided the necessity for their removal.

The settlers, uneasy at the precarious tenure by which they occupied their lands, desired to obtain a more permanent title. For this purpose, in the year 1772, they deputed James Robertson and John Boon to negotiate with the Indians for a lease; and for a certain amount in merchandise, estimated at five or six thousand dollars, muskets, and other articles of convenience, the Cherokees made a lease to them for eight years of all the country on the waters of the Watauga.

In the same year Jacob Brown, with one or two families from North Carolina, settled on the Nolichucky River, where, keeping a small store of goods, he ingratiated himself with the Indians; and made with them a contract for lands on the waters of that river, similar to the former. In both instances the property advanced to purchase the goods was re-imbursed by selling out the lands leased, in small parcels, to individuals for the time the lease was to last.

Soon after the arrival of Mr. Robertson on the Watauga some persons settled in Carter's Valley, fourteen or fifteen miles above where Rogersville now is. All the country was then supposed to be a part of Virginia, and it soon became settled from the Wolf Hills, where Abingdon, in Virginia, now is, to Carter's Valley. The river was deemed the boundary between North Carolina and Virginia. Parker and Carter opened a store in the valley, which the Indians robbed. When Henderson's Treaty was held with the Cherokees in 1774, and again in 1775, these merchants came to it, and demanded Carter's Valley as a compensation for the injury they had sustained, to extend from Cloud's Creek to the Chimney Top Mountain, of Beech Creek. The Indians were willing to give the valley, provided an additional price was thrown into the bargain. Parker and Carter agreed to the proposal, and took Robert Lucas in as a partner to enable them to advance the additional price. There were at this time three settlements in the country—one at Watauga, and Brown's and Carter's settlements. Parker and Carter leased their lands to job-purchasers; but, when some time afterward, it began to be suspected that the lands lay in North Carolina, and not in Virginia, the purchasers refused to hold under them, and drove them off. Prior to this time persons immigrating to Natchez

frequently stopped at the Holston for a year or two, cleared land, and made crops of corn, and disposed of the crops and of the lands on which they were made to Parker and Carter. Such improvements were understood by the law of Virginia to entitle the improvers, or their assignees, to the right of preemption. These rights fell to the ground the moment it was discovered that the lands lay in North Carolina. Parker and Carter, after making the purchases, usually sold to other immigrants who had come to reside permanently in the county, demanding a price for the lands and for the improvements, which conferred the right of pre-emption.

When Henderson held the treaty with the Indians those who were seated on lands leased by the Indians purchased them, and paid the Indians for them. Their deed was made to Black Charles Robertson, in behalf of the Watauga settlers. Jacob Brown also purchased a tract of land of the Indians, beginning at the Chimney Top, thence to Camp Creek, and to the boundary (afterward called Brown's) line, which, in 1778, was specified in an act of the Legislature of North Carolina as the boundary between the Indians and white people.

After the lease made by the Indians of lands on the Watauga a great race was agreed to be run there, at which, on the appointed day, were numbers of persons from all the adjacent country. Amongst them were some Indians, drawn to the spot by the same curiosity which collected others there. Certain persons of the name of Crabtree, as was afterward suspected, came from the section of country in Virginia, above the Wolf Hills (now Abingdon), and lurked in the environs of the place where the race was run; and in the evening, selecting a fit opportunity, fell upon and killed one of the Indians, an act of great heroism in that day of barbarous habits, when the uneducated white man knew no other rule for the government of his actions but the approbation or condemnation of vulgar opinion and prejudice. The inhabitants were greatly alarmed at this rash act, as it immediately endangered their repose, and exposed them to the retaliating resentment of the savages in their neighborhood. In this state of alarm and danger James Robertson undertook a journey to the Indian Nation to pacify them, and allay the irritation which this imprudent act had provoked. The attempt was full of hazard, and required much intrepidity,

as well as affection for the people, in him who engaged in it. Mr. Robertson, however, did engage in it, and succeeded. He proceeded directly to the Cherokee towns, and stated to the chiefs and people that the settlers upon the Watauga viewed the horrid deed which had been perpetrated with the deepest concern for their own character; and with the keenest indignation against the offenders, whom they meant to punish as he deserved whenever they could be discovered. The Indians were appeased by this instance of condescension in the white people, and of the discountenance which they gave to the miscreant. The settlers were saved from their fury, and Robertson began to be looked upon as an intrepid soldier, a lover of his countrymen, and a man of uncommon address in devising means of extrication from difficulties.

In the year 1774 the Shawnees and other hostile tribes north of the Ohio commenced hostilities and penetrated as far south as the section of country now called Sullivan County, in East Tennessee. In the month of July of this year it was announced that Lord Dunmore, the Governor of Virginia, had ordered an expedition against those Indians under the command of Col. Andrew Lewis. Capt. Evan Sehlby raised a company of more than fifty men, in what are now Carter and Sullivan Counties, composed in part of the Robertsons and Seviers. They marched on the 17th of August, and joined Col. Christian on New River; and then proceeded to the Great Levels of the Greenbrier, where they joined Col. Lewis's army about the 1st of September. They then proceeded by slow marches, and arrived at the mouth of the Great Kanawha on the 6th of October, where the army lay apparently in a state of perfect security until the morning of the 10th of that month, when James Robertson (afterward Gen. Robertson) and Valentine Sevier (afterward Col. Sevier), both of them sergeants at that time, went out of camp before day to shoot a deer, and very unexpectedly met the Indians half a mile from camp, advancing toward the provincials in a line from the Ohio back to the hills, a distance of half a mile. They were on the extreme left of the enemy, and fired on them at the distance of ten steps. As it was yet too dark to see a man distinctly at that distance, it caused a general halt of the enemy, while Robertson and Sevier ran into camp and gave the alarm. Three hundred men were instantly ordered out to meet them—150

under Col. Charles Lewis, to the right, and 150 under Col. William Fleming, to the left, up the bank of the Ohio. They had scarcely progressed out of sight of the sentinels when they met the enemy, and a most furious action commenced. The provincials were re-enforced from camp, and the battle lasted nearly the whole day. The enemy was composed of Shawnees, Delawares, Mingoes, and others, and had to the number of eight hundred men. The provincials kept the field; their loss in killed and wounded being one hundred and sixty. The killed and wounded of the enemy were about the same number. Thus it has happened that East Tennessee, in the earliest stages of her infancy, has been called on to contribute all in her power to the common defense, and seems to have been made much less for herself than for the protection of her neighbors. It fell upon this occasion to the lot of men from East Tennessee to make an unexpected discovery of the enemy, and by that means to save from destruction the whole army of the provincials, for it was the design of the enemy to have attacked them at the dawn of day, and to have forced all whom they could not kill into the junction of the two rivers. The first Congress of the United Colonies was sitting in Philadelphia at the time this battle was fought. It had the happy effect of quelling the Indians till the year 1776. Cornstalk, a chief of the Shawnees, commanded the combined army of Indians on that day, and on the whole of that day exhibited prodigies of valor; in whatever part of the army his voice was heard from thence immediately issued a thick and deadly fire.

In April, 1775, the treaty of Henderson with the Cherokees was brought to a conclusion, and the cession was made which has already been described. Upon this occasion, and before the Indians had finally concluded to make the cession, one of the Cherokee orators, said to have been Oconostota, rose and delivered a very animated and pathetic speech. He began with the very flourishing state in which his nation once was, and spoke of the encroachments of the white people, from time to time, upon the retiring and expiring nations of Indians who left their homes and the seats of their ancestors to gratify the insatiable desire of the white people for more land. Whole nations had melted away in their presence like balls of snow before the sun, and had scarcely left their names behind, except as imperfectly

recorded by their enemies and destroyers. It was once hoped that they would not be willing to travel beyond the mountains, so far from the ocean, on which their commerce was carried on, and their connections maintained with the nations of Europe. But now that fallacious hope had vanished; they had passed the mountains, and settled upon the Cherokee lands, and wished to have their usurpations sanctioned by the confirmation of a treaty. When that should be obtained the same encroaching spirit would lead them upon other lands of the Cherokees. New cessions would be applied for, and finally the country which the Cherokees and their forefathers had so long occupied would be called for; and a small remnant which may then exist of this nation, once so great and formidable, will be compelled to seek a retreat in some far distant wilderness, there to dwell but a short space of time before they would again behold the advancing banners of the same greedy host; who, not being able to point out any further retreat for the miserable Cherokees, would then proclaim the extinction of the whole race. He ended with a strong exhortation to run all risks and to incur all consequences, rather than submit to any further dilacerations of their territory. But he did not prevail, and the cession was made.

In 1775, in the month of November, the people of the Watauga still lived under a government of their own appointment. Their committee settled all private controversies, and had a clerk (Felix Walker), now or lately a member of Congress from North Carolina. They had also a sheriff. Their committee had stated and regular times for holding their sessions, and took the laws of Virginia for the standard of decision.

In 1775 Mr. Joseph Greer came to the settlement. After the conclusion of the treaty which Henderson and company made with the Cherokees in April, 1775, Mr. Andrew Greer, father of Joseph Greer, went to the Cherokee Nation and purchased furs. There he watched the conduct of Walker and another white trader, and was convinced that they intended some mischief should be done to him. As he returned with his furs, and came to a creek which is now called Boyd's Creek, he left the main trading path and came up the Nolichucky trace. Two persons from Virginia, sent by the government or some of its military officers (Boyd and Doggett), as they traveled on the path that Greer left were met by Indians at the creek, and were killed by

them and hid in the creek. Hence the name of Boyd's Creek. Thus the rising ill-will of the Cherokees began to make itself apparent. A part of the measures of the British government, adopted for the subjection of America in the year 1776, was to arm all the adjacent Indian tribes, and to excite them to hostilities—a people whose mode of warfare was the destruction of all ages and sexes. "This infernal malignity," says a paper composed at the time by Col. Arthur Campbell, "of a professed Christian prince was reserved to be exhibited to the world in the reign of George III."

The instructions of the British War Department reached the superintendent, John Stuart, early in the spring of this year. He had previously fled from his residence in South Carolina, and taken refuge in Florida, whence he dispatched orders to his deputy agents, resident with the different Southern tribes. Alexander Cammeron, formerly a highland officer, who had fought in the late war for America, was at this time agent for the Cherokee Nation. After receiving his instructions, he lost no time in calling together the chiefs and warriors, and made known to them the designs of his government. This was a phenomenon to the Indians, and it was with difficulty that they could be brought to believe that the quarrel was real, or that a part of the same people would be armed to destroy the other, a civil war being unknown among Indians who speak the same language. Besides, the Americans had friends in the towns, who endeavored to counteract the agent and gain time, that the frontier inhabitants might be apprised of their danger. Eventually Cammeron was successful in gaining a majority of the chiefs and warriors to the British interests, by promises of large presents in clothing, the plunder of the conquered country, and that part of it which was on the Western waters to be reserved for their hunting-grounds.

This formidable invasion was rendered much less destructive than was intended by the address and humanity of another Pocahontas (Nancy Ward), who was nearly allied to some of the principal chiefs, obtained their plan of attack, and without delay communicated it to Isaac Thomas, her friend and a true American. She procured him the means to set out to the inhabitants of Holston, as an express to warn them of their danger, which he opportunely did; and proceeded without delay to the

Committee of Safety, in Virginia, accompanied by William Fal-lin as far as the Holston settlements.

At this early period of the Revolution the executive authority of Virginia was a feeble body. Unfortunately, there was not an experienced military character among them. They took some notice of the messenger, and the convention, being then in session, aided in forming measures to defend the country from invasion. Brown's Settlement was in part composed of tories. Of this circumstance he had given timely notice to Carter, who applied for aid to the settlements in Virginia, at the Wolf Hills, where Abingdon now stands. A body of men came from thence immediately to Brown's Settlement, and called the inhabitants together, who came readily, not knowing what was intended, and there administered to all of them an oath to be faithful to the common cause. After this Brown's people and those of the Watauga were considered as one united settlement, and appointed all their officers as belonging to the same body. They appointed Brown and Carter to be colonels, and Jacob Wommack a major. They built a fort at Gillespy's, and placed a garrison in it just above the mouth of Big Limestone. Upon the movement of the Indians afterward toward the settlements, that fort was broken up, and the inhabitants who lived in it retired to Watauga.

The Wommack Fort was built about the latter part of July, 1776, east of the Holston, ten or twelve miles above the mouth of the Watauga. The Virginians built a fort at Heaton's Station. Evan Shelby erected one on Beaver Creek, two miles south of the State line. John Shelby, his brother, built a fort whilst he lived on the Holston, east of Wommack's three or four miles.

The united settlements elected John Sevier, Carter, Wommack, and John Hill as their representatives, and sent them to the convention at Halifax. They were received, and sat as members of the convention which established the District of Washington.

Capt. Sevier was endowed by nature with those rare qualities which make the possessor in all places and with all people an object of attention and a depository of their confidence—qualities which cannot be learned, and which cannot be kept from observation. Whilst a resident of Virginia, in the year

1774, the Earl of Dunmore, then Governor of Virginia, appointed him captain of a militia company in the county of Dunmore. On the 24th of December, 1777, Governor Caswell, of North Carolina, gave him a commission of Lieutenant-colonel of the Washington Regiment of Militia, under the command of Col. John Carter.

The Long Island of the Holston is about three miles in length in the main Holston River, just above the point where the North Fork joins it. In the fork between the two rivers, and about five or six miles above the junction, stood Heaton's Station. Just above the islands were flat lands, with a few bushes and saplings, but otherwise open, lying between the two rivers.

The substance of the intelligence which the inhabitants of Holston received from Thomas and Fallin was that a body of seven hundred Indians had assembled, and had divided themselves into two parties—one destined by way of the mountains, on a circuitous road, to fall on the settlements of Watauga and above; the other, a body of three hundred and fifty men, commanded by Dragging Canoe, was ordered to break up the settlements in the fork and above, and thence to proceed northwardly into Virginia. Alarmed by this information, and for the fate of the unprotected inhabitants, five small companies, raised chiefly in Virginia, assembled under their respective captains, the eldest of whom in the commission was Capt. Thompson. They marched to Heaton's Station, where a fort had been built, by the advice of Capt. William Cocke, in front of the settlement, and there halted, as well to protect the people in the station as to procure information, by their spies and scouts, of the position of the enemy, of their numbers, and of their designs, if possible. In a day or two it was ascertained that the Indians, in a body of three or four hundred, were actually on their march toward the Fork. A council was immediately held to determine whether it was most advisable to await in the fort the arrival of the Indians, with the expectation that they would come and attack it; or to march out in search of them, and fight them wherever they could be found. It was urged in council by Capt. Cocke that the Indians would not attack them in the station, inclosed in their block-houses, but would pass by them and fall upon the settlements in small parties; and that, for want of protection, the greater part of the women and children in the

settlements would be massacred. This argument decided the controversy, and it was determined to march out and meet them. The corps, consisting of one hundred and seventy men, marched from the station and took their course down toward the Long Island, with an advance of about twelve men in front. When they reached what are called the Island Flats, the advance-guard discovered a small party of Indians coming along the road meeting them, and immediately fired upon them. The Indians fled, and the white people pursued for some time, but did not meet the enemy. A halt was then made, and the men were formed in a line. A council was held by the officers, in which it was concluded that probably they would not be able to meet the enemy again that day; and, as evening was drawing near, that it was most prudent to return to the fort. Whilst the line was thus formed, some persons make a remark unfavorable to one of the captains on the score of his personal firmness. He soon heard of it; and the corps having commenced its returning march in the same order as they had marched forward, the captain whom the remark implicated, being at the head of the right line, after going a short distance, halted, and addressed the troops in defense of himself against the imputation. The whole body collected into a crowd to hear him. After the address was over the offended captain took the head of his line, marching on the road that leads to the station. But before all the troops had fallen into the ranks, and left the place where they had halted, it was announced that the Indians were advancing in order of battle in their rear. Capt. Thompson, the senior officer, who, on the returning march, was at the head of the left line, ordered the right line to form for battle to the right, and the line which he headed to the left, and to face the enemy. In attempting to form the line, the head of the right seemed to bear too much along the road leading to the station; and the part of the line farther back, perceiving that the Indians were endeavoring to outflank them, were drawn off by Lieut. Robert Davis as quickly as possible and formed on the right, across the flat to a ridge, and prevented them from getting around the flank. This movement of Lieut. Davis cut off a part of the right line, which had kept too far along the road. Some of them, however, when the firing began, returned to the main body, which was drawn up in order of battle, and a few of them

kept on to the station. The greater part of the officers, and not a few of the privates, gave heroic examples to cause the men to face about and give battle. Of the latter Robert Edmiston and John Morrison made conspicuous exertions. They advanced some paces toward the enemy, and began the battle by shooting down the foremost of them. The battle then became general. The most valiant of our people had to expose themselves almost in close quarters with the Indians to induce those men who had run too far to come toward the front and assist their comrades, and before the close of the action they generally did so.

The Indians began the attack with great fury, as if certain of victory, the foremost hallooing, "The Unacas are running; come on and scalp them." Their first effort was to break through the center of our line, and to turn the left flank at the same instant. In both they failed of success by the well-directed fire of our riflemen. Several of their chief warriors fell, and at length their commander was dangerously wounded. This decided the contest. The enemy immediately betook themselves to flight, leaving twenty-six of their boldest warriors dead on the field of battle. The blood of the wounded could be traced in great profusion in the direction of the enemy's retreat. Our men pursued in a cautious manner, lest they might be led into an ambuscade, hardly crediting their own senses that so numerous a foe was completely routed. In this miracle of a battle we had not a man killed, and only five wounded, who all recovered. But the wounded of the enemy died till the whole loss in killed amounted to upward of forty. The battle lasted not more than ten minutes after the line was completely formed and engaged, before the Indians began to retreat; but they continued to fight awhile in that way to get the wounded off the ground. The firing during the time of the action, particularly on the side of the white people, was very lively and well directed. This battle was fought in the month of July, 1776. The consequences of victory were of some importance to the Western inhabitants, otherwise than the destroying of a number of their influential and most vindictive enemies, and lessening the hostile spirit of the Cherokees. It induced a concord and union of principle to resist the tyranny of the British Government. It attracted the favor and attention of the new commonwealth. It inspired military ideas and a contempt of danger from our savage enemies. The inquiry afterward,

when in search of Indians, was not, "How many of them are there?" but, "Where are they to be found?" This spirit was kept up, and displayed itself on several important occasions during the war.

On the same day that the battle was fought at the Flats, another body of Cherokees, who came up the Nolichucky under the command of Old Abraham, of Chillhowee, attacked the fort at Watauga, in which were James Robertson (who commanded), Capt. Sevier, Greer, and others—forty in all. In the morning at sunrise they made the attack, and were repulsed by the fire from the fort with some loss. From that time they skulked around the fort for three weeks, till a party from Virginia came to the relief of the garrison. At Watauga the Indians took Mrs. Bean prisoner. Those who were pent up in the fort sent couriers to inform those at Heaton's Station of the dangers that encompassed them. Col. Russell was ordered, with five companies of militia, to go to their assistance. But he was so dilatory, and the circumstances so pressing, that Col. Shelby, raising about one hundred men, went with them over to Watauga, where they found the inhabitants very secure in their fort, the Indians having retreated. In the interim Col. Russell arrived at Shelby's Station, and held a council of war to determine whether they should go to Watauga or the lower frontiers. A majority decided in favor of going to Watauga.

During the time they were about the fort the Indians killed James Cooper and son and a man by the name of Tucker. They made captive a boy by the name of Moore, whom they led to one of their towns and burned. About the same time they ran up to Wommack's fort, and killed a man. A third body of Indians, commanded by The Raven, came up Carter's Valley. Finding the people alarmed and shut up in forts, they retreated, and went home. No force was opposed to a party of Indians which came up the Clinch. They destroyed and bore down all before them. Dividing themselves into small squadrons, they visited with fire and the tomahawk the whole country, from the lower end of what is now Sullivan County to the Seven Mile Ford in Virginia. The inhabitants were all shut up in forts, and massacres were committed every day. The government of Virginia, indignant at aggressions so unprovoked and so offensive, soon acted in a manner suitable to her exalted sense of national

honor. Col. William Christian was ordered to raise men, and to march them into the heart of the Cherokee settlements. The place of rendezvous was the Great Island of the Holston. This service was entered upon with the greatest alacrity, and so active were the exertions of the officers and men that several companies were at the Long Island of the Holston by the 1st of August. This movement drove the enemy from the settlements. By the last of August Col. Williams and Maj. Joseph Winston, from North Carolina, joined the Virginians with three or four hundred men. The whole army soon took up the line of march for the Cherokee towns. Crossing the Holston at the Great Islands, they encamped at the Double Springs, on the head waters of Lick Creek, about eight miles from the Great Island. There the army remained several days. It was joined by troops from Watauga, below the Double Licks on Lick Creek, five or six miles below the head of the creek. The commanding officer sent off sixteen spies to go to the crossing of the French Broad River, the Indians having boasted that they would stop the army at the mouth of Lick Creek. There was a pass for the army through a canebrake and swampy ground for one mile. The army marched, nevertheless, and encamped on the other side. The baggage and bullocks did not get through till midnight. Alexander Harlin came that night to the army, and informed Col. Christian that a body of three thousand warriors lay encamped on the French Broad River, and would certainly there dispute his passage. He was ordered into camp with the spies. In the morning, every thing being ready for marching, the colonel called Harlin, and told him to inform the Indians that he (Col. Christian) would cross the French Broad and Tennessee both before he stopped. The army consisted of eighteen hundred men, including pack-horse men and bullock drivers, all armed. The troops marched to the French Broad, set the pioneers to work, and kindled large fires. Some time in the night a detachment of eleven hundred men crossed the river three miles below the encampment. The weather was cold, and the troops in crossing, getting wet, suffered considerably. The next morning the main body crossed the French Broad River, near the Big Island. They marched in order of battle, supposing that the enemy were now between the main body and the detachment in their rear. To the great surprise of the army, there were no marks of the

Indians having been there for several weeks. The army halted here that day, and on the next, in the morning, resumed its march for the Tennessee. It crossed the Tennessee near Tellico Block-house. When the troops came within seven miles of the Tennessee, the colonel called to the reserve companies to follow him in a run till they came to the river; and, pushing through, they took possession of a town called Tamotlee. The army and baggage and all that belonged to the army got safely over before night. The next morning they marched to the Great Island Town, and tarried there nineteen or twenty days. In that time the Indians sued for peace, and it was granted; but not to take place till the month of May following. Hostilities were to cease in the meantime on both sides, except as to two towns on the Tennessee, in the mountains, which had burned a prisoner. The troops, before the suspension of hostilities, burned Neowee, Tellico, and Chilhowee; and they then burned the excepted town, Tuskega, where the Indians had lately burned the boy by the name of Moore they had taken at Watauga. The other excepted town was reduced to ashes. The army then marched to Chota, and, recrossing the Tennessee at the Virginia Ford, returned.

About the same time Brig.-Gen. Rutherford, with an army raised in the district of Salisbury, in North Carolina, consisting of twenty-four hundred men, passed the French Broad at the mouth of the Swannanoë, and thence penetrated by a road since distinguished as Rutherford's Trace into the Middle Settlements and valley towns. He destroyed thirty-six towns and villages, cut up and wasted the standing and gathered corn, and drove off and destroyed all the flocks of domestic animals that could be found. At the same time a third division, commanded by Col. Williamson, from South Carolina, and consisting of a powerful force, penetrated the settlements bordering on the Keowee, and destroyed the Seneca towns, at that time very numerous; wasting the Cherokee country as far as the Unaca Mountain, sparing or razing towns at his will. A fourth division, under the command of Col. Leonard McBury, entered the settlements on the Tugulo, and, having defeated the Indians, destroyed all their towns on the river. The Indians were not all of them sincerely willing to be at peace; parts of the nation were in very ill humor, and greatly excited the apprehensions of their neighbors.

On the 31st of March, 1777, Col. Arthur Campbell, at Fort Patrick Henry, directed Capt. Robertson, on account of the weakness of the settlements below the fort, and on account of the danger to which they might soon be exposed, to assemble the settlers in one or two places, and not more; and he recommended Rice's and Patten's mills as the most proper ones. "Let your company be at Rice's," said he, "and Capt. Christian may come to the other mill." He requested a list of the settlers' names, that he might know their strength and give such further orders as should be necessary. These orders Capt. Robertson received soon after his return from Wake County, in North Carolina, whither he had gone in the winter of 1776-77, to adjust his unsettled business there, and to receive from Col. Michael Rogers, as guardian of his brother Mark, the legacies and personal estate which he was entitled to under the will of their father. Col. Campbell held his commission under the State of Virginia, and he assumed the command of the Watauga settlements because at that time he supposed them to be within the limits of Virginia.

In May, 1777, at the Long Island of the Holston, a treaty was held with the Indians by commissioners on the part of North Carolina and Virginia—on the part of North Carolina, Waightstill Avery, Joseph Winston, and Robert Lanier; and on the part of Virginia, Col. Preston, Col. Christian, and Col. Evan Shelby. They established Brown's line as the boundary between the Indians and white people, which in 1778 was inserted as such in an act of the General Assembly of North Carolina passed in this year. They transmitted the treaty to the fall session of 1777, though no record was made of it, nor any formal ratification; but the boundaries were secured to and recognized in the public act aforesaid, as established by treaty. Several massacres having been committed by the Indians during the suspension of hostilities, the commissioners accused them of the perpetration of these acts and reproached them with a breach of faith. They laid them to the charge of the Chickamaugas, the name by which those Cherokees have been called who settled on the creek of that name, with "Dragging Canoe" refusing to accept peace on the terms which Col. Christian had offered. The treaty, proceeded, however, and the Indians resigned their lands as far as to the mouth of Clond's Creek. The com-

missioners agreed to give them two hundred cows and calves and a large number of sheep, which, at the request of the Indians, were exchanged for goods; and the articles of the treaty were accommodated to the exchange. The Virginia commissioners signed the treaty, but those from North Carolina refused to do so, no doubt believing at the time that the greater part of the settlements were in Virginia. The delivery of the goods and cattle was of course made by the government of Virginia.

In the month of April, 1777, the Assembly of North Carolina passed an act for the encouragement of the militia and volunteers in prosecuting the remnant of the war with that part of the Cherokees which yet kept up hostilities. At the same time they passed an act for the establishment of courts of pleas and quarter sessions, and also for appointing and commissioning justices of the peace and sheriffs for the several courts in the district of Washington, in this State.

In the month of November, of the year 1777, the Assembly of North Carolina erected the district of Washington into a county, giving it the same boundaries as had been assigned to the district of Washington: "Beginning at the north-westwardly point of the county of Wilkes, on the Virginia line; thence with the line of Wilkes County to a point twenty-six miles south of the Virginia line; thence due west to the ridge of the Great Iron Mountain, which heretofore divided the hunting-grounds of the Overhill Cherokees from those of the Middle Settlements and valley; thence running a southwardly course along the side ridge to the Unaca Mountain, where the trading path crosses the same from the valley to the Overhills; thence south with the line of this State, adjoining the State of South Carolina; thence due west to the great river Mississippi; thence up the same river to a point due west from the beginning." They also, at the same session, appointed commissioners to lay off and mark a road from the court-house in the county of Washington through the mountains into the county of Burke. At the same time the land office was opened, amongst others, for the county of Washington, at the rate of forty shillings per hundred acres. Each head of a family was permitted to take up six hundred and forty acres himself, and one hundred acres for his wife and each of his children. The law was so worded as not to oblige the Watauga people to enter and pay for their occupancies till January, 1779;

and then for any surplus entered above the quantity before mentioned the purchaser was required to pay £5 per hundred acres. Great numbers of persons came to Holston from the eastern parts of North Carolina to enter land. Those who had made locations would not sell them, and the entries could not be made without them.

The militia of Washington were all in the service of the State, under the provisions of the law just mentioned "for encouraging the militia and volunteers to prosecute the war against the Indians," and they continued in service the greater part of the year. By their pay they were enabled, when the land office was opened, to purchase the lands which they wished to secure. The land jobbers from below could only obtain a few locations from the Indian traders, and returned home exceedingly displeased. Their clamors were sonorous and grievous, and communicated to the Assembly the feelings of the complainants. They, in April, 1778, declared void all entries of land which had been made in the counties of Burke and Washington, within the Indian boundaries, and ordered the entry-takers for those counties to refund to the proper persons all moneys by them received for such entries. The outcry which the disappointed land jobbers made was loud and vehement against those who had entered lands in the county of Washington, charging them with having covered the Indian towns with their entries in numerous instances, and with an exclusive connection formed between them and some of the most influential characters of that day in the interior. The Assembly, in this crisis of fermentation, recollected the Long Island treaty of 1777, recurred to it, and included it in one of their acts, to show where was the Indian boundary which should not be transcended. It is not intended to censure their conduct on this occasion, but here is a proper opportunity offered for a remark which ought not to be omitted. Public legislative bodies are easily excited by misrepresentations, which are sometimes artfully fabricated with design to precipitate them into rash measures, and thus to accomplish the purposes of the contriver. When there is no other branch of the government to curb their excesses, it behoves a member of prudence to moderate his temper, and to delay the ultimate decision as long as possible, in order to give time for passion to subside and reason to resume her place. He who learns thus to act with dexterity has acquired a

very essential part of that learning which qualifies for the performance of legislative duties.

Through the year 1777 scouting parties of Indians upon the frontiers occasionally killed and plundered the inhabitants, and were pursued by the rangers on the frontiers who were placed there by the government to scour them, and to pursue and disperse small companies of ill-disposed Indians who might be found hovering on the borders of the settlements. So well were the frontiers guarded by the militia kept in actual service by the State of North Carolina that the Indians for some time considered their incursions as perilous to themselves as they could be to the white inhabitants, and for a great part of the year 1778 forbore to make them. But in this year, a part of the militia being disbanded and their vigilance relaxed, Indian depredations and massacres soon recommenced, and in addition to the evils which they inflicted the horse-thieves and Tories had become so numerous that they did not scruple to boast of their superior strength, and to threaten destruction to every one who should oppose them. The better disposed part of the community met and chose a committee to take such measures as they might think proper to suppress the lawless band. The committee met in November, and appointed two companies of thirty men each to patrol the whole country, and to put to death every suspicious character who attempted to oppose them and should refuse to give security for his appearance before the next committee in December. Six or seven leaders of the horse-thieves were shot, and others bound over to appear before the committee, who fined some heavily, according to their crimes, and ordered others who were unable to pay to receive corporal punishment in the same proportion. By these measures the country in less than two months was placed in a state of quietude and safety, and those severe punishments ceased entirely. All those Tories joined the enemy's standard as soon as he approached the mountains, and the country became happily freed from their presence.

Gov. Caswell calculated that when the militia were withdrawn the Indians might be kept in peace by the good offices of the Superintendent of Indian Affairs. To that end, on the 16th of October, 1778, he transmitted his written instructions to Capt. Robertson, stating to him that, in pursuance of a resolution by the General Assembly, the Governor had made a talk for

“Raven of Chota” and his nation, to be delivered, according to the resolution, by Col. McDowell and Maj. Robertson. He acknowledged the receipt of a former letter from Capt. Robertson, with the talk of Savanuca. “Let him know,” said he, “that I am pleased with it, and wish to keep up a friendly correspondence with him; that I shall use every means in my power to keep the peace between us free from the least breach, and that adequate punishment shall be inflicted on all offenders against it. If any of their people be kept in captivity by our people, I shall be glad to be informed where they shall be restored.” The Governor further informed Capt. Robertson that the resolution before mentioned had also directed that Capt. Robertson, as superintendent, in order to render that service to the State which was expected, should reside in the Cherokee Nation during his continuance in office.

Early in the year 1779 “Dragging Canoe” and his party at Chickamauga had become very numerous and composed a *banditti* of more than one thousand warriors, collected from almost every hostile tribe on the waters of the Ohio and from the Chickamauga. They committed more depredations on the frontiers from Georgia to Pennsylvania than all other hostile tribes of Indians together; so that the two governments of North Carolina and Virginia in conjunction ordered a strong expedition against them, under the command of Col. Evan Shelby, of one thousand men, composed of militia from the two States, and a regiment of twelve months’ men, under the command of Col. John Montgomery, destined to re-enforce Gen. Clarke at the Illinois, who had taken possession of that place the fall preceding. At this period the two governments were much straitened in their resources, on account of the existing War of the Revolution, and were unable to make any advances for supplies or furnish transportation necessary for this campaign. All these were procured by the indefatigable exertions and on the individual responsibility of Isaac Shelby. The army rendezvoused at the mouth of Big Creek, about four miles above where Rogersville, in Hawkins County, now stands, and embarked in pirogues and canoes, about the 10th of April, from that place. The troops descended so rapidly as completely to surprise the enemy, who fled in all directions to the hills and mountains without giving battle. The whites pursued, and hunted them in the woods and

killed upward of forty of them, burned their towns, and destroyed their corn and every article of provision, and drove away their great stocks of cattle. This event happened at the time when Gen. Clarke captured the British Governor, Hamilton, and his suite at Vincennes, to which place he had advanced from Detroit, with the avowed intention of forming a grand coalition between all the Southern and Northern tribes of Indians, to be aided by British regulars, who were to advance as soon as the season opened for active movements, and were to drive all the settlers from the Western waters. But the two occurrences last mentioned gave peace to the Western settlements during the summer and fall of that year. And during this interval such a current of population poured into Kentucky and into the settlements on the Holston as gave a permanency to the establishments in the two countries which no efforts of the Indians and British could ever break up. This service being performed, Evan Shelby ordered the troops to return home, marching on foot by land. They were in great want of provisions, which could only be procured by hunting and killing game. As they returned a part of them came by the place now called the Post Oak Springs, in Roane County, crossed Emmerly's River just above the mouth, Clinch River not far above the mouth, and the Holston some distance above the mouth of the French Broad. Mr. Dowdy on his return found a lead mine, the particulars relative to which he will not detail.

The Assembly of North Carolina, in their October session, 1779, which terminated some time in the following months of November or December, erected the county of Sullivan. The act for that purpose recites the then late extension of the northern boundary line of the State, saying that it had never until lately been extended by actual survey farther than to that part of the Holston River that lies directly west from a place well known by the name of Steep Rock. And it says that all the lands westward of the said place, lying on the north and northwest side of the said River Holston, have, by mistake of the settlers, been held and deemed to be in the State of Virginia, owing to which mistake they have not entered the said lands in the proper offices. It recites also that by a line lately run (meaning, without doubt, that run by Henderson and Walker) it appears that a number of such settlers have fallen into this

State. It makes provision for securing their lands, plantations, and improvements. Sullivan County is made to begin on Steep Rock; thence along the dividing ridge that separates the waters of the Great Kanawha and Tennessee, to the head of Indian Creek; thence along the ridge that divides the waters of the Holston and Watauga; thence in a direct line to the highest part of Chimney Top Mountain, at the Indian boundary. Sullivan County is that part of Washington County which lately was on the north side of the line. Isaac Shelby was appointed to command the regiment of militia in this county.

In the year 1779 two traders, Thomas and Harlin, came from the Indian towns, and informed the people on the Nolichucky (which was then a frontier) that the Cherokees had resolved to go to war, and were preparing to march upon the inhabitants. Col. Sevier gave immediate notice to Col. Arthur Campbell, of Virginia, and obtained from him a promise of assistance. Col. Sevier ordered the militia of his county forthwith to assemble on Lick Creek, of Nolichucky River. Two hundred men assembled in a few days at the place. They thence marched to Big Creek, which discharges itself into Broad River. The spies were sent up Long Creek, of the Nolichucky, to the head, and thence down a creek which empties into the French Broad. In going down the latter creek they met a party of Indians, who fired upon them. The spies returned to the army on Long Creek. The next morning at break of day they went up Long Creek, and crossed the French Broad at Sevier's Island and encamped on Boyd's Creek. The next day, early in the morning, the advance-guard, under the command of Capt. Stinson, marched up Boyd's Creek; and, at the distance of three miles, found the encampment of the Indians, and their fires burning. A re-enforcement was immediately ordered to the front, and the guard was directed, if it came up with the Indians, to fire upon them and retreat, and draw them on. Three-quarters of a mile from their camp the enemy fired upon the advance from an ambuscade. It returned the fire and retreated, and, as had been anticipated, was pursued by the enemy till it joined the main body. This was formed into three divisions—the center commanded by Col. John Sevier, the right wing by Maj. Jesse Walton, and the left by Maj. Jonathan Tipton—and it was ordered that so soon as the enemy should approach the front the right wing should

wheel to the left and the left wing to the right, and thus inclose them. In this order was the army arranged when they met the Indians at Cedar Spring, who rushed forward after the guard with great rapidity till checked by the opposition of the main body. Maj. Walton, with the right wing, wheeled briskly to the left, and performed the order which he was to execute with precise accuracy; but the left wing moved to the right with less celerity, and when the center fired upon the Indians, doing immense execution, the latter retreated through the unoccupied space which was left open between the extremities of the right and left wing; and, running into a swamp, escaped the destruction which otherwise seemed ready to involve them. The loss of the enemy amounted to twenty-eight killed on the ground and very many wounded, who got off without being taken. On the side of Sevier's troops not a man was even wounded. The troops under his command then returned to Great Island, in the French Broad River (otherwise called Sevier's Island), and waited there for the arrival of the troops from Virginia and the county of Sullivan.

Col. Arthur Campbell, with his regiment from Virginia, and Col. Isaac Shelby, with his troops from Sullivan, joined Sevier in a few days in the month of September. The whole army then consisted of five or six hundred men, and, on the fifth day after the skirmish up Boyd's Creek, marched to the battleground; thence to Little River, Town Creek, Piston Creek, Nine Mile Creek, and the Tennessee River, which they crossed at the Virginia Ford, and into the town of Tamotlee; thence to the Tellico; thence to the waters of the Hiwassee; and thence to the river, which they crossed at the town of Hiwassee. The town was evacuated, and the troops saw but one Indian, who was placed on the summit of a ridge there to beat a drum, and give signals to the other Indians. The spies of the whites stole on him, and shot him. The American army then marched southwardly till they came near to the Chickamauga or Lookout towns, where they encamped; and the next day marched into the towns, where they took a Capt. Rogers, four negroes, and one squaw and children. They then marched to the waters of the Coosa, by Vann's Town; thence by Old Shoemack Town; and then returned home by the same route they had come. These operations checked the Cherokees for some time. The

American troops killed all their stock of cattle and hogs which could be found, burned many of their towns and villages, and spread over the face of the country a general devastation, from which they could not recover for several years.

In the spring of the year 1780 the agents of the British Government held conferences with the Indians at Augusta, the consequences of which was that war broke out generally with the Southern Indians in a subsequent part of the year. The Indians attacked a house called Boilston's, killing two men, Williams and Hardin. Four Indians were killed and a number wounded. Doherty (now Gen. Doherty), Joseph Boyd, and others pursued, but did not overtake them.

The misfortune sustained by the American armies at Camden in August, 1780, created upon the Holston, as well as in other parts of the Southern States, a number of avowed enemies, who before had worn the mask of friendship. The tories upon the waters of the Holston were now as dangerous and as hurtful as the Indians. To watch their motions, as well as those of the Indians, it became necessary to keep up constantly scouting companies of armed men. One of these killed Bradley, a tory. He was a notorious offender, who had often been imprisoned for his misdeeds in the jail of the District of Halifax, in North Carolina; and had given himself the name of "Honest" Jim Bradley, by which also others, by way of derision, called him. In the same year one Dykes, a tory, was taken by the Light Horse Company, there being one in each county of the State of North Carolina to apprehend tories, and to take and bring to the army drafted militia-men who deserted. The company, acquainted with his desperate character, hanged him. He and others had agreed to come from the frontier to the house of Col. Sevier, and to put him to death. Of this agreement the wife of Dykes gave information to Sevier, who, in the time of her distress, had treated her with great humanity and friendship. Halley and others were confederates with Dykes. Robert Sevier, who afterward fell at the battle of King's Mountain, collected his company of horsemen, caught Halley, and shot and killed both him and James Bradley at the same time.

The people of Washington and Sullivan Counties had not only to defend themselves from the Indians, but were called by the difficulties of the times and the dangers which threatened

the western counties of North Carolina to carry on a more distant warfare.

On the 16th of June, 1780, Col. Isaac Shelby, being in Kentucky, locating and surveying lands which he had marked out and chosen five years before, received information of the fate of Charleston and of the surrender of the main Southern army; and forthwith he returned home to aid his country in the great struggle she maintained for independence. Arriving in Sullivan County early in July, he received a dispatch from Col. Charles McDowell, giving information that the enemy had overrun the two Southern States and were approaching the limits of North Carolina; and Col. Shelby was requested to bring to his aid all the riflemen that he possibly could, and with as much dispatch as possible. In a few days Col. Shelby marched from Sullivan at the head of two hundred mounted riflemen, and joined McDowell's camp near the Cherokee Ford of Broad River, in South Carolina; Lieut.-Col. John Sevier, of whom a like requisition was made, having arrived there with his regiment a few days before. Shortly after the arrival of Col. Shelby, Col. McDowell detached him and Col. Sevier and Col. Clarke, of Georgia, with about six hundred men, to surprise an enemy's post, twenty odd miles in his front on the waters of Paccolet River. They marched at sunset and surrounded the post at day-break the next morning. This was a strong fort, built during the Cherokee War—about seven years before—and was surrounded by a strong abatis, and was commanded by Capt. Patrick Moore, a distinguished loyalist. Col. Shelby sent in William Cocke, Esq., to make a peremptory demand for the surrender of the post, to which Moore replied that he would defend the post to the last extremity. Shelby then drew in his lines to within musket-shot of the enemy all around, determined to make an assault upon the post. But before proceeding to extremities, he sent in a second message; to which Moore replied that he would surrender upon condition that the garrison be paroled, not to serve again during the war, unless exchanged. This proposal was acceded to. In the garrison were found 93 loyalists, 1 British Sergeant-major—stationed there to discipline them—and 250 stands of arms, all loaded with ball and buckshot, and so disposed at the port-holes that they could have kept off double the number of the assailants.

Shortly after this affair McDowell detached Shelby and Col. Clarke, with six hundred mounted men, to watch the movements of the enemy, and if possible to cut off his foraging parties. Ferguson, who commanded the enemy—then about two thousand strong—composed of British regulars and loyalists, with a small squadron of horse, was an officer of great enterprise; and, though only a major in the British line, was a brigadier-general in the royal militia establishment made by the enemy after he overran North and South Carolina, and was esteemed the most distinguished partisan officer belonging to the British army. He made several attempts to surprise Shelby, but without success. On the 1st of August, however, the advance of Ferguson—about six or seven hundred strong—came up with Shelby at a place which he had chosen to fight them, called Cedar Spring, where a sharp conflict ensued, lasting half an hour. Ferguson coming up with all his force, Shelby retreated, carrying from the field of battle twenty prisoners, with two British officers. The Americans lost on their side ten or twelve in killed and wounded. Among the latter was Col. Clarke, wounded slightly in the neck by a saber.

Having obtained information that a party of four or five hundred Tories were encamped at Musgrove's Mill, on the south side of Enoree River, about forty miles distant, Col. McDowell again detached Shelby and Cols. Williams and Clarke to surprise and disperse them. Maj. Ferguson lay with his whole force at that time exactly between. They marched from Smith's Ford, of the Broad River, where McDowell then lay, just before sundown on the evening of the 18th of August, went through the woods until dark, and then took a road leaving Ferguson's camp some three or four miles to the left. They rode hard all night, and at the dawn of day—about half a mile from the enemy's camp—met a strong patrol party. A short skirmish ensued, and they retreated. At that juncture a countryman living near at hand came up and informed Shelby that the enemy had been re-enforced the evening before with six hundred regular troops—the Queen's American regiment from New York—under Col. Ennis, destined to join Ferguson's army. The circumstances of this information were so minute that no doubt was entertained of its truth. To march on and attack the enemy seemed then improper. Escape was impossible, so broken

down were the men and horses. Shelby instantly determined to form a breastwork of brush and old logs, and to make the best defense he could. Capt. Inman, with about twenty-five men, was sent out to meet the enemy and skirmish with them as soon as they crossed the Enoree River. The sounds of their drums and bugles soon showed them to be in motion, and induced a belief that they had cavalry. Inman was ordered to fire on them and retreat, according to his own discretion. This stratagem, which was the suggestion of Capt. Inman himself, drew the enemy forward in disorder, believing they had driven the whole party; and when they came within seventy yards a most destructive fire from Shelby's riflemen, who lay concealed behind the breastwork of logs, commenced. It was one whole hour before the enemy could force these riflemen from their slender breastworks; and just as they began to give way in some points Col. Ennis was wounded. All the British officers having been previously either killed or wounded, and Capt. Hawsey, a considerable leader among the loyalists in the left wing, shot down, the whole of the enemy's line began to give way. Shelby followed them closely and beat them across the river. In this pursuit Capt. Inman was killed, bravely fighting the enemy hand to hand. Shelby commanded the right wing in this action; Col. Clarke, the left; and Col. Williams, the center. The victorious troops mounted their horses, determined to be in Ninety-six, at that time a weak British post, before night, it being less than thirty miles distant. At that moment an express from Col. McDowell arrived in great haste, with a short letter in his hand from Gov. Caswell, dated on the battle-ground, apprising McDowell of the defeat of the grand army under Gen. Gates on the 16th, near Camden, and advising him to get out of the way, as the enemy would no doubt endeavor to improve their victory to the greatest advantage by cutting up all the small corps of the American armies. Gov. Caswell's "hand" was known to Shelby, and he instantly saw the difficulty of his situation. He did not know how to avoid the enemy in the rear, wearied out as his men and horses were, and incumbered as he was with more than two hundred British prisoners taken in the action. Owing to the information contained in Gov. Caswell's letter, the loss of the enemy in killed and wounded was not ascertained, but must have been very great. The prisoners were immediately distributed among

the companies so as to make one to every three men, who carried them, alternately, on horseback directly toward the mountains. Shelby marched all that day and night and the next day until late in the evening, without ever stopping to refresh. This long and rapid retreat saved his troops, for they were pursued until late in the evening of the second day by Maj. Dupoister and a strong body of mounted men from Ferguson's army, who, being broken down by excessive fatigue and the hot weather, were obliged to give up the chase. Col. Shelby, after seeing the party and prisoners out of danger, retreated across the mountains to the Western waters, leaving the prisoners with Clarke and Williams, to convey them to some place of safety in the North; for it was not known to Shelby or to them that there was even the appearance of an American corps embodied anywhere south of the Potomac.

So great was the panic after Gates's defeat, that McDowell's whole army broke up, and himself, with a few hundred of his followers, retreated west of the mountains. The action on the Enoree, at Musgrove's Mill, lasted an hour and a half, during which time Shelby's men lay so close behind their breastworks that the enemy overshot them, so that he lost but six or seven men killed. Ferguson, with the main body of his army, performed a rapid march to overtake the prisoners before they should cross the mountains; but, finding his efforts vain, he took post at a place called Gilbert Town, whence he sent a most threatening message by a paroled prisoner—Samuel Phillips—stating that if the officers west of the mountains did not bury their opposition to the British Government he would march his army over and burn and lay waste their country. On the receipt of this message, Shelby rode fifty or sixty miles to see Col. Sevier, and to concoct with him measures to meet the approaching crisis. They at the end of two days came to the conclusion that each of them should raise the greatest force that he could march hastily through the mountains, and endeavor to surprise Ferguson in his camp. They hoped to cripple him, so as to prevent his crossing the mountains. They appointed the day and place for their men to rendezvous, near Watauga. Col. Sevier undertook to bring McDowell with him, as also sundry other field officers who had retreated to the west of the mountains; and to induce them, with their followers, to co-operate in the plan. To Col.

Shelby it was left to obtain the assistance of Col. Campbell, of Washington County, Va., if he possibly could. Shelby hurried home and wrote to Campbell, by his brother, Moses Shelby, stating the plan which had been agreed on, and soliciting his aid. He did not at once approve of it, but thought it best for him to march with his troops by the way of Flower Gap, and to get in the southern borders of Virginia, ready to oppose Lord Cornwallis when he should approach that State. But, reflecting on the subject and receiving a second message from Shelby, with additional reasons in support of the proposition, he thought proper to inform Shelby that he would join him with his whole force, and that he would come to Col. Shelby's house and go with him to the rendezvous, while his men should march down a nearer way by the Watauga road.

It was at this dark and gloomy period of the Revolutionary War that many of the best friends of the American Government submitted to the British authority, took protection under and joined the British standard, and gave up their freedom and independence for lost. Lord Cornwallis, with the British Grand Army, had advanced into North Carolina, and lay at that time at Charlotte; and Ferguson was at Gilbert Town, in the County of Rutherford, in North Carolina, with an army of two thousand men, which he could readily augment to double that number.

At this critical juncture Campbell, Sevier, McDowell, and Shelby assembled on the Watauga on the 25th of September, 1780, with their followers, and began their march on the next day. Owing to the desertion of two of their men, who went over to the enemy, they turned to the left on the top of the Alleghany Mountain, traveled a worse route than ever an army of horsemen did, and, on getting clear of the mountains, they fell in with Col. Cleveland, having with him three or four hundred men, who were creeping along through the woods to fall in with any parties who were going to oppose the enemy. This was about the 1st of October. The second day after was so wet that the army could not move; but the officers commanding, as by instinct, met in the evening and held a council, at which it was determined to send to head-quarters, wherever it might be, for a general officer to command them; that in the meantime they would meet in council every day to determine on the measures

to be pursued, and would appoint one of their own body to put them in execution. But it was remarked to the Council by Col. Shelby that they were then in striking distance of the enemy—not more than sixteen or eighteen miles from Gilbert Town, where Ferguson then lay, who would certainly attack or avoid them until he collected a force which they dare not approach; that it behooved the American army to act with promptitude and decision; and proposed to appoint one of their own body to the command, and to march the next day to Gilbert Town and attack the enemy. He remarked, too, that they were all North Carolinians except Col. Campbell, from Virginia, whom he knew to be a man of good sense and warmly attached to the cause of his country, and that he commanded a respectable regiment. He was therefore nominated, and appointed to the command.

Col. McDowell was the commanding officer of the district they were then in, and had commanded against the same enemy all the summer; and, although a brave man and a friend to his country, was supposed to be too far advanced in life and too inactive to command on such an enterprise as they were then about to embark on. Col. McDowell proposed, as he could not be permitted to command, that he would be the messenger to go for the general officer; and he set off immediately, leaving his men under the command of his brother, Joseph McDowell. On his route, about eight miles from camp, he fell in with Col. John Williams, of South Carolina, and a number of other field officers from that State, with nearly four hundred men, of which he informed those he had left by express, and stated that they would join the main army the next morning, but they did not join till the evening of the third day after.

The next morning after McDowell's departure the army advanced to Gilbert Town. But Ferguson had decamped, having permitted many of his tories to visit their families under engagement to join him on short notice. For that purpose he had out expresses in all directions, and published an animated address to the tories, informing them of the advance of the mountain men upon him, and exhorting all his Majesty's loyal subjects to repair to the standard, and to fight for their king and country. In the meantime he took a circuitous march through the country in which the tories resided to gain time

and to avoid the Americans until his forces could join him. Having gained a knowledge of his designs, it was determined in council of the principal officers to pursue him with all possible dispatch. Accordingly, two nights before the action the officers were engaged all night long in selecting the best men, the best horses, and the best rifles, and at the dawn of day took Ferguson's trail. They pursued him with nine hundred and ten expert marksmen, while those on foot and with weak horses were ordered to follow. In the pursuit the American troops passed near where several large parties of Tories were assembled; and at Cowpens, where General Morgan afterward defeated Col. Tarleton, they were informed of six hundred Tories at Maj. Gibbs's, four miles to the right, who were assembled to join Ferguson the next day. But the mountain men had no other object but Ferguson, and him they pursued with so much steadiness that for the last thirty-six hours of the pursuit they never alighted from their horses but once, to refresh at Cowpens for an hour, although the day of the action was so extremely wet that the men could only keep their guns dry by wrapping their bags, blankets, and hunting shirts around the locks, thereby exposing their bodies to a heavy and incessant rain. About 3 o'clock of the same day, the 7th of October, the pursuers came in sight of the enemy encamped on King's Mountain, an eminence extending from east to west, which on its summit was five or six hundred yards in length, and sixty or seventy in width. The troops who had belonged to Col. McDowell's command, which had been considerably augmented during the march, formed a part of the right wing under Sevier. Col. Campbell's regiment and that of Col. Shelby composed the center, Campbell on the right, and Shelby on the left. The right wing or column was led by Col. Sevier and Maj. Winston, the left by Cols. Cleveland and Williams. The plan was to surround the mountain and attack the enemy on all sides. In this order the army marched to the assault. The attack was commenced by the two center columns, which attempted to ascend at the eastern end of the mountain. Here the battle was furious and bloody, and many that belonged to Sevier's column were drawn into the action at this point to sustain their comrades.

In the course of the battle the American troops were repeatedly repulsed by the enemy and driven down the mountain,

but were as often rallied by their officers and returned to the charge. In this succession of repulses and attacks, and in giving succor to the points hardest pressed, the men of Shelby's column, of Campbell's, and of Sevier's, were mingled together in the confusion of the battle. Toward the latter part of the action the enemy made a fierce and gallant charge upon the American troops from the eastern summit of the mountain, and drove them near to the foot of it. As before, they were again rallied, returned to the charge, and in a few minutes came into close action with the enemy, who in their turn began to give way. The Americans gained the eastern summit, and drove those who were opposed to them along the top of it, until they were forced down the western end about one hundred yards, in a crowd, to where the other part of their line had been contending with Cleveland and Williams, of Burke, and in the counties adjacent thereto. Col. William Campbell had with him 400 men, raised in Washington County, Va.; Col. Shelby, 200, raised in Sullivan County, N. C.; and Col. Sevier, 240, raised in Washington County, N. C. The rest of the troops were those under the command of Cleveland and Williams. Col. Campbell marched at their head to the foot of King's Mountain, and with his division ascended the hill, killing all that came in his way; till, coming near enough to the main body of the enemy, who were posted upon the summit, he poured upon them a most deadly fire. The enemy, with fixed bayonets, advanced upon his troops, who gave way and went down the hill, where they rallied and formed, and again advanced as before stated. The mountain was covered with flame and smoke, and seemed to thunder: The other division was closing them in and maintaining the action, with no less vigor and effect, on the other side of the hill. Ferguson, the British commander, attempted to form his troops into column, with a view to break through the assailants, and was shot and fell dead from his horse, upon which event the command devolved on Dupoister. The fire from the Americans had now become so hot and fatal that it could no longer be sustained. The enemy laid down their arms, raised a white flag, and submitted to become prisoners of war. Some of the young men from Virginia, not knowing the meaning of the flag, still kept up a fire until informed of their error, when the firing ceased.

The Legislature of Virginia, in the same year, voted Col.

Campbell a horse, pistols, and sword, in testimony of their high respect for his distinguished gallantry. The horse was immediately presented, but the sword was not till after 1810, when by a fresh resolution of the Legislature an elegant one was made and presented to his grandson, Mr. Preston. The troops, led by Shelby, Sevier, and Cleveland, tied their horses at the foot of the mountain—except the field officers, who continued on horseback—and from different parts of the mountain they marched directly to the summit, where the British and tories prepared to meet them with desperate valor. In spite of all opposition, they ascended the mountain, and eminently aided in the achievements of one of the most brilliant victories that was gained during the whole war. This was an enterprise undertaken from pure and patriotic motives, without the aid of the government and at a time when the dangers of the country were at a crisis. The British forces, after the battle of Camden, on the 16th of August, 1780, had spread themselves over the country, and had come as far as King's Mountain to give countenance to the tories, and to induce them to join their standard, which they began to do in great numbers.

This battle dispirited the tories, and almost demolished their hopes. In its consequences it proved to be the salvation of North Carolina, as it obliged Lord Cornwallis to retreat out of the State with the whole British army, whence he could not advance till re-enforced from New York with troops to supply the places of those who were killed or made prisoners at King's Mountain.

The General Assembly of North Carolina, at their first session after the defeat of Ferguson, which was held at Halifax on the 18th of January, 1781, and was continued to the 14th of February, passed a resolution that a sword and pistols should be presented to Shelby and Sevier respectively, as a testimony of the great services they had rendered to their country on the day of this memorable defeat. This debt of gratitude and justice remained unpaid as late as the 10th of February, 1810. Justice to the merits of these heroes demands that it should not be entirely overlooked.

Col. Williams, from Ninety-six, while fighting with the utmost gallantry, was mortally wounded, and soon after died. Fifteen hundred stands of arms was one of the fruits of this victory; 150

of the enemy, besides their commander, were laid dead on the field; 810, including 150 wounded, were made prisoners; 440 escaped. There was no time to wait for the tardy forms of law and a court-martial to put to death ten or twelve of the Tories most noted for the enormity of the offenses they had committed against their country.

An event so sudden and so unexpected instantly put a new face on our affairs, stopped the immediate progress of the enemy; gave time to the people of North Carolina to recover from the shocks they had lately received, to resume fresh vigor, and to be ready again to meet and defeat another part of the British army, and finally to oppose such a barrier to all their forces as turned them aside from their purpose of further invasion and compelled them again to seek a respite from danger and fatigue in Wilmington, N. C., the nearest spot in their possession which afforded them shelter and security.

To speak with more particularity, Lord Cornwallis, who then lay at Charlotte with the British Grand Army, on being informed of Ferguson's total defeat and overthrow by the riflemen of the West, and that they were bearing down upon him, ordered an immediate retreat, marched all night in the utmost confusion, and retrograded as far back as Winnsboro, seventy or eighty miles; from whence he did not attempt to advance until re-enforced by Gen. Leslie, from the Chesapeake, with two thousand men, three months later. In the meantime the militia of North Carolina assembled in considerable force at New Providence, on the borders of South Carolina, under Gen. Davidson. Gen. Smallwood, with Morgan's light corps and the Maryland line, advanced to the same point. Gen. Gates, with the shattered remains of his army collected at Hillsboro, also came up; and the new levies from Virginia, under Gen. Stephens, of a thousand men, came forward. At the same time (which was about the 2d or 3d of December) Gen. Greene arrived and took the command. Thus was dispelled the dismal gloom which pervaded the Southern States.

CHAPTER III.

The Peace of 1763—Treaty of Fort Stanwix—Lindsey and Others Explored the Western Country—A Company of Hunters Come to the Western Waters; Make a Camp in the Barrens—Human Bones in Caves—Mansco Descends the Cumberland—French Lick—Stockade Fort on the Mound—Another Set of Hunters in 1771—Station Camp Creek—Discoveries Made and Places Named by This Company—Another Company of Hunters—November, 1775—Spencer Came in Company with Others to Cumberland in 1776—Emigrants to Cumberland in 1779—Others in the Latter Part of the Year Came through Kentucky to the Salt Spring or Bluff—The Route of the Emigrants—Oil Spring—Crossed the Cumberland on the Ice in January, 1780—Emigrants Settled at Various Places on the River—Emigrants Descend the Holston and Tennessee in Boats, and Arrive at Salt Spring on the Cumberland.

THE peace of 1763 was hailed with acclamations of joy, as well by the savages of the southern and western wilds of America as by the European colonists of the frontiers.

After so many turbulent scenes, which did not permit a relaxation of the mind from vigilance, or of the body from action, for fear of those misfortunes which were always ready to fall upon the remiss, they heard, with unfeigned satisfaction, of the event which promised security for the present and indemnification for the past. The somnolence of repose had become the most delicious of all enjoyments. A calm succeeded the tempestuous agitations which had so long disturbed the terrified inhabitants. They hoped, as expressed in the language of every treaty of pacification, that the amicable relations of the late belligerents would be eternal. Forbearance from aggression was the special care of everybody; and both the white and red men lived not very distantly from each other, without annoyance and without the apprehension of any injurious treatment from either side. But the spirit of enterprise was not dead, and many desired to know what wonders were to be seen and what advantages were to be acquired in the western country, as far as the Mississippi, which the treaty of 1763 had made our western boundary.

They had heard of the removal of the Shawnees; of the quarrel of the Cherokees with their late allies the Chickasaws, in

their war with the Shawnees; they had heard that none of the tribes had ventured upon the deserted territory, and they wished to take this opportunity to explore it themselves.

Some time after the treaty of Fort Stanwix, made between Sir William Johnston and the Six Nations, in which they ceded all the country south of the Kentucky River, and between the Ohio and Cherokee Rivers, and in the year 1767, Isaac Lindsay and four others from South Carolina crossed the Alleghanies, and came to Powell's Valley, and passed the Cumberland Mountain at Cumberland Gap; thence they came to what is now called Rock Castle, which he so named from a romantic-looking rock, through the fissures of which the water dripped and froze in rows below. Down that river he came into the Cumberland, and down the Cumberland to the mouth of Stone's River, where he found Michael Stoner, who had come thither with Harrod from Illinois to hunt. Some French, before that time, had settled on the bluff where Nashville now stands. They, Harrod and Stoner, had gone from Fort Pitt or Pittsburg, to the Illinois. After the Shawnees left the bluff, the French kept up a station there for some time. The French had also a station at the same time on the Tennessee, ten or twelve miles above the mouth; and Fort Massac, on the Ohio.

On the second of June, 1769, a company of twenty men or more was formed of adventurers from North Carolina, Rock Bridge, in Virginia, and from New River, about five miles distant from English's Ferry, who resolved to pass over into what is now called West Tennessee, for the purpose of hunting. Of this company were John Rains, Casper Mansco, Abraham Bledsoe, John Baker, Joseph Drake, Obadiah Terril, Uriah Stone, Henry Smith, Ned Cowan, and others. They assembled on Reedy Creek, which empties into New River about eight miles below Chissell's, each man having with him several horses; Mr. Rains had three. They set off on the second week in June, 1769, and came to the head of the Holston; then down the Holston to what is now called Abingdon, but then the Wolf Hills; thence to the North Fork of Holston; thence to Clinch River, at a place called Mockason Gap, which still retains the same name; they next came to Powell's Valley, and thence to the Gap of Cumberland Mountains; thence to Cumberland River, at the old crossing-place which led to Kentucky. No trace was then there, but has been made

since; it is now a turnpike road. They thence traveled to Flat Lick, about six miles from the Cumberland River; thence bearing down the water-courses, and crossing the river at a remarkable fish dam, which had been made in very ancient times, in what is now the State of Kentucky. They passed the place called the Brush, near the fish dam; briars, brush, vines, and a vast quantity of limbs of trees were heaped up and grown together, and many immense hills and cliffs of rocks were there; thence they went in a southwardly direction, and coming to the South Fork of the Cumberland, they turned down it some distance, and crossed it; they soon came to an open country called barrens, to a place since called Price's Meadow, in what is now called Wayne County, six or seven miles from the place where Wayne court-house now stands; there they made a camp, and agreed that they should deposit at it all the game and skins that they should get, the place being in an open country, near an excellent spring. They agreed to return and make their deposits at the end of every five weeks. They dispersed in different directions, to different parts of the country, the whole company still traveling to the southwest. They came to Roaring River and the Caney Fork, at a point far above the mouth, and somewhere near the foot of the mountains. Robert Crocket, one of the company, was killed near the head waters of Roaring River, when returning to the camp provided for two or three days traveling; the Indians were there in ambush, and fired upon and killed him. The Indians were traveling to the north, seven or eight in company. His body was found on the War trace leading from the Cherokee Nation toward the Shawnee tribe. All the country through which these hunters passed was covered with high grass, which seemed inexhaustible; no traces of any human settlement could be seen, and the primeval state of things reigned in unrivaled glory; though under dry caves, on the sides of creeks, they found many places where stones were set up, that covered large quantities of human bones. They also found human bones in the caves, with which the country abounds. They continued to hunt eight or nine months, and part of them returned on the 6th of April, 1770.

In the year 1770, but 1769, as Mr. Mansco said, he, with Uriah Stone, John Baker, Thomas Gordon, Humphrey Hogan, Cash Brook, and others, ten in all, built two boats and two trapping

canoes, loaded them with furs and bear meat, together with a deserted boat which they found, and moved down the river to Fort Natchez, to dispose of the articles which they had, and to purchase others which they wanted. Navigating down the river as far as where Nashville now stands, they discovered the French Lick, where they saw an immense number of buffaloes and wild game, more than they had ever seen at any one place. The lick and all the adjoining lands were crowded with them. Their bellowsings resounded from the hills and forests; some of these animals they killed, and got their hides to cover the boats. There was then a stock fort on the mound, which they conjectured to have been built by the Cherokees, on their retreat from the Chickasaw Old Fields, where they had been defeated by the Chickasaws. Another was discovered on the Caney Fork, and one on Big Harper. Mansco and his associates sailed from thence to the mouth of the Cumberland. Upon their arrival at this place it was discovered that their meat was spoiling. They converted it into oil, and poured it into the lightest boat, for market. Here they had the misfortune to see John Brown, the mountain leader, and twenty-five others, on their way to war with the Seneca Indians. They offered no personal injury, but robbed the crews of these boats, of two guns, some ammunition, salt, and tobacco; a loss which, but for the guns, would not have been sensibly felt; for soon afterward they met some French boats, on their way to the Illinois, who appeared friendly, gave them some salt, tobacco, flour, and some taffy; the latter being a very acceptable present, as for a long time the wanderers had not tasted of spirits of any sort. They gave to the Frenchmen in exchange a few pounds of fresh meat. Mansco and his associates proceeded to Fort Natchez, but finding no sale for the articles on board their boats, they sailed to the Spanish Natchez. One of their boats got loose from its moorings at this place and floated down the river. Mansco and Baker pursued and overtook the boat at Fort Kaspel, which they brought back, and there disposed of the cargo. Uriah Stone, one of this company, had come to the Cumberland River in 1767. In that year he and a Frenchman were trapping on the river now called Stone's River, and had nearly loaded their boat with furs. In his absence the Frenchman stole off with the boat and lading. Stone then returned to the settlement, and came out the second time with

Mansco and his associates. From this man Stone's River took its name. This boat was now found at Spanish Natchez. Mansco and his company remained some days after disposing of their cargo, and then separated. Some returned home, others remained there. Mansco was confined by sickness from May till November. He then returned with John Baker in a boat as far as Ozinck, where he met with one Fairchild with a drove of horses intended for Georgia. They came on through the Keowee Nation to New River, where Mansco had lived before his departure. In the fall of the year 1771 Mansco came out again in company with John Montgomery, Isaac Bledsoe, Joseph Drake, Henry Suggs, James Knox, and others, amongst whom was an old man by the name of Russell, who was so dim sighted that he was obliged to tie a piece of white paper at the muzzle of his gun to direct his sight at the game, and thus killed a number of deer. They encamped on Russell's Creek, so called from the circumstance of this old man getting lost. He was missing nineteen days, in very cold weather. When found by his companions, he was helpless, and continued so three or four days. He was nursed by his son, and recovered, and killed a number of deer afterward. The winter was rather severe than otherwise. The party built a skin house, which circumstance gave name to the place, which to this day it retains. They hunted down through this country till February, when, their ammunition becoming scarce, Mansco, Henry Knox, and indeed all of the company except five whom they left to take care of the camp—namely, Isaac Bledsoe, William Linch, William Allen, Christopher Stoph, and David Linch—returned to procure ammunition, and for other purposes. Linch was taken sick of the shingles; Bledsoe came with him into the settlements; and the other three were discovered and defeated, before the return of their companions in the ensuing spring. The winter being very inclement, they did not return to their camp till May. The attack upon the three who were left to take care of the camp was supposed to have been made by some of the northern Indians. They took Stoph and Allen. Hughes escaped and met the rest of the company as they were returning to the camp. The Indians did not plunder the camp. There was nothing missing but some of the meat, which it was supposed the dogs at the camp had eaten. The dogs still remained at the camp, but were

quite wild, as they had not seen a human being for two or three months; for Hughes had fallen in with other hunters, in Powell's Valley, and informed the company who met him that he had been so long absent from camp; but in three or four days the dogs were as well tutored as ever. Thence the party travelled through the woods to the creek now called Station Camp Creek, on which they fixed a station, from which circumstance it has ever since invariably preserved the name of Station Camp Creek. There this party remained from May, 1772, until August, hunting and traversing the country, in which time they made many important discoveries. Drake discovered the pond now called Drake's Pond, a great resort of deer. Isaac Bledsoe discovered the lick called Bledsoe's Lick; and Drake discovered the lick since called Drake's Lick. Casper Mansco discovered the lick called Mansco's Lick. All these licks took their names from those who discovered them. About this time twenty-five of the Cherokees came to the camp and plundered it in the absence of the hunters. Some of the party discovered the Indians, but before the whole company could be collected the Indians were gone. They made a visible trail where they came in, but were careful not to make one in their departure. They either went singly, or up Station Camp Creek, in the water. They took all the ammunition they could find, and all the pots and kettles that belonged to the company. They carried off also and destroyed about five hundred deer-skins, and a good deal of clothing, and, in short, they broke up the hunting expedition for the present. However, the hunters continued where they were until they had consumed the remainder of their ammunition, which was but small. They then broke up the camp and moved toward the settlements. They went as far as Big Barren River, in Kentucky, where they met with another corps of hunters, upon which Mansco and four or five others returned, and hunted to the end of the season. They then returned to the settlements on New River. Mansco renewed his visit in November, 1775, and came to the Cumberland River with another company of the name of Bryants. They all encamped at Mansco's Lick. The greater part of them, not being pleased with the country, returned home; but Mansco and three others staid, and commenced trapping Sulphur Fork and Red River. Finding that the Black Fish Indians and their company were at these places

before them, by the number of deer carcasses which they saw, and frames which they used to stretch their skins on, they concluded that it was useless to tarry there any longer, but deemed it essential to their own safety to ascertain where they were encamped, and their number; and they selected Mansco to make the discovery. He conjectured that the Indians were somewhere on Red River, and resolved to strike the river, and to scour it up and down till he should find the camp. He had proceeded about twenty miles when he perceived by the sycamore trees in view, that he was near the river. He advanced but a few steps farther, when suddenly he found himself within seventy or eighty yards of the camp, which before he had not seen. He instantly placed himself behind a tree, with design, if possible, to ascertain the number of Indians who were at it. He could see only two of them; the rest he supposed to be hunting at a distance. At the moment when he was about to retire, one of the two took up a tomahawk, crossed the river, and went upon the other side; the other picked up his gun, put it on his shoulder, and came directly toward the place where Mansco stood. Mansco lay close, hoping the advancing Indian would pass some other way; but he continued to advance in a straight line toward the spot where Mansco was, and at length came within fifteen steps of him. There being no alternative but to shoot him, Mansco cocked and presented his gun. Aiming at the most vital part of the body, he pulled trigger, and the gun fired. The Indian screamed, threw down his gun, and made for the camp, but he passed it, and pitched headlong down the bluff, dead, into the river. The other ran to the camp, but Mansco outran him, and getting there first, picked up an old gun, but could not fire it, and the Indian escaped. Mansco broke the old gun, and returned at once to his comrades. The next day they all went to the Indian camp to make further discoveries. They found the dead Indian, and took away his tomahawk, knife, and shot-bag but could not find his gun. The other Indian had returned and loaded his horses with his furs, and was gone. They pursued him all that day, and all night with a torch of dry cane, but could never overtake him. They then returned and came back to Mansco's Lick, where they left a piggin, which Captain De Mumbrune afterward found. They then began their journey toward the settlements on New River,

but were detained four weeks by snow, which was waist deep. When that melted, they resumed their journey, and arrived safe at home.

Thomas Sharpe, Spencer and others, allured by the flattering accounts they had received of the fertility of the soil and the abundance of game that the country afforded, determined to pay it a visit. In the year 1776 they came to Cumberland River, and built a number of cabins. The greater part of them returned, leaving Spencer and Holliday, who remained in the country till 1779. Capt. De Mumbrune, who is yet a resident of Nashville, is a Frenchman who hunted in this country as early as 1775. He fixed his residence during the summer at the place since known by the name of Eaton's Station. He saw no Indians in the country during that summer, fall, or winter, but immense numbers of buffaloes and other game. In the spring of the year 1776 he went to Orleans with his tallow, hides, furs, and other articles. On his return from Orleans, he obtained permission from his relation, the then late Governor of Florida, Grand Pre, to hunt on the river Arkansas; but being molested there by the Indians, he determined again to visit the Shawnee or Cumberland River. He arrived at Deacon's Pond, near where Palmyra now stands, in February, 1777, and found six white men and a white woman. This party informed him that they had taken water where Rock Castle River disembogues into the Cumberland River, and come down it, hunting occasionally from it through the woods; that in their excursions they had seen no Indians, but had found an incredible number of buffaloes; that one of the party, by the name of William Bowen, had been killed by a buffalo; he had shot at a gang of buffaloes, one of which he wounded; it ran directly toward him, and the cane being thick, he could not get out of the way; he was trodden down so that he could not move, nor could his companions find him; he lay there seven days; when found, he was nearly exhausted and the bruised parts had mortified; on the eighth day he died. Big John, or John Duncan, one of the six, had the woman who was with him as his wife; she had become tired of him, and took up with James Ferguson, another of the six; she left her husband sick, and induced the party also to leave him. They went down the river, and no doubt he died from want of care and nourishment. Capt. De Mumbrune saw his corpse, and supposed

from its appearance that he died of hunger; he was left at the place where Capt. De Mumbrune first saw them. Ferguson and his party drifted down the Ohio, into the Mississippi, on the banks of which they hunted for some time, but were all cut off except one or two, near Natchez, in 1779. In the fall of 1777 Capt. De Mumbrune went down the river, and up the Wabash to Post Saint Vincents, leaving a hunter here, to join him the next spring at the mouth of Cumberland River. In a short time the man joined him at Vincennes. Thomas Sharpe, Spencer, and John Holliday, having then lately come to this country from Kentucky, had passed very early one morning, in pursuit of a wounded buffalo, the temporary cabin which Capt. De Mumbrune had erected at the place since called Eaton's Station. The noise they made so alarmed the hunter whom Capt. De Mumbrune had left here that he swam the river, and wandered through the woods until he got amongst the French on the Wabash River. He had seen, the day before, the huge tracks of Spencer, who was a man of very uncommon size. Spencer and Holliday came from Kentucky, in company with Richard Hogan and others, in search of good lands, intending to secure some for themselves. They planted a small field of corn in 1778, near Bledsoe's Lick. Spencer was pleased with his situation; Holliday wished to return, but could not persuade Spencer to return with him. When about to part, having lost one of their knives, they had but one between them. Each wanted it to skin his venison and cut his meat. Spencer went with him to the barrens, on the way to Kentucky, and put him on the path, and broke the knife and gave Holliday a part. Spencer then lived in a hollow tree, near Bledsoe's Lick.

Early in 1779 a party from East Tennessee crossed the Cumberland Mountain. It consisted of Capt. James Robertson, George Freeland, William Neely, Edward Swanson, James Hanly, Mark Robertson, Zachariah White, William Overall, and a negro fellow, who was afterward killed at Freeland's Station, in the year 1781, on the same night when Maj. Lucas was killed. They explored the country to the neighborhood of the place where Nashville now stands, and fixed themselves convenient to the French Lick; they planted a field of corn on the ground where Nashville now stands, in the year 1779, about the spot where Joseph Park now lives, near the Lower Ferry, and

the party returned to East Tennessee for their families, leaving Overall and White and Swanson to keep the buffaloes out of the corn.

In the year 1779 Mansco, with a number of others, came to the Cumberland River, and found Capt. James Robertson's company at the French Lick, where they had just arrived. Robertson himself was gone to Illinois, to purchase the cabin rights of General Clarke. The emigrants planted some corn that spring at French Lick. Mansco returned to the settlements, and in the fall conducted a number of families to the country, who settled at Bledsoe's Lick, Mansco's Lick, and at other places.

In 1779, in the month of October, Mr. John Rains set off from New River to go to Kentucky, and advanced toward Cumberland Gap; but before reaching the Gap, he found Capt. James Robertson in Powell's Valley, who persuaded Rains to come with him to Cumberland. The latter agreed to the proposal, and to give up his former purpose of settling at Harrodsburg. Other persons, in small companies, both before and behind, were moving to different places, and some of them to Cumberland; some of them were the hunters who had been to Cumberland in 1769. Frazier, a hunter, had been to and returned from Cumberland; Mansco had left the hunters in 1769 or 1770, just before they had set off to return home, and went down the river as before stated. Upon the return of Mansco in 1771 from his voyage down the river, the fame of the Cumberland lands, and of their fertility, as well as the salubrity of the air, the excellency of the water, the abundance of buffaloes, deer, and game of all sorts, was diffused through all the frontier settlements, was the theme of conversation in every company, and many embraced the resolution of emigrating to this land of plenty. They came through Cumberland Gap; thence to the Cumberland River, at the crossing-place crossed by the Kentucky trace at that time. These small parties traveled on the Kentucky trace to Dick's River, where was Whitley's Station; thence they traveled on the ridge between Salt River and Dick's river, to a point near a place since called Carpenter's Station, on the waters of Green River; thence to Robertson's Fork, on the north side of Green River, which discharges itself into that river; thence down the river to a place since called

Pitman's Station; thence across Green River, and down it, to Little Barren River, crossing the same at Elk Lick; thence to the Blue Spring, in the barrens; thence to the Dripping Spring, between the Blue Spring and Big Barren; thence to Big Barren, and crossing it; thence up to Drake's Creek, that runs into it, and up Drake's Creek to a place near to Oil Spring, so called from a scum of oil that is upon it. The oil is swept off by the wings of fowls, and is sold at a dollar per quart. It is used as a medicament for burns and pains. This spring is five miles from the Big Barren, to the south-west of it, breaks out near the bank of Drake's Creek, about five miles above the mouth, opposite to where the county of Sumner, in Tennessee, now is, and at this time in the county of Warren, in Kentucky. The water of this spring is dark like tar, of a nauseous smell; it is a boiling spring, and the oil is always on the surface of the water, and is not used by any animal. The oil upon the water of the spring has the appearance of grease, or of oil poured upon the water; the oil floats on the surface till obstructed by some obstacle, when it collects in compact quantities, and is then taken up and put in bottles, and applied to divers medicinal uses. From Oil Spring they went to Maple Swamp. This was a marshy place, but full of timber, when in all the adjoining country there is no timber at all; thence they traveled to Red River, crossing two or three miles below where they struck it, at a place since called Kilgore's Station; thence over to Mansco's Creek, then so called after Casper Mansco, who had there stopped upon a place where he afterward lived and died. This place he had seen when he came down the river in the year 1769. The emigrants came down Mansco's Creek to a place where Mansco lived, and thence to the French Lick. In the month of January, 1780, the river was frozen over; there had been a long freeze, in clear, dry weather. The winter of 1779-80 has been remembered and referred to as *the cold winter* by all countries in the northern hemisphere, and between the thirty-fifth degree of latitude and the seventieth, and is decisive in favor of the chronology which fixes the arrival of these emigrants at the bluff in 1780. At the Cumberland River snow had first fallen upon the ice; the water dried up, and it continued to freeze for many weeks. Mr. Rains's stock, the only one in all these companies, consisted of nineteen cows, two steers, and seventeen horses. All

crossed the river upon the ice, and came to the bluff where Nashville now stands. They were all upon the ice together, and it sounded as if it cracked, when the cattle were about the middle of the river; and from the report, the crack seemed to extend four or five miles up and down the river; it settled upon the layer of ice next below it, as those who were crossing at the moment now supposed. When they came to the Cumberland River, all the companies amounted, it is supposed, to two or three hundred men, many of them young men without families. Some of them settled on the north side of the river, at Eaton's Station, where Page now lives. Among these was old Frederick Stump and Amos Eaton. Hayden Wells, Isaac Ronnsever, William Loggins, Winters, and others settled there, cleared ground, planted corn, built cabins with stockades from one to the other, and port-holes and bastions. Some of them crossed the river, and settled at Freeland's Station, where David McGavock, Esq., now lives, and built block-houses and stockades. The greater part came to the bluff where Nashville now stands; they built block-houses in lines, and stockaded the intervals; two lines were parallel to each other, and so were the other two lines, the whole forming a square within. Rains went the same day and settled the lands since called Deaderick's plantation. Whilst the above-mentioned emigrants were on their way to Cumberland, they were overtaken and passed by others, from South Carolina: John Buchanan and his brother Alexander, Daniel Williams, James Mulherrin and John Mulherrin, Sampson Williams, Thomas Thompson, and others. These persons came to a point on the north side of the river, opposite the mouth of the French Lick, and found the river shut up by the ice. After some time they crossed on the ice, at the place where Mr. McGavock's ferry is, and built cabins on the bluff where Nashville now stands. At the same time boats were descending the Tennessee with emigrants and their property, destined for the bluff on the Cumberland and its vicinity. One of the boats, called the "Adventure," commenced her voyage on the 22d of December, 1779, at Port Patrick Henry, on the Holston River, which port was at a place known by the name of the Long Island of the Holston, about five or six miles above the North Fork of the Holston. She had on board John Donaldson, Esq., the elder, his family and others. The boat and crew departed and fell

down the river to the mouth of Reedy Creek, where they were detained by the falling of the water, and excessive hard frost. After much delay, and many difficulties, they arrived at the mouth of Cloud's Creek, on Sunday evening, the 20th of February, 1780. There they remained till Sunday the 27th, when they set off in company with sundry other vessels, all destined for the Salt Springs, on the Cumberland River. The "Adventure," on that day, struck on the Poor Valley Shoal, together with Mr. Boyd and Mr. Rounsever, where they all lay in much distress until the succeeding night of Monday, the 28th of February, 1780. On the morning of the 29th, the water rising, the boat got off the shoal after landing thirty persons to lighten the boat of Col. Donaldson, and in attempting to land on an island his boat received some damage and sundry articles were lost. They encamped on the south shore, and joined several other vessels bound down the river. On the 29th of February, 1780, they proceeded down the river, and encamped on the north shore, the weather being rainy that afternoon and the next day. On Wednesday they continued the voyage; on Thursday the 2d of March, they passed the mouth of the French Broad River; and about twelve o'clock, Hugh Henry's boat, being driven on the point of an island by the force of the current, was sunk; the lives of the crew were greatly endangered, and the whole fleet put to shore, and the crews went to their assistance. With much difficulty they baled out the water, and the sunken boat was raised so as to take in her cargo again. On this day Reuben Harrison went out to hunt, and did not return in the evening, though many guns were fired to bring him to the boats if within hearing. On Friday, the 3d of March, 1780, early in the morning, they fired a four-pounder for Harrison, and sent out several persons to search the woods for him, firing many guns in the course of that day and till the succeeding night. All attempts to find him proved fruitless, to the great grief of his parents and fellow-travelers. On Saturday, the 4th of March, 1780, they resumed the voyage leaving old Mr. Harrison and some other vessels to make further search for the lost man. About 10 o'clock on that day they found him a considerable distance down the river, where Mr. Benjamin Belew took him on board his boat. At 3 o'clock in the afternoon the "Adventure" passed the mouth of the Little Tennessee River, and the

passengers encamped on the south shore, about ten miles below the mouth. On Sunday, the 5th of March, 1780, they set off early in the morning, before sunrise, and passed the mouth of Clinch River at 3 o'clock. They came up with the Clinch River company and joined and encamped with them, the evening being rainy. On Monday, the 6th of March, before sunrise, they progressed. The morning was foggy, and many of the fleet were much perplexed to find the way, some rowing up the river, some down, and some across. In order to collect them together, the "Adventure" went to shore. By 10 o'clock they were collected and went on, and encamped for the night on the north shore. On Tuesday, the 7th of March, they recommenced the voyage early in the morning. The wind blew strongly from the south-west, the river was wide, and the waves ran high: some of the smaller crafts were in danger. They therefore came on shore at the upper Chicchamauga Town, which was then evacuated, and encamped there all night. The wife of Ephraim Peyton was delivered of a child. Peyton himself had gone through the wilderness by the way of Kentucky, with Capt. James Robertson.

On Wednesday the 8th of March, 1780, they proceeded down the river to an Indian village, which was inhabited. It lay on the south side of the river. The Indians invited the crews to come on shore, and called them brothers, and showed other signs of friendship, in so much that John Donaldson, Jr., the son of Col. Donaldson, and John Caffrey, then on board, took the canoe which the boat had in tow and were crossing over to them, the crew of the boat having landed on the opposite side. After they had proceeded some distance, a half-breed of the name of Archer Coody, with several other Indians, jumped into a canoe, and advised them to return to the boat, which they did, together with Coody and several canoes which left the shore and followed directly after them. They appeared to be friendly after a few presents were distributed amongst them, with which they seemed to be well pleased. But on the other side were observed a number of Indians, embarking in their canoes, armed, and daubed with red and black paint. Coody immediately made signs to his companions to leave the boat, which they did, himself and another Indian remaining with the crew of the boat, and telling them to move off instantly. The crew and boat had proceeded but a short distance before they discovered a number

of Indians, armed and painted, going down the river in the direction to intercept the boat. Coody, the half-breed, and his companion continued on board of the "Adventure" for about an hour, and telling the crew that they had then passed all the towns, and were out of danger, left the boat. But in a short time the crew came in sight of another town, situated on the north side of the river, nearly opposite to a small island. Here, also, the Indians invited those on board to come on shore, calling them brothers, and seeing the boat standing to the opposite side, told the passengers that their side was the best for the boat to pass the island on. A young man of the name of Payne, who was on board the boat of Capt. John Blackmore, approaching too near the shore, was shot in the boat from the shore. Mr. Stewart had set off in a boat, with the "Adventure" and others, destined for the western country. On board this boat were blacks and whites to the number of twenty-eight souls. His family being diseased with the small-pox, it was agreed between him and the other movers that he should keep at some distance in the rear, for fear of spreading the infection amongst them. He was to be informed each night where the others lay by the sound of a horn. The foremost boats having passed the town, the Indians collected in considerable numbers. Seeing him far behind the boats in front, they intercepted him in their canoes, and killed and made prisoners the whole crew. The crews of the other boats were not able to relieve him, but on the contrary, were alarmed for their own safety; for they perceived large bodies of Indians marching on foot down the river, keeping pace with the boats, till the Cumberland Mountains covered them from the view of the boats, and the latter hoped that the pursuit was given over. The boats were now arrived at the place called the Whirl or Suck, where the river is compressed into less than half of its common width, by the Cumberland Mountain jutting into it on both sides. In passing through the upper part of these narrows, at a place described by Coody, and which he termed the Boiling Pot, a man by the name of John Cotton was descending the river in a canoe with a small family, and being fearful that his canoe might not go safely through, he had attached it to Robert Cartwright's boat, into which he and his family had entered for safety. The canoe was here overturned, and the little cargo lost. The movers, pitying his distress, con-

cluded to land and assist him in recovering his property. Having landed on the north shore at a level spot, they began to go toward the place where the misfortune had happened, when the Indians, to their astonishment, appeared on the opposite cliffs, and commenced firing down upon them. This caused a precipitate retreat to the boats. The emigrants all immediately progressed, the Indians continuing their fire from the heights upon the boats, in which were four persons who were wounded. In the boat of Mr. Gower was his daughter, Nancy Gower. When the Indians fired upon the boats, the crew being thrown into disorder and dismay, she took the helm, and steered the boat, exposed to all the fire of the enemy. A ball passed through her clothes, and penetrated the upper part of her thigh, going out at the opposite side. It was not discovered that she was wounded by any complaint she made or words she uttered, but after the danger was over her mother discovered the blood flowing through her clothes. The wound was dressed, she recovered, and is yet alive, having married Anderson Lucas, the same person who was with Spencer in 1782 when wounded by the Indians. The boats passed the Suck, the river widening with a placid and gentle current, and the emigrants seemed to be in safety, but the family of Jonathan Jennings, whose boat ran on a large rock projecting from the northern shore, and immersed her in the water immediately at the Whirl. The other movers were forced to leave them there, and continued to sail on that day, and floated through the night. On Thursday, the 9th of March, 1780, they went on floating till midnight, and came to a camp on the northern shore. On Friday, the 10th of March, 1780, in the morning about 4 o'clock, the people in the camp were surprised by a cry for help. Jennings, a considerable distance up the river, had discovered their fires, and came up in a wretched condition. He reported that as soon as the Indians had discovered his situation they began to fire at him. He ordered his wife and son, who was nearly grown, a young man who accompanied them, and two negroes to throw all the goods into the river to lighten the boat for the purpose of getting her off, himself returning the fire as he could, being in a good situation, and an excellent marksman. But before they had accomplished their object, his son, the young man, and a negro man jumped out of the boat and left them. The son and

young man swam to the north side of the river; the negro was drowned. On the north side they found a canoe, and embarked in it and floated down the river, but unfortunately, on the next day, were met by five Indian canoes, full of men, who took them prisoners and carried them to Chiccamauga, killed the young man and burned him. Jennings they knocked down and were about to kill him, but were prevented by Rogers, an Indian trader, who paid a price agreed on for him in goods. Mrs. Jennings, however, and the negro woman succeeded in unloading the boat, but chiefly by the exertions of Mrs. Jennings, who got out of the boat and shoved it off. The boat started suddenly, and Mrs. Jennings was in danger of being left standing upon the rock. They made a wonderful escape. Mrs. Peyton (her daughter) was in this boat. She had been delivered the night before of a child, which unfortunately was killed on this day in the hurry and confusion which overtook them. Mrs. Peyton, notwithstanding these severe trials, and being wet and cold and without nourishment from the time the boat ran on the rock till the 10th of March, still preserved her health and did well. The heroines of this day were not Amazons, but they resembled the women of Sparta, who preferred a firmness of soul and intrepidity in danger to all other qualities, and rewarded those with their esteem who possessed these inestimable virtues. Whoever has made the experiment has become convinced that they have transmitted these qualities without mixture to their posterity.

On the 11th of March, 1780, after distributing the family of Jennings into different boats, the emigrants proceeded down the river, and at night encamped on the north side. On Tuesday, the 12th of March, 1780, they came to an Indian village, as it was supposed to be from the crowing of the cocks. Here the Indians fired upon the people in the boats again, without doing them any damage. About 10 o'clock they came in sight of the Muscle Shoals, and landed on the north side above the shoals.

It had been concerted and agreed upon that Capt. James Robertson, who left Big Creek early in the fall of 1779, should proceed through Kentucky to the Big Salt Spring on the Cumberland River, with several others in company; and from the Big Salt Spring should come across the country to the upper end of the Muscle Shoals, and there make signs by which the boatmen

might know that he had been there, and that it was practicable for them to go thence across by land to the Big Salt Spring. To the great disappointment of the emigrants now landed at the Muscle Shoals, they could not find any signs there. They concluded not to make the attempt to go by land, but to go down the river; well apprised, however, of the great risk they incurred in prosecuting their journey down the river. After trimming their boats in the best possible manner, they passed the shoals before night. When they approached the shoals they had a most dreadful appearance. The water being high, they resounded to a great distance; but Providence preserved them from this danger, and they passed through the shoals unhurt. They passed them in about three hours. They had been represented to Col. Donaldson to be twenty-five or thirty miles long, but from the time taken to pass through them he did not believe them to be of that length. On that night they encamped on the north shore, near the lower end of the shoals. On the 13th of March, 1780, they continued to move down the river, and encamped at night on the north side. On Tuesday, the 14th of March, 1780, early in the morning, they recommenced the voyage. Two of the boats, approaching too near the shore, were fired upon by the Indians. Five of their crew were wounded, but not dangerously. At night they encamped near the mouth of a creek. After kindling their fires and preparing for rest, they were alarmed by the barking of their dogs, and supposed that the Indians were approaching their camp. They went to their boats precipitately, and fell down the river a mile and a half, and came to on the opposite shore, and there remained for the night. In the bustle and confusion which they were in they left in the camp they retreated from an old African negro asleep at the fire. In the morning Mr. Caffrey and John Donaldson, the younger, took a canoe and crossed the river, and returned to the deserted camp, where they found the negro at the fire, still asleep. Such of the movers as had left their property at the camp then returned and collected it.

On the 15th of the month they got under way, and on the five following days, meeting with no obstructions to delay them, they came to the mouth of the Tennessee and landed on the lower point, immediately on the bank of the Ohio. Here, unexpectedly, they found themselves in difficult circumstances. The wa-

ters were high, the current rapid, and their boats were not constructed for stemming a rapid stream. Their provisions were exhausted, and the crews were almost worn down with hunger and fatigue. They knew not what was the distance to their place of destination, nor the time that it would take to perform their journey thither. Several boat-crews resolved not to attempt the navigation of the river against the rapid current it presented; some determined to go down the river to Natchez, and others to Illinois. Accordingly, on Tuesday, the 21st of March, 1780, they took an affectionate farewell of each other, each going in the direction he had chosen — some destined for Natchez, some for Illinois, and some for the Cumberland. The common dangers in which they had all been so lately involved, and the friendly intercourse which these dangers had produced, and the confidence which these trials had inspired in each other, made this separation peculiarly painful. They were never to see each other again. To be thus separated, when recollections of endearment perpetually rushed into the mind, was a privation which souls true and generous as these could not sustain without a severe shock. Reluctantly they parted in sorrow, breathing their mutual benedictions and putting up their silent prayers to heaven with sympathies of the highest excitement. The "Adventure" and the boats which accompanied her went up the Ohio. They made but little way on that day, and encamped on the south bank of the Ohio, suffering on that and the two following days much uneasiness from hunger and fatigue. On the 24th of March, 1780, they came to the mouth of the Cumberland River, but its size was so much less than they had expected to find it that some would not believe it to be the Cumberland. It flowed in a gentle current. They had heard of no river on the south side of the Ohio between the Tennessee and the Cumberland, and they determined to go up this as the Cumberland; and they did so.

On Saturday, the 25th of March, 1780, the river seemed to grow wider, the current was very gentle, and they were now convinced that it was the Cumberland. Col. Donaldson formed a small square sail upon his vessel on the day that they left the mouth of the river, and derived much assistance from it. They were obliged to keep near the shore, in a great measure, to get the vessel along; and very often by the assistance of the trees and

bushes near the bank. They were apprehensive that should the Indians discover their situation, a few of them might defeat the expedition and massacre the most of the crews. They threw themselves devoutly and confidently upon the protection of the Almighty. That confidence is seldom, if ever, disappointed, and it was not upon the present occasion.

On Sunday, the 26th of March, early in the morning, they continued their route up the river, and got some buffalo meat, which, though poor, was a welcome acquisition. On Monday, the 27th, they killed a swan, which was very delicious. On Tuesday, the 28th of March, they got some more buffalo meat. On Wednesday they progressed up the river, and got some herbs in the Cumberland bottom which some of the crew called Shawnee salad. They boiled it in water. It was a poor dish, and only just better than nothing. On Thursday, the 30th of March, 1780, they got some more buffalo meat, still going up the river, and there encamped on the north side. On Friday, the 31st of March, they set off early in the morning, and after running some distance they came to the place where Col. Richard Henderson was encamped on the north side of the river. He, it seems, had come in company with those who had run the line to this place between North Carolina and Virginia. He gave to Col. Donaldson and his associates all the information they desired; and, further, he informed them that he had purchased a quantity of corn in Kentucky for the use of the Cumberland settlement. The crews were now without bread, and were obliged to hunt the buffalo and feed on his flesh.

On Saturday, the 1st of April, 1780, they still went up the river, and so did until the 12th, at which time they came to the mouth of a small river running in on the north side, and which by Moses Renfro and his company was called Red River. Up this river they determined to settle, and here they took leave of Col. Donaldson and his associates, the "Adventure" and other boats still going slowly up the river, the current becoming more rapid than it was farther down. On the 21st of April they reached the first settlement on the north side of the river, below the Big Salt Lick, which was called Eaton's Station after a man by that name, who with other families had come through Kentucky and settled there.

On the 24th of April, 1780, they came to the Big Salt Lick,

where they found Capt. James Robertson and his company, and where they were gratified at meeting those friends whom but little before it was doubtful whether they should ever see or not. They there also found a few log cabins, erected by Capt. Robertson and his associates on a cedar bluff on the south side of the river, at some distance from the Salt Springs. Some of those who came with Col. Donaldson, the whole of them not being recollected, were Robert Cartwright and family, Benjamin Porter and family, Mary Henry (a widow) and her family, Mary Purnell and her family, James Cain and his family, Isaac Neely and his family, John Cotton and his family, old Mr. Rounsever and his family, Jonathan Jennings and his family, William Crutchfield and his family, Moses Renfroe and his family, Joseph Renfroe and his family, James Renfroe and his family, Solomon Turpin and his family, old Mr. Johns and his family, Francis Armstrong and his family, Isaac Lanier and his family, Daniel Dunham and his family, John Boyd and his family, John Montgomery and his family, John Cockrill and his family, John Donaldson and his family, John Caffrey and his family, John Donaldson, Jr., and his family, Mrs. Robertson (the wife of Capt. James Robertson), John Blackmore, and John Gibson.

Some time afterward, Col. Donaldson and his connections went up the Cumberland to Stone's River, and up it to a place now called Clover Bottom, and there built a small fort on the south side of the river. Being some time afterward incommoded by freshets, and the water rising so as to drown the fort, he removed to the other side of the river. About this time Dr. Walker, one of the Virginia commissioners for running the boundary line between Virginia and North Carolina, arrived at the bluff. Henderson soon afterward erected a station on Stone's River, at the place called Old Fields, now Clover Bottom, and he remained there a considerable time. When he left that place for North Carolina, the station broke up, and the inhabitants removed to the French Lick Station. Whilst there he sold lands to divers persons, under the deed made by the Indians to himself and partners in 1775. He sold one thousand acres per head, at the rate of ten dollars per thousand. When he received the money, he gave a certificate which entitled the holder at a future time to further proceeding in the land office. Col. Henderson had two brothers with him, Nathaniel Henderson and Pleas-

ant Henderson. The former kept a book in which were recorded the entries of land which were purchased from the colonel, and were intended to be afterward secured to the purchasers. The right of the Indians to the soil was then much less defined and understood than at this day. It had been an established maxim of national law amongst the European monarchs who embraced the doctrines of the Reformation that the pope had not—as he formerly pretended—as the vicegerent of Christ and the successor of St. Peter, a right to dispose of all unsettled and infidel countries; but, on the contrary, that the first discoverer of such places who took possession in the name of their sovereign entitled the country of the discoverer to the dominion and sovereignty of the soil. Without this maxim the rights to lands within chartered limits are without a solid basis to support them. The maxim, it is true, is beyond the limits of ordinary comprehension, and, like compensation in the case of common recovery, is founded upon a presumption which the law will not suffer to be disproved. Its best support is found in another consanguineous maxim, which is that "*de legibus non est disputandum.*" The right to the soil being thus established in the community, and the right of the Indians being only usufructuary—and that too by the favor and permission of the allodial owners, the State, or the community—in consequence it follows that no individual purchase can be valid. Upon this ground it was that such purchases were forbidden, both under the regal government and by the Constitution of North Carolina.

When the first settlers came to this bluff in 1879-80, the country had the appearance of one which had never been cultivated. There were no signs of any cleared land nor other appearance of former cultivation. Nothing was presented to the eye but one large plain of woods and cane, frequented by buffaloes, elk, deer, wolves, foxes, panthers, and other animals suited to the climate. The land adjacent to the French Lick, which Mr. Mansco in 1769 called an old field, was a large, open piece, frequented and trodden by buffaloes, whose large paths led to it from all parts of the country, and there concentrated. On these adjacent lands was no undergrowth nor cane as far as the creek reached in time of high water; or, rather, as far as the backwater reached. The country, as far as to Elk River and beyond it, had not a single permanent inhabitant ex-

cept the wild beasts of the forest, but it had been inhabited many centuries before by a numerous population. At every lasting spring is a large collection of graves, made in a particular way, with the heads inclined on the sides and feet stones, the whole covered with a stratum of mold and dirt about eight or ten inches deep. At many springs is the appearance of walls inclosing ancient habitations, the foundations of which were visible wherever the earth was cleared and cultivated, to which walls intrenchments were sometimes added. These walls sometimes inclose six, eight, or ten acres of land; and sometimes they are more extensive. Judging from the number and frequency of these appearances, it cannot be estimated but that the former inhabitants were ten times, if not twenty times, more numerous than those who at present occupy the country. Voracious time has drawn them, with the days of other ages, into her capacious stomach, where, dissolving into aliments of oblivion, they have left to be saved from annihilation only the faint and glimmering chronicles of their former being. Were it not for the short alphabet which we now have, possessing the wonderful power of perpetuating the existence of things in some future age, the fresh-born man of the day, traveling over the remains of ourselves, might find himself puzzled with the perplexing question: What human being formerly lived here?

Early in January, 1780, a party of about sixty Indians from the Delaware tribe came from toward Caney Fork of the Cumberland River, and passed by the head of Mill Creek, on a branch of which they encamped, whence it has since been called Indian Creek. They thence proceeded to Bear Creek, of the Tennessee, and continued there during the summer. This is supposed to be the first party which molested the whites on the Cumberland.

CHAPTER IV.

Sevier Made Colonel Commandant of Washington in 1781—Commissioners to Treat with the Indians—Cherokees Embodied to Fall on the Frontiers—Martin Marches to the Nation—Sevier Marches to the Middle Settlements and Tuckasejah; Killed Fifty Men; Made Prisoners Fifty Women and Children; Burned Fifteen or Twenty Towns—Sevier Attacked an Indian Camp on Indian Creek; Killed Fifteen—Indians Made Peace in the Summer of 1781—Lord Cornwallis—Gen. Greene—Col. Morgan—Sevier and Shelby—Resolution of the Assembly of North Carolina—Col. Arthur Campbell—Col. William Preston, Shelby, and Sevier March to South Carolina—Join Marion—Post near Monk's Corner Taken—Battle of Entaw—Surrender of Lord Cornwallis—Desperation and Flight of the Tories into the Cherokee Nation—Gen. Pickens Requested of Sevier to Make the Indians Drive Them Away—The Practice of Plundering Had Greatly Increased—Severely Reprobated by Gen. Pickens—Land Office Closed by the Assembly in 1781—Indian Hostilities in 1782—Expedition by Sevier to Chiccamauga, and Thence to Wilp's Town and Other Towns; Killed Some of the Indians; Burned Their Towns—The War of the Revolution Ended—Land Office Opened in 1783, and an Office for the Military Lands—The Western Boundary Enlarged—Hunting-grounds Reserved for the Cherokees—Greene County—Bounds of the Military Lands—John Armstrong's Office—Locality of Entries Fixed—Judicial Decisions—Surveyor of Greene County—Settlements, Extent of, 1783.

ON the 3d of February, 1781, Gov. Nash signed a commission appointing Sevier to be the Colonel Commandant of Washington County; and on the 6th of the same month Gen. Greene, by commission, authorized William Christian, William Preston, Arthur Campbell, and Joseph Martin, of Virginia; and Robert Lanier, Evan Shelby, Joseph Williams, and John Sevier, of the State of North Carolina, or any five of them, to meet commissioners to be appointed on the part of the Cherokees and Chickasaws, for the purpose of adjusting the respective limits of each party, for exchange of prisoners, a suspension of hostilities, and the conclusion of peace; or any thing else, for the establishment of harmony and a good understanding between the parties, subject to the confirmation of Congress. They were to observe the boundary line between North Carolina and Virginia, and to exchange such pledges for the observance of the treaty to be concluded on as might be thought necessary. And were to call on the militia to prevent future encroachments on the

Indian lands; and to call on the Indians to appoint proper commissioners from among themselves to go to Congress, for the obtaining of such enlargement and confirmation of the treaty as may appear to them requisite. This commission was to continue in force till revoked by the commanding officer of the Southern Department, or by Congress. Notwithstanding these overtures on the part of the United States, and severe punishment so lately inflicted upon them, the Indians had but little, if at all, abated their invincible passion for war and glory, which constantly agitates the savage breast.

In the month of February, in this year, Col. Joseph Martin lived upon the Long Island of the Holston, opposite to which, on the east side, was a fort, built by Col. William Christian in 1776, which was garrisoned, up to 1781, with men raised on the Holston and Watauga. In this month he received notice by the Indian traders, Grant Williams and Archibald Coody, that the Cherokees were embodied, and would be upon the frontier as soon as the latter could be prepared for them. He collected three or four hundred men at the Long Island, and marched from thence to the Indian towns. He crossed the Holston with his troops, and went to the Watauga; thence to the Nolichucky, the French Broad, Little River, the Tennessee, the Tellico, Old Chota, and to the Tamotley. They burned and destroyed the corn belonging to the Indians, and killed some of them. They met the Indians between the Little Tennessee and the Tellico, and fought with and defeated them. They took twenty or thirty Indian prisoners, and returned home by the same route they came. Col. Campbell arrived at the Long Island, and dispatched runners to discover where the troops under Martin were. They met the latter returning. Col. Campbell remained at the Long Island three months, giving to the inhabitants there all the assistance in his power against the common enemy.

The Indians still persevering in their hostile course, which they had for some time pursued, a number of men to the amount of one hundred and thirty collected together, in March, 1781, in the Greasy Cove of Nolichucky River, with Col. John Sevier at their head, and marched into the Middle Settlements of the Cherokees (on the head waters of Little Tennessee River), and entered the town of Tuckasejah, where they killed fifty men, and made prisoners fifty women and children, ten of whom re-

sided with Col. Sevier three years before they were exchanged. Then they were delivered to Col. Joseph Martin, and by him were restored to their own nation. In the vicinity of Tuckasejah they burned fifteen or twenty towns and all the granaries or corn they could find. The whites had one man killed and one wounded, who recovered.

In the summer of this year (1781) Col. Sevier attacked a camp of the Indians on Indian Creek. They had come into the neighborhood of the frontiers to plunder. He went from Washington County with troops, supposed to be one hundred; crossed the French Broad at the War Ford; crossing, also, the Big Pigeon at the War Ford. He arrived at their camp, and the whites made the attack. The latter surrounded the camp of the Indians, and killed seventeen of them; the rest fled in a body, supposed to be thirty. He returned with his troops by nearly the same route. So many severe chastisements induced the Indians to wish for peace, and it was made with them without difficulty in the summer of 1781.

The year 1781 was signalized by more military action in the States of South Carolina, North Carolina, and Virginia than had been exhibited there during the whole war. The Tories were everywhere in arms, committing the most shocking barbarities. A large body of British troops pressing upon a corps of American troops, under the command of Col. Morgan, with more precipitancy than suited their circumstance and with a contempt of the annoyance which he could give them, which but little befitted the vigilance of a prudent commander, had fallen into an ambuscade which Morgan had prepared for them, and in a moment when they expected no danger were involved in irretrievable ruin, and were compelled, to the number of nearly one thousand men, to throw down their arms and surrender themselves prisoners. Col. Tarleton, with a small remnant only of the British troops, escaped, and fled with the utmost precipitation to the main body of the British forces, so closely followed by an American officer of great celebrity as to render his evasion extremely difficult. Morgan, knowing the value of his prize, determined immediately to proceed with the utmost dispatch to some place in Virginia where his prisoners could be securely lodged. Lord Cornwallis followed him without the loss of a moment's time; and Gen. Greene, fearful of the consequence of permitting his

Lordship to repossess himself of the prisoners, with equal diligence marched to join the troops under his immediate command to those who were with Col. Morgan. He joined him accordingly, and was so closely followed by Lord Cornwallis that in many places on the road the van of the advancing army and the rear of the retreating army were in view at the same time. The pursuit was continued to Dan River, on the confines of Virginia; but the prisoners were advanced to a place of safety, and the pursuit, no longer having an object, was discontinued. Gen. Greene, receiving re-enforcements both from Virginia and North Carolina, became in his turn the pursuer. He followed his Lordship with cautious steps to Hillsboro, in North Carolina, and thence to Guilford Court-house, where he engaged his army for some hours, and so much disabled it as to make it necessary for them to retreat to Wilmington. Gen. Greene followed close upon their heels for some time, and at length turned off to South Carolina to drive the British outposts into Charleston and to suppress and punish the insurgent tories. Lord Cornwallis, after refreshing his troops for some time in Wilmington, marched by way of Halifax into Virginia, where by fate he was finally conducted to Little York.

While the British were thus in pursuit of Gen. Greene's army, the Assembly of North Carolina, then in session at Halifax, turned their eyes to Shelby and Sevier, and rested their hopes upon them. They resolved, on the 13th of February, that Col. Isaac Shelby, of Sullivan County, and John Sevier, Esq., of Washington County, be informed by this resolution, which shall be communicated to them, that the General Assembly of this State are feelingly impressed with the very generous and patriotic services rendered by the inhabitants of the said counties, to which their influence has to a great degree contributed. And it was urgently urged that they would press a continuance of the same active exertion; that the state of the country was such as to call forth its utmost powers immediately, in order to preserve its freedom and independence; and that we may profit by the assistance of our friends in Virginia, as they have occasionally by us as emergencies induced them to avail of it, we suggest our wishes that Col. Arthur Campbell and Col. William Preston, of Virginia, through the gentlemen mentioned, may be informed that their spirited conduct heretofore, in favor of the Southern States, af-

fords us the most perfect assurance that they will make every active and effectual exertion at the present critical moment in favor of this State.

Gov. Caswell, an intimate acquaintance of Col. Shelby, depicted to him the melancholy circumstances of his own State. A part of the British forces, under the command of Maj. Craig, to the number of four hundred, with about five hundred tories, had marched from Wilmington to Newbern, by way of Duplin, Dobbs, and Jones Counties. They repulsed the militia in the respective counties as they passed through them, with little loss. At Newbern they destroyed all the salt, rum, sugar, and merchandise of every kind; burned and destroyed the few vessels which were in the harbor. From thence they marched up the Neuse road, passing by Gen. Bryant's, Capt. Heretage's, Mr. Longfield Cock's; and across by Daniel Shiner's, on the Trent, by the head of New River, and returned to Wilmington. The tories were in motion all over North Carolina, and their footsteps were marked with blood, and their path was indicated by the most desolating devastations. Gov. Caswell conjured him to turn to the relief of his distressed country. Shelby, however, consulted his own judgment upon the course which would render the most essential service to the common cause, and determined to assist in clearing South Carolina of all the British and tories who were stationed at places without the precincts of Charleston.

The scenes of action were in South Carolina and Virginia. North Carolina was left to fall or be supported by the event of the transactions which were then going on. The tories, however, were very indefatigable in their endeavors to enslave their country, and every day some life was sacrificed to their implacable fury. A considerable body of them, under the command of Fleming, stole very unexpectedly into Hillsboro, on the 12th of September, and made prisoner Gov. Burke, with several other persons of note, and marched toward Wilmington. The American troops succeeded in dislodging the British from nearly all the stations which they occupied beyond the limits of Charleston, and finally so straitened them for want of room and provisions as to force them to action at the Eutaw Springs, on the 8th of September, in which the American army captured five hundred of them and one thousand stands of arms.

About the same time a French fleet arrived in the Chesapeake Bay, with a considerable body of land forces on board, with a view to co-operate in the reduction of Lord Cornwallis and all his troops to the surrender of themselves as prisoners of war to the armies of the United States. At this crisis, on the 16th of September, Gen. Greene wrote to Col. Sevier. He gave information to the colonel of these several events, and of the suspicions which were entertained that Lord Cornwallis would endeavor to escape by marching back through North Carolina to Charleston; to prevent which Gen. Greene begged of the colonel to bring as large a body of riflemen as he could, and as soon as possible to march them to Charleston. Col. Sevier immediately raised two hundred men in the county of Washington, and marched to the relief of the well affected in South Carolina, who were suffering extremely by the cruelties which the tories were inflicting upon them. He joined his forces to those of Gen. Marion, on the Santee, at Davis's Ferry, and contributed in no small degree to keep up resistance to the enemy, to raise the spirits of those who were friendly to the American cause, and to afford an asylum to those who were in danger from the infuriated tories. Lord Cornwallis was now besieged in Yorktown, and his retreat through North Carolina being no longer apprehended, and as the enemy in South Carolina were ravaging the country in the parish of St. Stephens, Gen. Greene, with a design of putting a stop to their depredations and straitening them in the articles of supplies, endeavored, on the 11th of October, to collect a force sufficient to drive them into Charleston; but he awaited the arrival of Sevier to begin his operations.

On the 19th Lord Cornwallis and the army under his command surrendered to the arms of the United States and France. The war between the whigs and tories had grown to be a war of extermination, and quarter was neither asked nor expected on either side. Col. Shelby likewise was called down to the lower country, about the last of September, to aid in intercepting Lord Cornwallis, at that time blockaded by the French fleet in the Chesapeake, and who it was suspected would endeavor to make good his retreat through North Carolina to Charleston, but when his Lordship surrendered in Virginia both Shelby and Sevier were attached to Marion's camp below, on the Santee. Shelby and Sevier consented to this with some reluctance, as

their men were only called out for sixty days, and Shelby was a member of the North Carolina Assembly, which was to meet at Salem in the beginning of December following. They, however, joined Marion early in November, with five hundred mounted riflemen. The enemy, at that time under Gen. Stewart, lay at a place called Ferguson's Swamp, on the great road leading to Charleston. Gen. Marion received information several weeks after their arrival at his camp that several hundred Hessians at a British post near Monks' Corner, eight or ten miles below the enemy's main army, were in a state of mutiny, and would surrender the post to any considerable American force that might appear before it; and he soon determined to send a detachment to surprise it. Sevier and Shelby solicited a command in the detachment. Marion accordingly moved down eight or ten miles, and crossed over to the south side of the Santee River, from whence he made a detachment of five or six hundred men to surprise the post, the command of which was given to Col. Mayhem, of the South Carolina Dragoons. The detachment consisted of parts of Sevier's and Shelby's regiments, with Mayhem's Dragoons—about a hundred and eighty—and twenty or thirty lowland militia. They took up the line of march early in the morning; traveled fast through the woods, crossing the main Charleston road, leaving the enemy's main army some three or four miles to the left; and on the evening of the second day again struck the road leading to Charleston, about two miles below the enemy's post which they intended to surprise. They lay upon their arms all night across the road, to intercept the Hessians, in case the enemy had got notice of their approach and had ordered those Hessians to Charleston before morning.

In the course of the night an orderly sergeant of the enemy, from their main army, rode in amongst the American troops and was taken prisoner. No material paper was found upon him that night, which was very dark, before he made his escape, except some returns which contained the strength of the enemy's main army and their number on the sick list, which was very great.

As soon as daylight appeared, Mayhem, with those under his command, advanced to the British post and sent in a confidential person to demand the immediate surrender of the garrison, who in a few minutes returned and reported that the officer commanding would defend the post to the last extremity.

Shelby then proposed to Mayhem to go himself and make another effort to obtain a surrender, which he readily consented to. Shelby approached the garrison and assured the commander in chief that should he be so mad as to suffer a storm every soul within would be put to death, for there were several hundred mountaineers at hand who would soon be in with their tomahawks upon the garrison. The officer inquired of Shelby if they had any artillery, to which he replied that they had guns which would blow him to atoms in a moment, upon which the officer said, "I suppose I must surrender," and immediately threw open the gate, which Mayhem saw and advanced quickly with the detachment. It was not until this moment that the American officer saw another strong British post five or six hundred yards to the east, which they understood was built to cover a landing on Cooper River. The garrison, about one hundred strong, and forty or fifty dragoons, marched out as if with a design to charge the American troops; but soon halted, seeing that the latter stood firm and were prepared to meet them. Mayhem took one hundred and fifty prisoners, all of them able to have fought from the windows of a brick building which was there and from behind the abatis; ninety of them only were able to stand or march that day to the American camp, which was nearly sixty miles distant. Mayhem paroled the remainder, most of whom appeared to have been sick, but were then convalescent. Gen. Stewart, who commanded the main army, eight or ten miles above, made great efforts to intercept this detachment on its return; but Mayhem, with those under his command, arrived at Marion's camp about 3 o'clock the morning following, and there it was announced before sunrise that the whole British army was in the old field, three miles off, at the outer end of the causeway that led into Marion's camp. Sevier and Shelby were ordered out with their regiments to attack him, should he approach the swamp, and to retreat at their own discretion. On receiving information that Marion had been re-enforced with a large body of riflemen from the west, the enemy retreated in great disorder near to the gates of Charleston.

About the 28th of November Shelby obtained leave of absence to attend the Assembly of North Carolina, of which he was a member, which was to meet at Salem early in December, whence, in a day or two after his arrival, it adjourned to meet

again at Hillsboro in April, 1782. In 1782 he was again a member of the Legislature, where he was appointed to adjust preemption claims in Cumberland and lay off the lands allotted to the State troops in the continental army. In the winter following he and his colleagues performed that service, and immediately afterward he settled where he now lives in Kentucky. Sevier, with his troops, reached home early in January, 1782.

The battle of Eutaw and the surrender of Lord Cornwallis covered the tories with dismay and confusion, mixed with desperation. A great number of them took shelter among the Cherokees, and continued to threaten the neighboring countries with devastation. Gen. Pickens requested Col. Sevier to make the Indians drive them out of the country. Many and great were the miseries of these times, and, amongst the rest, the practice of plundering, both by whigs and tories, had grown to an alarming excess, and had reduced both Georgia and South Carolina to the most afflicting poverty. The Whigs, as they got possession of any valuable property, retired from the army to take care of it. Every soldier began to look for an opportunity to plunder, and when the officers gave countenance to their designs, insubordination immediately took place and discord ensued. They thought no longer of defending the country, plunder being the object of the common men; they thought it was also the object of the officers when in the least countenanced, and for want of confidence in their superiors would no longer obey them. "Who are the virtuous few," said Pickens, "who will defend the country which others are robbing of its riches, and not caring when the war will end?" Examples, he insisted, must be made to prevent this practice, or the country will conquer itself. "The object of those who are in arms," said he, "is property; they regard neither whig nor tory." A vast number of negroes and property were taken from South Carolina and Georgia and carried away, and a great number of free persons of color were seized and hurried from their acquaintances and friends into remote countries, where their color condemned them to slavery and where they had no means to procure the evidence which proved their freedom. But to the honor of the troops under Sevier and Shelby, no such captives or property came with them into the countries of their residences; their integrity was as little impeached as their valor.

The Assembly of North Carolina, in June, 1781, considering the great pressure of the times, the difficulties which had arisen from the defeat of the American army under the command of Gen. Gates, in August, 1780, at Camden, as likewise from the consequent irruption of the British forces into North Carolina; considering also the general insurrection of the tories and the numerous devastations they were everywhere committing, together with the astonishing depreciation of the paper money occasioned by these events, deemed it expedient to close the land office, and they did so. It was not opened again till after the war was terminated. Not a moment of relaxation was now left from the toils and dangers of war; its ravages were carried to every plantation and family in all parts of Georgia and South Carolina, and in many parts of North Carolina; the horrors of war were exhibited in every shape which it can put on. This state of things continued without material alteration through the whole of the year 1782. The Indians retained their deep-rooted animosities, and in September of this year were hurried by revengeful spirits to the frontiers. The Chickamauga Indians and those of the lower Cherokee towns went thither with some of the Creeks, killed some of the settlers, and took away their horses. Col. Sevier immediately summoned to his standard a hundred men from the county of Washington, and was joined by Col. Anderson with seventy or seventy-five from Sullivan, all of whom rendezvoused at the Big Island on French Broad River, and from thence marched to the upper towns of the Cherokees, who were at peace. There they procured John Watts, who afterward became a celebrated chief of the Cherokee Nation, to conduct them to Chiccamauga, and from thence to Will's Town and to Turkey Town, thence to Bull Town and to Vaun's Town, and thence by the Hiwassee to Chesto. In this expedition they killed some of the Indians, and, as usual, burned their towns. They returned home by way of the Big Island in the French Broad River. The officers in this expedition, who were of grades inferior to those of Col. Sevier, were Jonathan Tipton and James Hubbard; the captains were McGreen and others. They camped on the first day on Ellijay; on the second they crossed Little River and encamped on Nine Mile Creek; on the third they crossed the Tennessee at Cittico, and there held a council with the friendly Indians, at which

was present the Hanging Maw. They engaged to be at peace. On the fifth day they crossed the Tellico on the Hiwassee trace; on the sixth day they encamped on the Hiwassee River, above the former agency; on the seventh they crossed the Hiwassee and encamped in an Indian town on the opposite bank; thence they marched to Vann's Town and destroyed it; thence to Bull Town, on the head of Chiccamauga Creek. John Watts there brought in a white woman by the name of Jane Iredell, who had been taken some time before, and delivered her to the commanding officer. The troops destroyed Bull Town and marched to Coosa River, a distance of thirty miles. Near a village on the river they killed a white man who called himself "Clements." He had papers which showed that he had been a British sergeant. He was then with an Indian woman called Nancy Coody. Thence they marched to Spring Frog Town; thence up the Coosa to Estanaula and destroyed it; thence through the old Hiwassee towns to Chota, on the Tennessee River, where the friendly Indians and whites held a council; and thence the troops returned home.

The War of the Revolution, which had fallen with such destructive weight upon the Southern States, was now drawing to a close. Every heart palpitated with joy at the prospect of peace and independence. The opening of the year 1783 found them in possession of both; the storm of civil discord was tranquillized, and the whole community became intent upon the reparation of the shattered population and fortunes of the country. The foundations of a magnificent structure were laid, which will one day tower to the heavens and be viewed with admiration by the whole earth, unless the builders, like those of the Tower of Babel, shall, by disunion and confusion, be dispersed in fragments to all parts of the earth.

The Assembly of North Carolina began immediately to prepare for the extinction of her national debt, and for paying the arrears then due to the officers and soldiers of that part of the continental line which was raised in the State of North Carolina. The people had then a lively and stimulating sense of the great obligations they were under to this patriotic band of heroes. But soon it began to die away, and after a short space the impressions which were once so deep were no longer discernible. In May, 1783, they opened an office for the sale of western lands.

Without any previous consultation with the Indians they enlarged the western boundary. Beginning on the line which divided that State from Virginia, at a point due north of the mouth of Cloud's Creek, running thence west to the Mississippi; thence down the Mississippi to the thirty-fifth degree of north latitude; thence due east until it strikes the Appalachian Mountains; thence with the Appalachian Mountains to the ridge that divides the waters of the French Broad River and the waters of Nolichucky River, and with that ridge until it strikes the line described in the act of 1778, commonly called Brown's line; and with that line and those several water-courses to the beginning. But they reserved for the Cherokee hunting-grounds a tract of country beginning at the Tennessee, where the southern boundary of North Carolina intersects the same nearest to the Chicamauga towns; thence up the middle of the Tennessee and Holston to the middle of the French Broad River, which lines are not to include any island or islands in said river, to the mouth of Big Pigeon River; thence up the same to the head thereof; thence along the dividing ridge between the waters of Pigeon River and Tuckasejah River to the southern boundary of this State. At the same session they divided the county of Washington again and formed a part of it into Greene County. The dividing line began at William Williams's, in the fork of Horse Creek, at the foot of Iron Mountain; thence a direct course to George Gillespie's house, at or near the mouth of Big Limestone; thence a north course to the line which divides the counties of Washington and Sullivan; thence with said line to the Chimney Top Mountain; thence a direct course to the mouth of Cloud's Creek, on the Holston River. That part of Washington which lay to the west of this line was thenceforward to be the county of Greene. The Assembly also laid off a district for the exclusive satisfaction of the officers and soldiers in that part of the late continental line which was raised in North Carolina. The claims to be satisfied were founded upon certain promises held out to them by the Legislature of North Carolina in May, 1780. They shortly afterward provided that in case of a deficiency of good land in this district to satisfy their claims, the same might be entered upon any vacant lands in this State, which should be appropriated for their satisfaction by grant.

On the 20th of October, in the year 1783, according to an act

passed for the purpose in May, John Armstrong's office was opened at Hillsboro for the sale of western land included in these reservations or in the counties of Washington and Sullivan, at the rate of ten pounds specie certificates per hundred. These certificates were issued by Boards of Auditors appointed by public authority for services performed, and articles impressed or furnished in the time of the Revolutionary War were made payable in specie. The lands were to be entered in tracts of five thousand acres, or less, at the option of the enterer. Vast numbers of persons crowded to the office, and were so clamorous and disorderly that no business could be done in the office till the 23d, before which time they agreed to settle by lot the order in which their locations should be presented to be entered in the entry-taker's book. By the 25th of May, 1784, vast quantities of land were entered, and certificates to a very large amount had been paid into the public offices. A provision in the laws directing surveys to be made to the cardinal points rendered it wholly unnecessary to resort to such constructions for fixing the localities of entries as the judges of Kentucky were forced to resort to for want of that provision. In this State, if a beginning were called for, and the direction of the survey could be ascertained by implication from the words of the entry, immediately the court applied the courses in that direction to the beginning, as if the same had been expressed in the entry as they were in the law; and the next line was determined by the objects it was to adjoin or include. The same precise certainty could not be attained when an object was to be included, and it was not said in the entry in what part of the survey. But the law cured this mischief also, for it directed the surveys to be made in the same order in which the entries had been; and when that was done, the unappropriated lands left for the subsequent enterer were distinguishable and certain. The latter enterer had nothing to do but wait till the former entry was surveyed, and then, without incurring the least risk, he might proceed to make his survey. Many enterers, however, would not abide by these provisions, and made surveys before those on former entries had been completed. The consequence was that very frequently subsequent surveys upon former entries included within their bounds part of the lands surveyed for latter entries. The judges gave preference to the latter grant upon a former en-

try, if the survey were made upon that entry as the law directed. To prevent this relation of title to the date of the entry, attempts were made to define special entries, so as to exclude the one in question, to which preference by relation was claimed from that character. But the judges very wisely gave to entries such interpretations as would save them from destruction, whenever it could be done. At length, the attempt was made in imitation of the Kentucky decisions, to centralize in the survey the objects called for in the entry; than which nothing could have produced more confusion nor a greater disturbance of title. These innovations received some countenance at first, but at length the supreme tribunals of the country have given them such a decided condemnation by many repeated determinations, as nearly to put to rest the numerous controversies which were likely to spring up from them.

By a subsequent law of the next session, the surveyor of Greene County was allowed to survey all lands for which warrants might be granted by John Armstrong, lying westward of the Appalachian Mountains, and including all the lands on the waters of Holston from the mouth of French Broad River upward to the bounds of Washington and Sullivan Counties, exclusive of the entries made by the entry-taker of Greene County.

The settlements, in the year 1783 and in the next year, extended as far as to the Big Island in the French Broad River, thirty miles above Knoxville, and thirty to Little and Big Pigeon Rivers. There were also a few settlements on Boyd's Creek. On the north side they had not reached as low down as where Rogersville now is, but only as far as Big Creek, three or four miles above.

CHAPTER V.

Persons Killed and Wounded by the Indians in 1780—Whites Routed and the Greater Part Killed on Battle Creek—Leiper Routs a Party of Indians—The Crew of a Boat All Killed on Stone's River—Hunters Supplied the Settlers with Meat—Many of the Settlers Removed to Kentucky, and Some to Illinois—Lands Promised the Soldiers in 1780 by a Resolution of the Assembly of North Carolina—Freeland's Station Attacked, 1781—Great Devastations Committed by the Indians; Those in Different Stations Fled to the Bluffs; Many Removed to Kentucky or Went Down the River—Battle of the Bluff—Indian Ambuscade—Persons Killed—Killed and Wounded 1782—Custom When Two or More of the Inhabitants Met—Proposition Made to Break up the Settlements—Capt. Robertson Earnestly Opposes It—His Reasons—Persons Killed in 1782—Right of Preemption Allowed to the Settlers in Cumberland by the Assembly of North Carolina—Court of Equity Established—New Settlers from North Carolina in 1782—Commissioners and Guard in 1783 to Lay Off the Military Lands—Settlers Encouraged by Their Presence, and Their Strength Added To—Relinquish the Design of Removal—Gen. Greene's Lands Laid Off—Continental Line—Officers' and Soldiers' Line—Lands not Purchased by Individuals for Their Own Use from the Indians—Col. Henderson—Grant of the Assembly to Him and His Partners for Their Trouble—Davidson County—Officers, Civil and Military, Appointed—Domestic Government of the First Settlers—Entry Taken of Preemption Entries—Persons Killed and Wounded in 1783—Indians Invited to Conference by the Spaniards—Persons Killed and Wounded—Pruett's Battle with the Indians—Chickasaws Disturbed by the Land Law of 1783 Passed by the Assembly of North Carolina—New Settlers in 1783—Spain, and the Designs of Her Rulers—Mero's Invitation to Gen. Robertson.

WE now enter upon a subject full of danger and hazard, of daring adventure and perilous exposure. He who is pleased with the storm and earthquake, and can behold with serenity national convulsions and the works of death, will now enjoy a repast in perfect association with his ferocious appetite. But let him who suffers at the tale of woe, and bleeds with the victims which barbarity sacrifices in vengeance for its wrongs, cover his head with a mantle of mourning and fly to other scenes, consigning, as far as he is able, to the tomb of oblivion the events which are now to be recorded.

Mr. Rains, on the same day that he crossed the Cumberland River on the ice, went and settled on the land now called Deaderick's plantation. He remained there three months and

three or four days before the Indians did any harm to the settlers.

But in the month of April, 1780, Keywood and Milliken, two hunters, coming to the fort, stopped on Richland Creek, five or six miles west from the bluff, and as one of them stepped down to the bank of the creek to drink the Indians fired upon Milliken, and killed him. Keywood escaped, and brought intelligence of this affair to the bluff. Mr. Rains then moved to the bluff, and continued there four years before he again settled in the country. The Indians soon afterward killed Joseph Hay on the Lick Branch. In less than ten days after killing Milliken a party of Indians came to Freeland's Station, and finding an old man, Bernard, making an improvement at a place then called Denton's Lick, they killed him, and cut off his head and carried it away. They were either Creeks or Cherokees. With the old man were two small boys, Joseph Dunham and William Dunham. They ran off and gave information to the people at Freeland's Station. Between Denton's Lick and the fort the Indians found a young man whom the boys had neglected to alarm. The Indians killed him, and cut off and carried away his head. His name also was Milliken. Soon afterward a party of Indians, supposed to be Delawares, killed Jonathan Jennings, at the point of the first island above Nashville, in July or August. At Eaton's Station they killed James Mayfield, and at the same place, which is on the north side of the Cumberland River, a man by the name of Porter was shot by the Indians in the cedars, in view of the station, in the day-time, and early in the spring season. About the time the Indians killed Jennings they also killed Ned Carver five miles above Nashville. His wife, with two children, escaped, and came to Nashville. This was done on the bluff of the river, on the north side, where William Williams, Esq., now lives. In a day or two afterward the same party killed William Neely at Neely's Lick, and took his daughter prisoner. At Mansco's Lick, a little while before, they killed Jessie Balestine and John Shockley. They afterward killed David Goin and Risby Kennedy at the same station, in the winter of the same year. In this year Mansco's Station was broken up in the winter-time. Some of the inhabitants went to Nashville and some to Kentucky. In November or December, at Eaton's Station, they shot Jacob Stump, and attempted to

kill the old man, Frederick Stump, but he ran, and got safely into Eaton's Station after they had pursued him three miles. The Indians killed two persons at Bledsoe's Lick or on the creek near it. They killed W. Johnson in the woods on Barren River, in company with Daniel Mungle, who ran off.

In the latter part of the year 1780 a company of Indians met Thomas Sharp Spencer in the woods, and on the path in which he was returning to the bluff with a load of meat. They fired at and missed him, but took his horses and went with them up the river. At Station Camp Creek they saw and took other horses which had strayed from a camp of white men that was near, but which the Indians did not discover. They went off with both sets of horses. At Asher's Station, two miles and a half from where Gallatin now is, some white men were in a cabin in the night-time. At break of day the Indians crept up to the cabins and fired into them. They killed and scalped one man, and wounded Phillips. They then went off toward Bledsoe's Lick, and met hunters who were returning to the bluff. They were Alexander Buchanan, James Manifee, William Ellis, Alexander Thompson, and one or two more. Buchanan killed one Indian, and another was wounded. The Indians ran off and left the horses they had taken from Spencer and Phillips. When the Indians came to Freeland's Station in May, the whites pursued them—namely, Alexander Buchanan, John Brock, and William Mann, with Capt. James Robertson and others, being in number twenty—to the neighborhood of Duck River (near where Gordon's Ferry now is, and near the Duck River Licks), where the pursuers came within hearing of them, and heard them cutting. The party of white men dismounted, and marched to their camp; but it is supposed that the Indians heard their horses snort, for they had all run off before the whites could get to their camp. Whilst about Freeland's Station the Indians killed D. Lariman and cut off his head.

In the summer of this year Isaac Lefevre was killed near the fort on the bluff, at the spot where Nathan Ewing, Esq., now lives. In the summer season of the same year Solomon Phillips went out from the fort to the place now called Cross's old field for cymplings. The Indians shot and wounded him. He reached the fort, but soon died. Samuel Murry, who was with him in the field, was shot dead, nearly at the same place they

had killed Robert Aspey in the spring. Near the mound, on the south side of the spot where the steam-mill now is, they killed Bartlette Renfroe, and took John Maxwell and John Kendrick prisoners.

Some of the emigrants who came down the Tennessee in boats in the beginning of this year remained at Red River, as is before stated, with the intention to settle there. Among them were a number of persons by the name of Renfroe and their connections, Nathan Turpin and Solomon Turpin. Not long afterward, in the same year, 1780, in the month of June or July, the Indians, a party of Choctaws and Chickasaws, came and broke them up, and killed Nathan Turpin and another man at the station. The residue attempted to run off to the bluff where Nashville now is. Some of the women and children were conducted under the care of the Renfroes, who intended to return for their property. They went to the station on Red River with some others from the bluff, got possession of the property they had left there, and were returning to the bluff. They encamped at night about two miles north of Sycamore, at a creek now and ever since called Battle Creek. In the morning Joseph Renfroe, going to the spring to drink, was fired upon by the Indians, who lay concealed in the bushes. He died instantly. They then broke in upon the camp, and killed old Mr. Johns and his wife and all his family. Only one woman, by the name of Jones, escaped. Henry Ramsey, a bold and intrepid man who had gone from the bluff, took her off and brought her to the bluff. Eleven or twelve other persons were there at the time of the attack, who were all killed. The Indians ripped up their beds, and took all the horses and other movable property, and went off toward the south.

The Chickasaws had the undisputed claim to the territory on the west of the Tennessee. Upon this territory Clarke had made a settlement eighteen miles below the mouth of the Ohio on the east side of the Mississippi. Offended at this treatment, the Chickasaws, till then neutral, become allies of the British Nation, and were so at the time when this mischief was perpetrated. Capt. Robertson made peace with them in 1782. In the fall of the same year another party of Indians came and stole horses and were pursued by Leiper with fifteen men, who overtook them on the south side of Harpeth, near where Ellison

lately lived, not more than three miles toward Pisgah to the west. They were encamped in the night, and the evening was wet. Leiper and his men fired upon them, wounded one, got all the horses they had stolen, and all their baggage, and returned. In the same year (1780) the Indians killed negro Jim, left by Col. Henderson in a boat at the Clover Bottom; also a young man in the same boat. At the same time they took George, a negro man of Absalom Tatom's; also they wounded and took Jack Civil, a mulatto; killed Abel Gower and Abel Gower, Jr., and John Robertson, the son of Capt. James Robertson. Col. John Donaldson had gone up the river to the Clover Bottom with two boats for the purpose of bringing away the corn that himself and others had raised the summer before. They had laden the boats with the corn and had proceeded a small distance down the river when Col. Donaldson recollected that he had neglected to gather some cotton which he had planted at the lower end of the field, and accordingly asked of his companions to put to, for the purpose of picking a part of it. They urged that it was growing late, and that they ought to go on; he waived using any authority, and had scarcely landed before the people in the other boat were attacked by a party of Indians who lay in ambush to intercept the boats on their return. The fire of the Indians was fatal. All were killed except a free negro and one white man, who swam to shore and wandered many days in the woods before he reached the bluff. A little dog about the time of cock-crowing in the morning after the defeat, warned the inhabitants of the station by barking. A boat put out and brought to the floating boat. On examining it a negro who had gone up with the party was found dead. His chin had been eaten by the dog. From these appearances the conclusion was that the rest of the party were killed. Col. Donaldson, however, had escaped to Mansco's Station. A free negro, son of Jack Civil, who was in the boat, was taken prisoner by the Indians.

In the summer of this year (1780) at the place where Ephraim Foster, Esq., now lives, Philip Catron riding from Freeland's Station to the bluff, was fired on by the Indians and wounded in the forepart of the breast so that he spit blood, but he recovered. In the same summer, as Capt. John Caffrey and Daniel Williams were rising the bank going toward the bluff, the

Indians fired upon them, wounding Caffrey in the thigh and Williams in the knee with two balls. They escaped to the bluff. In the fall of this year the Indians fired upon Taylor and others near the bluff, to the south-west. After much time and care he was recovered. In this summer Robert Gilkey sickened and died. He was the first man of the settlers that died a natural death. Soon afterward a negro of Mrs. Gilkey's was fired upon by the Indians at the place where Mr. Whitesides's office now is. The negro was dangerously wounded, but recovered. Philip Conrad, in the spring, was killed by the fall of a tree at the place where Bass's tan-yard now is. In this year a man of the name of Michael Stoner first discovered the lick which has ever since been called Stoner's Lick. Stoner's Lick Creek, which runs through it, received its name from the same circumstance. In the fall of this year the hunters supplied the inhabitants with meat by killing bears, buffaloes, and deer. A party of twenty men went up the Caney Fork as high as Flinn's Creek and returned in canoes with their meat in the winter. While in the woods they killed one hundred and five bears, seventy-five buffaloes, and eighty and more deer. Some of the inhabitants, however, failed to obtain the subsistence which was expected from this source, and others had lost their crops by a fresh in July, and such persons were in distress for want of provisions. The multiplied disasters and dangers which every moment threatened the small body of settlers with destruction at length began to dishearten them. A considerable part of them went this year to Kentucky and Illinois. In the winter the emigration was stopped by the want of horses, and all the inhabitants were collected into two stations.

The Assembly of North Carolina, in May, 1780, engaged by a public act in the form of a resolution to give to the officers and soldiers in its line, on continental establishment, a bounty in lands in proportion to their respective grades, to be laid off in the western country in what is now called West Tennessee, to all such who were then in service and should continue to the end of the war, or such as from wounds or bodily infirmities have been or shall be rendered unfit for service, and to the heirs of such who shall have fallen or shall fall in defense of the country. There never was a bounty more richly deserved or more ungrudgingly promised.

In the year 1781, on the 15th of January, an attack was made on Freeland's Station by forty or fifty Indians in the still hour of midnight. Capt. James Robertson had, in the evening before, returned from the Kentucky settlements, and having been accustomed, whilst on the road, to more vigilance than the other residents of the fort, he heard the noise which the cautious savages made in opening the gate. He arose and alarmed the men in the station, but the Indians had got in. The cry of "Indians" brought Maj. Lucas out in his shirt. He was shot. The alarm being general, the Indians retreated through the gate, but fired in at the port-holes through the house in which Maj. Lucas lived. In this house they shot a negro of Capt. Robertson's. These were the only fatal shots, though not less than five hundred were fired into the house. It was the only one in which the port-holes were not filled up with mud. The whites, only eleven in number, made good use of the advantage they possessed in the other houses of the fort. Capt. Robertson shot an Indian, which soon caused the whole party to retreat. The moon shone brightly, otherwise this attack would probably have succeeded. The fort was once in possession of the Indians. They found means to loosen the chain on the inside which confined the gate, and they were superior in point of numbers. The Indians received re-enforcements from the Cherokee Nation. They burned up every thing before them: immense quantities of corn and other produce, as well as the houses, fences, and even the stations of the whites. The alarm was general; all who could get to the bluff or Eaton's Station did so, but many never saw their comrades in those stations. Some were killed sleeping; some were awakened only to be apprised that their last moment was come; some were killed in the noonday, when not suspicious of danger; death seemed ready to embrace the whole of the adventurers. In the morning when Mansco's Lick Station was broken up, two men who had slept a little later than their companions were shot by two guns pointed through a port-hole by the Indians. These men were David Goin and Patrick Quigley. Many of the terrified settlers removed to Kentucky, or went down the river. A few nights afterward Mrs. Dunham sent a small girl out of the fort to bring in something that she wanted, and the Indians being there, took hold of the child and scalped her, but they did not kill her, and she is still alive. Mrs.

Dunham, hearing the cries of the child, advanced toward the place where she was, and was shot by one of the Indians and wounded dangerously, but not mortally. She lived many years afterward, and at length died, but never perfectly recovered her health.

In the spring of the year 1781, on the second day of April, a numerous party of Cherokees came in the night and lay in ambush. In the morning three of them came and fired at the fort on the bluff and ran off. Nineteen horsemen in the fort mounted their horses and followed them. When they came to the branch over which the stone bridge now is, they discovered the Indians in the creek and in the thickets near it. They rose and fired upon the horsemen; the latter dismounted to give them battle, and returned their fire with great alacrity. Another party of Indians lay concealed in the privy and brush and cedars near the place where Mr. De Mumbrune's house is, who were ready to rush into the fort on the back of the combatants. The horses ran to the fort and left their owners on foot. Hearing the firing, those in the fort closed the gates. Such of the nineteen as were left alive retreated to the fort. Several of them were killed on the spot—namely, Peter Gill, Alexander Buchanan, George Kennedy, Zachariah White, and Capt. Leiper. Others of them were wounded—namely, James Manifee and Joseph Moonshaw. At the place where the stone house of Cross now stands, Isaac Lucas had his thigh broken by a ball, and being left by his comrades who ran into the fort, the Indians rushed upon him to take his scalp. One of them running toward him and being at a short distance, Lucas, having his gun charged, fired upon and shot him through the body, and he died instantly. The people in the fort, in order to save Lucas, kept up a brisk and warm fire upon those parties of Indians who attempted to get to him, and finally succeeded in drawing them off, when he (Lucas) was taken and brought into the fort by his own people.

When the Indians fired upon the horsemen at the branch, the body which lay in ambush at De Mumbrune's rose and marched toward the river, forming a line between the combatants and the fort. When those from the bluff dismounted to fire upon the Indians in the branch, and the firing on both sides actually commenced, their horses took fright and ran at full speed on the

south side of the Indian line toward the French Lick, passing by the fort on the bluff. Seeing this, a number of Indians in the line, eager to get possession of the horses, left their ranks and went in pursuit of them, and at this instant the dogs in the fort, seeing the confusion and hearing the firing, ran toward the branch and came to that part of the Indian line which remained yet unbroken, and as they had been trained to hostility against Indians, made a most furious onset upon them and disabled them from doing any thing more than defending themselves. Whilst thus employed the retreating whites passed near them through the interval made by the desertion of those from the line who had gone in pursuit of the horses. Had it not been for these fortunate circumstances, the whites could never have retreated to the fort through the Indian line, which had taken post between them and the fort. Such of the nineteen who survived when they retreated, would have had to break through the line, their own guns being empty, whilst those of the Indians were well charged. Amongst those who retreated toward the fort was Edward Swanson, who was pursued by an Indian that overtook him, punching him with the muzzle of his gun in the back and drawing the trigger, when the gun snapped. Swanson laid hold of the muzzle, and wringing the lock to one side, spilled the priming from the pan. The Indian, looking into the pan and not seeing powder in it, struck him with the gun-barrel, the muzzle foremost. The stroke not bringing him to the ground, the Indian clubbed his gun and, striking him with it near the lock, knocked him down on all fours. At this time John Buchanan, the elder, father of the present Maj. Buchanan, rushed from the fort to the assistance of Swanson, who was about twenty yards from it. Here he discharged his gun at the Indian, who, gritting his teeth, retired to a stump, upon which Buchanan and Swanson went into the fort. From the stump to which the Indian retired was a trail made by a body dragged along upon the ground, much marked with blood. The Indians retired, leaving upon the field the dead Indian whom Lucas had killed. Another they buried on the east side of the creek in a hollow north of the place where Mr. Hume now lives. The white people afterward dug him up. Many of the Indians were seen hopping on lame feet or legs. They got nineteen horses, saddles, bridles, and blankets, and could easily remove their dead

and wounded. The white people could never learn the exact loss they sustained.

On the night of the same day in which this affair took place another party of Indians, who had not come up in time to be present at the battle, marched to the ground now occupied by Poyzer's and Condon's houses and lots and fired upon the fort for some time, till a swivel was charged with small rocks and pieces of pots and discharged at them, upon which they immediately withdrew.

A few days before the battle at the fort on the bluff, Col. Samuel Barton had followed a drove of cattle, wishing to kill one of them for beef. They passed near the head of the branch which extends from the stone bridge by Bass's tan-yard, and upward to the head. They passed near the spot at the head of the branch where the Indian lay in ambush. They fired upon and wounded him in the wrist. He ran with the blood streaming from the wound, and one of them followed him. One, Martin, ran from the fort to meet him, and seeing him join Barton the Indian in pursuit retired. At this time John Buchanon and his brother Alexander Buchanon were in Cross's field; they took a circuitous route and came into the fort on what is now the back part of the town of Nashville. Barton was in the fort disabled by this wound when the battle at Nashville took place.

In the summer of 1781 a party of Indians killed William Hood just on the outside of the fort at Freeland's Station. They did not at that time attack the fort.

In the same summer, between Freeland's Station and the French Lick, a party of Indians killed old Peter Renfroe and withdrew. In the fall of the same year they killed Timothy Terril, from North Carolina, and withdrew. In the same year the Indians killed Jacob Freeland as he hunted for deer on Stoner's Lick Creek, at the place where John Castleman now lives. There also, at another time, they killed Joseph Castleman, a son of John Castleman. At the same place lived Jacob Castleman, who went into the woods to hunt and was surprised and killed by the Indians.

In the spring of the year 1782 a party of Indians fired upon three persons at the French Lick and broke the arms of John Tucker and Joseph Hendricks, and shot down David Hood, whom they scalped and stamped, as he said, and followed the

others toward the fort. The people of the fort came out and repulsed them and saved the wounded men. Supposing the Indians gone, Hood got up softly, wounded and scalped as he was, and began to walk toward the fort on the bluff, when, to his mortification, he saw standing upon the bank of the creek a number of Indians, the same who had wounded him before, making sport of his misfortunes and mistake. They then fell upon him again, and having given him in several places new wounds that were apparently mortal, they left him. He fell into a brush-heap in the snow, and next morning was tracked and found by his blood and was placed, as a dead man, in one of the out-houses and was left alone. After some time he recovered and lived many years.

After the attempt to take the fort at the bluff in 1781, the people were frequently disturbed by Indian irruptions and depredations. They made no corn in 1781, but in 1782 they made some in the fields which had been cleared in 1780. The hostilities of the Indians were exercised upon those whom they found hunting, a number of whom they killed that year. In this year (1782) a house or two stood at a place called Kilgore's Station, on the north side of the Cumberland River, on the Red River, and on the south side of Red River, at the place now called Kilgore's Station. There were two young men by the name of Mason, Moses Malding, Ambrose Malding, Josiah Hoskins, Jesse Simmons, and others. The two Masons had gone to a lick called Clay Lick, and had posted themselves in a secret place to watch for deer, and were near enough to reach them with their shot at the lick. Whilst in this situation seven Indians came to the lick. The lads took good aim, and fired upon and killed two of them, and then ran with all speed to the fort, where, being joined by three of the garrison, they returned to the lick, found the dead Indians, scalped them, and returned to the fort. That night John Peyton and Ephraim Peyton, on their way to Kentucky, called in at the fort and remained there all night. The Indians came in the night and took away all, or nearly all, the horses which were there. In the morning the people at the fort pursued them, and overtook them in the evening at a creek called Peyton's Creek, and fired upon them and killed one. The rest fled, and the pursuers retook all the horses. That night the latter came toward the fort and carelessly encamped, and the

next morning proceeded on their journey. But in the meantime the Indians had got between them and the station by a circuitous route, and when the whites came near enough they fired upon them, and killed one of the Masons and Josiah Hoskins. The Indians then retreated with their spoils, and the people at Kilgore's Station broke up their establishment and joined those at the bluff. A little before this, but in the same year, at the same station, the Indians fired upon Samuel Martin and Isaac Johnson returning to the bluff. They took Martin and carried him into the Creek Nation. After residing there ten or eleven months, he came home elegantly dressed, with two valuable horses and silver spurs. Isaac Johnson escaped and came home. As Martin was the first and only man who had been profited by Indian captivity, and withal bore but an indifferent character, it was whispered that he had agreed with the Indians upon the time and place of attack to be made by them, and was a sharer in the plunder.

In the year 1782, and for several years afterward, the common custom of the country was for one or two persons to stand as watchmen or sentinels whilst others labored in the field; and even whilst one went to a spring to drink another stood on the watch with his gun, ready to give him protection by shooting a creeping Indian, or one rising from the thickets of cane and brush that covered him from view; and whenever four or five were assembled together at a spring, or other places where business required them to be, they held their guns in their hands, and, with their backs turned to each other, one faced the north, another the south, another the west—watching in all directions for a lurking or creeping enemy. Whilst the people at the bluff were so much harassed and galled by the Indians that they could not plant and cultivate their corn-fields, a proposition was made in a council of the inhabitants at the bluff to break up the settlement and go off. Capt. Robertson pertinaciously resisted this proposition. It was then impossible to get to Kentucky, as the Indians were in force upon all the roads and passages which led thither; and for the same reason it was equally impracticable to remove to the settlements on the Holston. No other means of escape remained but that of going down the river in boats, and making good their retreat to Illinois; and to this plan great obstacles were opposed, for how was the wood

to be obtained with which to make the boats? Every day the Indians were in the skirts of the bluff, lying concealed among the shrubs, privy and cedar trees, ready to inflict death upon whoever should attempt to go to the woods to procure timber for building a boat. These difficulties were all stated by Capt. Robertson. He held out the dangers attendant on the attempt on the one hand; the fine country they were about to possess themselves of on the other; the probability of new acquisitions of members from the interior settlements; the certainty of being able, by a careful attention to circumstances, to defend themselves till succor could arrive. Finally their apprehensions were quieted, and gradually they relinquished the design of evacuating the position they occupied.

In this year George Aspy was killed by the Indians on Drake's Creek, and Thomas Spencer was wounded. This was in May. In the fall of this year William McMurry was killed near Winchester's Mill, on Bledsoe's Creek. Gen. Smith and some others were with him, and the general was wounded. They killed Noah Trammel on Goose Creek. Malden's Station, upon Red River, was broken up.

In the month of April of this year the Legislature of North Carolina, by an act passed for the purpose, allowed to the settlers on the Cumberland *rights of preemption*: six hundred and forty acres to each family or head of a family, and every single man of the age of twenty-one years and upward, who were settled on the said lands before the 1st day of June, 1780. Such tracts were to include their improvements; but no grant to any of them was to include any salt licks or salt springs, which, by the same act, were reserved as public property, together with six hundred and forty acres of the adjoining land. All the rest of the country was declared to be subject to *partition*.

In this year also the Legislature of North Carolina, after a great deal of uncommendable tergiversation, established courts of equity in all the districts of the State.

The Revolutionary War was now fast hastening to a close, and actually came to an end on the 30th of November, 1782. This event had been anticipated by Capt. Robertson, and from it he expected an *abatement* of Indian hostility, as the Indians, he conceived, would be no longer either encouraged or paid to persist in it. The event corresponded in part with his expecta-

tions, and was soon followed by the arrival of a number of persons from North Carolina, who gave strength and animation to the settlements.

Early in 1783 the commissioners, with a guard, came from North Carolina to lay off lands for satisfaction of the bounties promised to the officers and soldiers of her line in the regular army; and also to examine into the claims of those persons who considered themselves entitled to the pre-emption rights granted to the settlers on Cumberland before the 1st of June, 1780; and also to lay off the lands given by the Assembly of North Carolina to Gen. Greene as a mark of the high sense they entertained of his extraordinary services in the war of the Revolution. The settlers were much animated by their presence and by the additional strength derived from their accession, and soon wholly abandoned the design which they had once entertained of leaving the country. The commissioners and guards, with some of the inhabitants in company, went to the place now called Latitude Hill, on Elk River, to ascertain the thirty-fifth degree of north latitude, and there made their observations, and thence came down Haywood's Creek to Richland Creek of Elk, and thence by Fountain Creek of Duck River, and at the second creek below that laid off the 25,000 acres of land for Gen. Greene which the people of North Carolina had made him a present of, and then fifty-five miles from the southern boundary, and parallel thereto ran the line, which received the name of the "continental line," because it was the boundary of the territory allotted for the officers and soldiers of the line of North Carolina in the continental army. But upon the representation and at the request of the officers made to the General Assembly in their session of 1783, they directed it to be laid off from the northern boundary fifty-five miles to the south; beginning on the Virginia line where the Cumberland River intersects the same; thence west to the Tennessee River; thence down the Tennessee to the Virginia line; thence with the said Virginia line east to the beginning. The General Assembly at the same time took into consideration the claims set up to these lands by Henderson and his associates, who had obtained them from the Indians in 1775, as has been already stated in the chapter of boundaries. Purchases of the Indians, except by public authority, had been forbidden by the king's proclamation and instructions to his

governors soon after the peace of 1763 for regulating the intercourse of his colonists with the Indians. The same prohibition had been previously established by the North Carolina Assembly of 1715, Chapter 23, Section 4; 1740, Chapter 3, Section 5. And it had been particularly enforced by the Constitution of North Carolina, finally ratified on the 18th day of December, 1776. Col. Henderson was a gentleman eminently distinguished for his legal acquirements, both as an advocate and as a judge under the royal government; still more so for a sound judgment, as well as mental endowments of the social and facetious kind, which made him an object of general admiration. It is probable that he was not very sanguine, in the face of all these obstacles, that the title he had acquired from the Indians for all the lands contained in their deeds to him would prevail. But he knew that the acquisition of these titles was beneficial to the State, as they furnished an estoppel against the Indians in future, and, of course, that he and his partners were entitled to handsome retributions. The Assembly recited in an act of the session that Richard Henderson, Thomas Hart, John Williams, William Johnston, James Hogg, David Hart, Leonard Henly Bullock, Nathaniel Hart, John Luttrell, John Carter, and Robert Lucas have been at great expense, trouble, and risk in making a purchase of lands from the Cherokee Indians, and that it is but just they should have a compensation adequate to the expense, risk, and trouble aforesaid; therefore, it is enacted, say they, that 200,000 acres are hereby granted to the said Richard Henderson, Thomas Hart, John Williams, William Johnston, James Hogg, David Hart, and Leonard Henly Bullock and their heirs; the heirs or assigns or devisees of Nathaniel Hart, deceased; the heirs and assigns or devisees of John Luttrell, deceased; to Landon Carter, heir of John Carter, deceased, his heirs and assigns forever; and to the heirs and devisees of Robert Lucas. The said 200,000 acres to be laid off in one survey and with the following boundaries: beginning at the old Indian town in Powell's Valley, running down Powell's River not less than four miles in width on one or both sides thereof, to the juncture of Powell and Clinch Rivers; then down Clinch River on one or both sides, not less than twelve miles in width, for the aforesaid complement of 200,000 acres. Thenceforward all doubts were cleared up with respect to the right which the State

had to grant the other lands on the western waters, which were contained within the bounds specified in the Indian deeds to the company. The Assembly laid off the county of Davidson during the same session, appointed both civil and military officers as in other counties, and established a Court of Pleas and Quarter Sessions in it. Before this period trustees were appointed by the settlers, who signed a covenant obliging themselves to conform to the decisions of those officers who had thus been vested with the powers of government. Those who signed had considerable advantages over those who did not; they were respectively allowed a tract of land, in the quiet possession of which the colony secured them; whilst those who did not sign were considered as having no right to the lands they occupied, and could be dispossessed by a signer without any recourse. The trustees received neither fees nor salary, but they appointed a clerk, to whom they allowed very small perquisites to pay the expense of paper and stationery. The trustees, who were the executive of the country, had the whole government in their hands; they also acted as the judiciary, and their decisions gave general satisfaction; they also performed the functions of the clerical office, and celebrated the rites of matrimony. Capt. James Robertson, who acted as a trustee, was the first who married a couple, Capt. Leiper and his wife. Mr. James Shaw afterward married Edward Swanson to Mrs. Carvin, James Freeland to Mrs. Maxwell, Cornelius Riddle to Miss Jane Mulherrin, and John Tucker to Jenny Herod, all in one day. The first child born in the country was John Saunders, who acted not many years ago as sheriff of Montgomery County, and who was killed on White River by the Indians; the second, Miss Anna Wells, who not many years ago lived in Montgomery County.

The county of Davidson was included in the following bounds: All that part of North Carolina lying west of the Cumberland Mountains and south of the Virginia line, beginning on the top of Cumberland Mountain where the Virginia line crosses it, extending westwardly along the said line to the Tennessee River; thence up said river to the mouth of Duck River; thence up Duck River to where the line of marked trees run by the commissioners for laying off the land granted to the continental line of North Carolina intersects said river, which said line is supposed to be in thirty-five degrees fifty minutes of north latitude;

thence east, along said line, to the top of Cumberland Mountain; thence northwardly along said line to the beginning. The Assembly directed that an entry-taker be appointed by the County Court of Davidson to receive preemption entries, and the inhabitants of the county were allowed to pay in specie or in specie certificates for their preemptions; and they were allowed the term of eighteen months within which to make the payments. The heirs of such as were dead were allowed one year after coming of age to make their payments.

In giving this county the name of Davidson the representatives of the people paid a grateful tribute to departed merit in the person of Gen. Davidson, a native of their own State. He was a gallant officer, who resided in the western part of North Carolina, on the east of the Appalachian Mountains. He had served with reputation, as an officer of inferior grade, in the Continental Army; had left it and been appointed a General of Militia. He was eminently devoted to the cause of American liberty. Whenever the tories embodied, as they frequently did, he was soon at the place of their meeting to suppress them, and no impediments which they could offer were ever able to stop his progress a moment. When the British themselves were near, there was no danger he would not carefully encounter, if it would but serve his country's cause. When the British forces made an effort to overtake a considerable body of their army which had been captured at the Cowpens, and had made a sudden irruption into North Carolina, the American army retreating before them, Gen. Davidson, intending to retard the march of the enemy, raised a body of active militia-men, and at every river and creek caused them some delay.

On the 1st of February, 1781, the British forces came to the Catawba, at a fort near McCowan's, and began to cross the river at that place. Davidson rode to the river to reconnoiter the enemy on the other side in order to devise some plan to keep them back awhile. One of the German riflemen, unperceived by him, for it was nearly dark, had crossed the river and got near to the bank on which the general rode, and shot him. Knowing that his wound was mortal, he rode briskly back to a place where he had left part of his troops, and gave to them the necessary directions what to do; and, having done so, soon after expired. Never was there a more intrepid soldier, never a greater patriot,

never did any man love his country with more ardent affection! His name should be ever dear to the people of North Carolina and Tennessee, and the posterity which he left should be dear to them also. The public gratitude should be shown by acts and deeds, and not by professions alone. Those who die for their country should have death sweetened, not only by the prospect of individual fame, but likewise with the certain prospect of honor and preferment secured to their children and connections. Those who love their country should be loved by it; the proof of affection should be durable and solid, and worthy of the object intended to be preserved in remembrance. In countries where public duties of this sort are certainly and well and promptly performed, there we may justly expect, and certainly shall find, the most numerous and magnificent examples of heroic devotion and sacrifice. Occasional feelings, it must not be denied, have sometimes their share in the production of such examples; but is not a generous and magnanimous country much more likely to cherish and animate such feelings than those which are insensible to the claims of merit, and only reward the best services with indifference?

At this juncture, when the fate of the Cumberland settlements was suspended by a hair, events so propitious and timely could not fail to inspire successful anticipations. Like the rest of mankind, the settlers readily believed that which they wished, and cherished the expectation of ease and safety; but these hopes were not without the counterpoise of savage persecution. The Indians still kept up their offensive operations in 1783. They killed Roger Top, one of the guard who came with the commissioners, at the place where Mr. Deaderick afterward lived. At the same time and place they shot Roger Glass through the thigh. Two nights afterward, finding a man at the place where the stone bridge is, they shot him. He ran to the fort, and shortly afterward died. This was done while the commissioners were sitting at the bluff to ascertain and give certificates for the preemption rights secured to those who had settled on the Cumberland as early as the 1st of June, 1780. Though the guard which was with the commissioners did not experience any molestation from the Indians whilst they were running the line and laying off the lands of Gen. Greene, that was owing to the formidable number which composed it. The

guard was numerous. Those who composed it were promised compensation for their services in lands, since called *guard rights*, and they came in crowds to be enlisted into that service.

The Indian Nations of the South, including the Cherokees, were invited by the agents of Spain to meet and hold conferences with them at the Walnut Hills, and did so; and here it is believed that their unfavorable disposition toward the Cumberland settlers received no diminution. The Indians, in small detachments, made frequent inroads upon the white settlements, waylaying the paths and corn-fields, and dogging upon the tracks of those who went out to explore the country and make locations, and never failed to kill them when a good opportunity offered. They killed Ireson and Barret in a surveying excursion, soon after the commissioners came out. They killed William Dunham and Joseph Dunham where the plantation of Mr. Irwin now is on Richland Creek. At the same place they killed Joshua Norrington and Joel Mills; and at a plantation near this, at this same time, they killed Daniel Dunham. In a path leading from Dunham's Fort to Armstrong's, at the head of Richland Creek, where Castleman now lives, they killed a man going from one fort to the other. At Armstrong's Fort, at the place which included it, Mr. Rains's daughter, Patsy, was riding on horseback, with a young woman behind her. She and Betsy Williams were fired upon by the Indians, and the latter killed; the former escaped, and ran off home. A short time afterward, within a mile of Armstrong's Fort, Joseph Noland was killed by the Indians; and in the summer of this year they killed the son of Thomas Noland. In the fall they killed the old man himself, near the same fort. About the same time, they killed the father of Betsy Williams, before mentioned.

Buchanan had a station, in 1783, five miles from the bluff. There the Indians, in this year, killed William Mulherrin, Samuel Buchanan, and three others who were guarding the station. In this year William Overall was killed while going from the bluff to Kentucky; Joshua Thomas was mortally wounded, and died. In this year the Indians came to the bluff and stole horses. Twenty men were raised by Capt. William Pruett, who pursued them to Richland Creek of Elk, overtook them, retook the horses on the waters of Big Creek, and commenced their returning march, having fired on the Indians and killed none.

They came to the north side of Duck River, near a creek, and encamped there all night. In the morning the Indians fired on the rear as they began to move, and killed Moses Brown in a canebrake. The white people retreated a mile and a half, till they could get into open ground, and there halted and formed. The Indians came up, shot down Pruett and Daniel Johnston, and wounded Morris Shine; and the white people again retreated to the bluff, having lost as many horses as had been recovered from them.

The Chickasaws soon heard of the law of North Carolina, passed in April, 1783, for the appropriation of their lands, as well as of all the lands claimed by the Cherokees, except those which by the same act were allowed to them for their hunting-grounds; and they could not but view the act as a very unceremonious intrusion upon their rights, and likewise as a proof of great unconcern with regard to the sentiments of the Chickasaws upon a subject of so much moment to them. With the regrets of an old friend, compelled by ill treatment to relinquish his friendly prepossessions, they turned from the people of Cumberland, and, in common with the Creeks and Cherokees, prepared to goad them with the sting of their displeasure. But in the latter part of 1783 the settlements received additional strength by the arrival of new settlers. Turnbull, a trader, came from the Natchez with horses and skins, which he brought from the Chickasaw Nation. Absalom Hooper came from Natchez; also Thomas James, Philip Alston, James Drumgold, his son-in-law, James Cole, and others, among whom was James Donalson. In this year Samuel Hays established a station on Stone's River.

For the clear comprehension of facts which are soon to follow in the sequel of this story, we shall close this year with remarks which are proper for their elucidation wherever they may occur.

Spain, though an ally of the United States in their war with Great Britain, was actuated by a desire to weaken the latter by separation of so great a part of the British Empire, and at the same time had no affection for the new States. On the contrary she entertained toward them nearly the sentiments of Satan in his soliloquy to the sun. As soon as the settlements were formed on the Cumberland River, the Spanish government took

alarm; it dreaded the approach of independent principles; nor did the Spanish cabinet disguise their dislike to them. When the treaties which terminated the war of the Revolution began to be seriously thought of by the belligerents, the Spanish cabinet applied to the French minister at Madrid, Monsieur de Montmorin, expressing their apprehensions of the advancing American settlements, and that it was the true policy of Spain not to open to them the navigation of the Mississippi, as it would enable them to acquire the commerce of Orleans and Mexico, and particularly as, notwithstanding their then weak state, the settlers on the western waters were of that warlike character as already to manifest an inordinate ambition and vast projects for conquering all the countries on the eastern shore of the Mississippi. The Spanish government wished, therefore, to make the savages a barrier between their colonies and the Americans; or, in plain words, to have them on the Spanish side of the boundaries between them and the United States; and they earnestly solicited as the highest proof of friendship which the French nation could give that the influence of the French government with the United States might be used to draw them from their views on the navigation of the Mississippi. They endeavored in the first instance to curtail the boundaries of the United States and to exclude them from the use of the Mississippi, and immediately after the war they adopted for themselves the policy of greatly impeding and, if possible, of entirely breaking up the Cumberland and other settlements on the western waters—objects which they proposed to effect, first, by the occlusion of the Mississippi, to make useless and of no value all the agricultural productions of these settlements, for want of a market; secondly, by alluring the settlers into Louisiana by the advantageous offers which the government held out to them in case of making a settlement there; and thirdly, by an unremitting excitement of Indian animosity against these settlers, in furtherance of the main plan. All these means were resorted to, and we shall find the effects of them every moment occurring on the further progress of this history. Their operations were conducted with secrecy, and for some time it was not known and not even suspected what was the real source of all the ill-will of the savages which so often poured itself with the fierceness of burning wrath upon the devoted settlers of Cumberland.

On the 20th of April, 1783, Don Stephen Mero, brigadier-general in the armies of his Catholic majesty and governor and intendant of the provinces of Louisiana and West Florida, wrote to Capt. Robertson from New Orleans, in answer to a letter of his of the 23d of January. In this letter he professed pleasure in the friendly dispositions of his people and in the assurance of the falsehood of the report he had heard that the Cumberland people were solicitous to attack his province. He requested Capt. Robertson to give no more credit to the intelligence he had received of the Indians having been incited in that province against these settlements. He asserted that at different times he had recommended to Alexander McGillivray to make peace, who finally had answered that he had given his word to the Governor of North Carolina that the Creeks would not again trouble those settlements; and he promised again to write to McGillivray and to engage him to be no longer troublesome to the people of Cumberland; he stated that he had no connection with the Cherokees nor with the *Marcutin*; but, as they went now and then to Illinois, he promised to advise the commandant there to induce them to be quiet. The Cherokees had asked permission, he said, in May, 1782, to settle on the west side of the Mississippi, and he had granted their request; and if, said he, they act accordingly, you will be quite free from their incursions. He lastly invited Capt. Robertson to come and settle in his province, declaring that he would not be molested on account of his religious principles, nor would he be called on to pay any tax, and that he would always find a market for his crops: advantages which made all the planters at Natchez daily to improve in their circumstances.

CHAPTER VI.

The Cession Act of 1784—The Unfavorable Circumstances of the Western Counties—Committees in Each County—Convention; Its Proceedings—Cession Act of 1784 Repealed—Superior Court for Washington District, Which Was Now Established—Brigadier-general Appointed—Sevier Recommended no Further Progress toward a New Government—Convention Met—Assembly of Frankland—Governor and Other Officers Appointed—Their Independence in North Carolina Transmitted to the Governor of That State—His Manifesto—Superior and County Courts Established—Clerks Appointed—New Counties Erected—Persons Who Were Clerks, Colonels, and Members of Assembly—The Acts They Passed—Remarks upon Their Tax Law and Salary Act—Treaty with the Indians, under the Authority of the New State—Assembly in August—Dissatisfaction with the Old State in the Counties of Virginia Near to the State of Frankland—Discontents Excited—Gov. Henry, of Virginia, Laid Their Designs before the Assembly of That State—His Remarks upon Them and upon the New State of Frankland—The Limits of the Intended New Government after the Junction—The Constitution Proposed for It—Act of Pardon and Oblivion Passed by North Carolina in the Latter Part of 1785—Appointed Elections to Be Held for Members to Represent the Western Counties in the Assembly of North Carolina—Further Time for Surveys—Officers Appointed for the Western Counties—Convention in November, 1785—Form of a Constitution by a Committee—Rejected by the House in Toto—Constitution of North Carolina Adopted—Mr. Coker Sent to Congress—Georgia Legislature; Its Proceedings—County in the Bend of the Tennessee; Officers Appointed to Organize It—The Commissioners of Others Went Thither—Their Proceedings There—Cox—Col. Hampton—Confusion from the Exercise of Two Governments—Parties Formed—Open Opposition to the State of Frankland—Sevier and Tipton; Their Deep Animosities—Courts under Both Governments—A Court Broken Up by Tipton—Same Done by Sevier's Party—Under Both States Were Issued Marriage Licenses, Letters of Administration, etc.—Conflict between Tipton and Sevier—Members Elected for North Carolina—Sevier Appointed Brigadier-general by Gov. Houston, of Georgia—Persons Killed or Wounded by the Cherokees in 1786—Men Embodied—Members of Assembly for North Carolina—Hawkins County—Officers; Civil and Military—William Coker; His Representations to Them—Another Act of Pardon and Oblivion in 1786—Various Regulations Contained in it—Remarks on the Repeal of the Cession Act of 1784—Sevier's Negotiations with Georgia—Favorable Report on His Proposition—Commander Elholm His Agent—Granted Money to Defray His Expenses—The Governor of Georgia Writes to Him a Friendly Letter—Letter to Sevier from Doctor Franklin—Elholm Again Sent to Georgia—The Council Compliment Sevier; Write to Him Their Situation with Respect to Indian Affairs—His Aid Requested—The Georgia Leaders Speak Cautiously

of the Government of Frankland—Gov. Telfair Writes to Sevier, and Compliments Calhoun—Sevier Made a Member of the Society of Cincinnati—Presents Sent to Him—Flattering Toasts—Thanks Presented by the Council to Elholm—Request His Attention to Their Situation with Respect to the Creeks—September, 1787, the Assembly of Frankland Met; Their Proceedings—Members Elected in 1787 for the Assembly of North Carolina—Act of Pardon and Oblivion Extended—A Descent Contemplated by Some of the Citizens of Frankland on the Spanish Possessions—Inquiries Directed by Congress to be Made—Resentments of the People against the Spaniards—The Cumberland Members in an Address to the Assembly of North Carolina Had Censured the Spaniards—Sullivan's Letter; The Uneasiness It Produced—The Property of Sevier Seized by Virtue of a *fi. fa.* under the Authority of North Carolina—Troops Seized by Sevier and Marched to Tipton's House—A Battle There; Sevier's Troops Routed; His Two Sons Made Prisoners—The Government of Frankland Expired—Cherokees Massacre Kirk's Family—Troops Embodied and Marched into Their Nation; Indians Killed; Towns Burned; Indians Massacred—Kirk's Imputation on Sevier; His Vindication—Capt. Gillespie's Behavior in the Defense of His Prisoners—Mr. Gardogue to Gov. Sevier—Gen. Martin's Expedition—Persons Killed in 1788—Sevier's Popular Talents; Sevier Arrested and Handcuffed; Led Prisoner to Morganton, in North Carolina, Followed by His Sons and Other Friends; at Morganton Delivered to the Sheriff; the McDowells Followed Him and Became His Sureties for a Few Days, Till He Could Go and See a Brother-in-law; on His Return the Pursuers Reached Town and Were Unknown; At Night They Slept with the Governor and Returned Home—Federal Constitution Rejected—Assembly of North Carolina; Their Proceedings—Guard—Act of Pardon and Oblivion Extended—Another Convention Called in North Carolina—Federal Constitution Adopted—Sevier Chosen Senator of Greene County; Very Favorably Received; Took His Seat—Tennessee Passed Laws to Confirm Administrations Granted and Marriages Celebrated under the Laws of Frankland—Acts Passed by North Carolina in Favor of the Western People in 1789—Watanga Certificates—Causes Which Led to the Cession Act of 1789—Cession Act Passed.

WE now draw near to a critical era in the annals of East Tennessee; and to a legislative proceeding which seemed at the time of its birth to be most harmless in itself, but which, upon experiment, unexpectedly proved to be the source of great disasters and alarms, as well to our neighbors as to the parties who were more immediately concerned.

Congress, harassed with public debt and the clamor of public creditors, had thought of many expedients for bringing money into their coffers; and one, among others, was pressing and repeated recommendations to States owning vacant lands to throw them into the common stock for defraying the expenses of the late war.

The Assembly of North Carolina, during their April session

at Hillsboro in 1784, participating in the distress which Congress experienced on the account of the financial embarrassments of the Union, made considerable exertions to remove them. They laid taxes and empowered Congress to collect them, and vested in Congress, so far as they were concerned, a power to levy a duty on foreign merchandise. Partly from the same motives, as well as from others, they, in the month of May, passed an act for ceding to the Congress of the United States certain western lands therein described, authorizing the delegates from this State in Congress to execute a deed for the same. By this act was ceded all the territory which constitutes the State of Tennessee, if Congress would accept of it within the space of two years then next following. By another act of the same session it was declared that the sovereignty and jurisdiction of North Carolina in and over this territory and all its inhabitants shall be and remain in all respects until the United States in Congress shall accept of the cession, and as if the act of cession had never passed. They at the same time closed the land office for this territory, and nullified all entries made since the 25th of May, 1784, except entries made, or to be made, by the commissioners, agents, and surveyors who extended the lines of lands attached to the officers and soldiers, and by the guards, hunters, chain-carriers, and markers who attended these commissioners. The Assembly adjourned on the 2d day of June, 1784. It was a part of the cession law that if Congress should not accept within two years the act was thenceforward to be of no effect.

We have seen how unremitted were the efforts of the Indians to break up, if possible, and at all events to check the growth of the settlements on the Holston, and how often it became necessary to recall them to a peaceable demeanor by administering to them chastisement in their villages. The militia were often called together; the equipments for service, as well as the services themselves, demanded considerable expenditures. The sale of the western lands had greatly reduced the certificate debt of North Carolina. She ought to have yielded a ready assent when called on to give protection to the frontiers by discharging the debts which had been necessarily contracted in their defense. The expenditures became daily more heavy, but the prospect of an early settlement of the western lands which were opened by

the settlements on Holston had greatly enhanced the value of these lands in the market, and had very much facilitated the sale of them; consequently a much greater quantity of certificates were brought into her treasury, and with much more expedition, too, than otherwise could have been effected. Experience was, however, supposed to prove that as the prospects of future advantage diminished, so did the readiness of North Carolina to advance the supplies requisite for the protection of the western settlers. This disinclination was the more indulged, as the Constitution of North Carolina had made provision for a future State within her limits on the western side of the Alleghanies, and as the affairs of the western people seemed verging to a crisis from whence a new and independent State was likely to arise, the prosperity of which it was not the peculiar duty of North Carolina to promote. Nor did it seem politic to her rulers to lavish their money for the benefit of those who were so soon to become strangers to her particular interests. Western claims for military service against the Indians began to be received with murmuring, to be passed upon with much scrutiny, and to meet with frequent rejection. It was suggested that all pretenses were laid hold of to fabricate demands against the government, and that the industry and property of those who resided on the east side of the mountain were becoming the funds appropriated to discharge the debts contracted by those on the west. It was partly under the impression made by these suggestions that the Assembly of North Carolina passed the cession act of May, 1784. The opinion was sedulously propagated through the western counties that the cession might not be accepted for the space of two years, during all which time the people, being neither under the protection of the United States nor of the State of North Carolina, would neither receive any support from abroad nor be able to command their own resources at home. At the same time there was no relaxation of Indian hostilities. The District of Washington was not yet entitled to a Superior Court; crimes of all sorts, as they were situated, must go unpunished. Nor was it allowed by law for a brigadier-general to call into service the militia of the county, and to unite its efforts on requisite emergencies. Exposed as they were every day to the tomahawk of the savages, and seeing no authority to whom they could apply for assistance, it became the prevailing

opinion that the people ought of themselves to devise the means of drawing upon their own resources, and of making them effectual. Indian visitations assailed them incessantly. The settlers on the Holston at last seemed to hold their lives only by the permission and at the will of the Cherokees. The people at first resolved upon the expedient of electing two persons from each captain's company who should assemble in the respective counties as a committee; these resolved upon a convention of deputies from all the counties which should adopt such plans as were suitable to their circumstances. On the 23d of August, 1784, the deputies assembled at Jonesboro. The deputies elected for the county of Washington were: Charles Robinson, William Purphey, John Sevier, Joseph Wilson, John Irwin, Samuel Houston, William Trimble, William Cox, Landon Carter, Hugh Henry, Christopher Taylor, John Chislomy, Samuel Doak, William Campbell, Benjamin Holland, John Bean, and Samuel Williams. For the county of Sullivan: Joseph Martin, Gilbert Christian, William Cocks, John Manifee, William Wallace, John Hall, Samuel Wilson, Stokely Donalson, and William Evans. For the county of Greene: Daniel Kennedy, Alexander Outlaw, Joseph Gist, Samuel Weir, Asahel Rawlins, Joseph Ballard, John Manghon, John Murphy, David Campbell, Archibald Stone, Abraham Denton, Charles Robinson, and Elisha Baker. They appointed John Sevier, President; and Landon Carter, Clerk. They appointed a committee composed of Messrs. Cocks, Outlaw, Carter, Campbell, Manifee, Martin, Robinson, Houston, Christian, Kennedy, and Wilson to take under consideration the state of public affairs relative to the cession of the western country. The convention, soon after the commencement of its session, was joined by Richard White, a member from Washington. The committee upon the state of public affairs, in relation to the cession of the western territory, made their report, styling themselves the committee to whom was referred the consideration of public affairs, especially the cession bill passed at Hillsboro the 2d day of June, 1784. Your committee say they are of opinion, and judge it expedient, that the counties of Washington, Sullivan, and Greene, which the cession bill particularly respects, form themselves into an association and combine themselves together in order to support the present laws of North Carolina, which may not be incompatible with the modes and forms of laying off a

new State. It is the opinion of your committee that we have a just and undeniable right to petition Congress to accept the cession made by North Carolina, and for that body to countenance us in forming ourselves into a separate government, and either to frame a permanent or temporary Constitution, agreeably to a resolve of Congress in such case made and provided, as nearly as circumstances will admit. We have the right to keep and hold a convention from time to time by meeting and convening at such place or places as the said convention shall adjourn to. When any contiguous part of Virginia shall make application to join this association, after they are legally permitted either by the State of Virginia or other power having cognizance thereof, it is our opinion that they be received and enjoy the same privileges that we do, may, or shall enjoy. This convention has a right to adopt and prescribe such regulations as the particular exigences of the times and the public good may require; that one or more persons ought to be sent to represent our situation in the Congress of the United States; and this convention has just right and authority to prescribe a regular mode for his support.

It was referred to Messrs. Cocke and Hardin to draw up and form the plan of the association heretofore agreed to; that plan, on the next day, they reported as follows:

“To remove the doubts of the scrupulous, to encourage the timid, and to induce all, harmoniously and speedily, to enter into a firm association, let the following particulars be maturely considered: If we should be so happy as to have a separate government, vast numbers from different quarters, with a little encouragement from the public, would fill up our frontiers, which would strengthen us, improve agriculture, perfect manufactories, encourage literature and every thing truly laudable. The seat of government being among ourselves would evidently tend not only to keep a circulating medium in gold and silver among us, but draw it from many individuals living in other States who claim large quantities of lands that would lie in the bounds of the new State. Add to the foregoing reasons the many schemes, as a body, we could execute to draw it among us, and the sums which many travelers, out of curiosity, and men in public business would expend among us. But all these advantages, acquired and accidental, together with many more that might be mentioned whilst we are connected with the old coun-

ties, may not only be nearly useless to us, but many of them prove injurious; and this will always be the case during a connection with them, because they are the most numerous, and, consequently, will always be able to make us subservient to them; that our interest must be generally neglected, and sometimes sacrificed, to promote theirs, as was instanced in the late taxation act, in which, notwithstanding our local situation and improvement being so evidently inferior, that it is unjust to tax our lands equally, yet they have expressly done it; and our lands, at the same time, not one-fourth of the same value. And to make it still more apparent that we should associate the whole councils of the State, the Continental Congress, by their resolves, invite us to it. The Assembly of North Carolina, by their late cession bill, opened the door, and by their prudent measures invite us to it. And as a closing reason to induce to a speedy association, our late convention, chosen to consider public affairs and concert measures as appears from their resolves, have unanimously agreed that we should do it by signing the following articles:

“Firstly, that we agreed to intrust the consideration of public affairs, and the prescribing rules necessary to a convention, to be chosen by each company as follows: That if any company should not exceed thirty, there be one representative; and where it contains fifty, there be two; and so in proportion, as near as may be; and that their regulations be reviewed by the association.

“Secondly, as the welfare of our common country depends much on the friendly disposition of Congress, and their rightly understanding our situation, we do, therefore, unanimously agree to speedily furnish a person, with a reasonable support, to present our memorial and negotiate our business in Congress.

“Thirdly, as the welfare of the community also depends much on public spirit, benevolence, and regard to virtue, we therefore unanimously agree to improve and cultivate these, and to discountenance every thing of a contradictory and repugnant nature.

“Fourthly, we unanimously agree to protect this association with our lives and fortunes, to which we pledge our faith and reputation.”

These reports being made and concurred with, on motion of Mr. Cocks, it was resolved that the clerks of the County Courts, who have the bonds and recognizance of any officers; sheriffs and collectors, who have collected any of the public moneys, or are about now to collect any of the same, are hereby specially commanded and required to hold said bonds in their possession and custody until some mode be adopted and prescribed to have our accounts fairly and properly liquidated with the State of North Carolina. And they resolved further that all the sheriffs and collectors, who have before collected any of the public moneys, shall be called on, and render due accounts of the moneys that they have collected and have in their hands, or may collect by virtue of their office.

Messrs. White and Doak moved and were permitted to enter their dissent against both of these resolutions, because, in their opinion, it was contrary to law to retain the bonds. They resolved that the next convention be held at the court-house of Washington County on the 16th day of September, 1784, and to that day they adjourned.

We shall presently perceive the reason why a provision was so carefully made for the admission of such contiguous parts of Virginia as might choose to become members of that society. The convention expected the coalition of the people of Washington County, in Virginia, and some of their neighbors.

The Assembly of North Carolina met at New Berne on the 22d of October, and rose on the 25th of November. During this session they repealed the act for ceding the western country to Congress; and in the month of November, 1784, the convention again met at Jonesboro, and broke up in confusion. By this time there were three parties in the western counties: one vehement for a Constitution which had been proposed by the minority; a second for the plan approved of by the committee of the convention; and a third which thought it would be best to return to the State of North Carolina, which was now preparing to repeal the cession act, and shortly after did so. At this session North Carolina not only repealed the cession act, but divided the District of Morgan, and erected some of the counties which formerly composed it into the District of Washington—namely, Washington, Sullivan, Davidson, and Greene Counties—and appointed an assistant judge and attorney-gen-

eral to officiate in the Superior Court, which they directed to be held for that district at the court-house of Washington County; and they provided an additional compensation for any of the judges of the Superior Court of North Carolina who would attend and hold that court with the said assistant judge. They also formed the militia of that district into a brigade, and appointed Col. Sevier the brigadier-general; and he was satisfied with these provisions in favor of the western people, for on the day when the people were all collected in Washington County to elect deputies for the ensuing convention, which was to meet on the 14th of December, Col. Sevier, at Jonesboro, where the electors were assembled, ascended the steps of an elevated door, and took from his pocket a letter which he had received from Col. Joseph Martin, who had but just returned from the Assembly of North Carolina, in which was contained the information that the Assembly of North Carolina had granted to the people of the western counties a General Court, had formed their militia into a brigade, had appointed him the brigadier-general, and had repealed the cession act of the last session. "The grievances," said he, "which the people complained of are redressed, and my recommendation to them is that they proceed no farther in their design to separate from North Carolina."

By a commission from Gov. Martin, of North Carolina, dated the 26th of November, 1784, Col. Sevier was appointed brigadier-general of the District of Washington, and, by a written communication, dated the 1st of January, 1785, and directed to Col. Kennedy and the inhabitants of Greene County, he stated to them that he had been recently and credibly informed that the Legislature of North Carolina had repealed the cession act of the last session and had erected the eastern counties into a district by the name of Washington; and to prevent confusion and controversy amongst the people of those counties, he begged that all further pursuits in respect to a new government might be declined.

Mr. Cocke, however, soon afterward had an interview with him and erased the favorable impression he had received toward the government of North Carolina. The delegates were elected. The convention again met at Jonesboro on the 14th of December, 1784, and, though at this time fully apprised of the repeal of the cession act by North Carolina, they proceeded without

any regard to it. Each county had elected five deputies, the same number from each county, which, in 1776, had formed the Constitution of North Carolina. The deputies chosen from Washington were: John Sevier, who was made President of the convention, William Cocke, John Tipton, Thomas Stewart, and the Rev. Samuel Houston. For the county of Sullivan: David Looney, Richard Gammon, Moses Looney, William Cage, and John Long. For the county of Greene: James Reese, Daniel Kennedy, John Newman, James Roddye, and Joseph Hardin. They agreed upon the form of a Constitution under which the new government should be organized and act till it should be rejected or received by a new convention, which they directed to be elected and to meet at Greeneville on the 14th of November, 1785. Before a final ratification of the new Constitution, they wished to excite discussion amongst the people and to elicit and collect the public sentiment upon its merits or defects. In the meantime it was ordained that the Assembly at Frankland, for that was the name given to the new State, should be elected and should meet early in the year of 1785, for the purpose of putting into operation the new government. The Assembly met at the appointed time to legislate for the State of Frankland, and elected John Sevier Governor, David Campbell a judge of the superior court, and Joshua Gist and John Anderson assistant judges. Landon Carter was Speaker of the Senate, and William Cage Speaker of the House of Commons. They appointed likewise all other officers, civil and military, which by the forms of the new Constitution they were authorized to make. The appointments generally fell upon those who already held offices under the State of North Carolina. The new appointments were generally accepted and acted under. The government of Frankland being thus organized, and the agents to administer it being thus prepared, it soon afterward went into full operation.

The Assembly of Frankland, by a communication signed by the two Speakers and transmitted to Alexander Martin, Esq., the Governor of North Carolina, announced to him that they and the inhabitants of the counties of Washington, Sullivan, and Greene had declared themselves independent of the State of North Carolina, and no longer considered themselves under the sovereignty and jurisdiction of that State. In this document they set forth the reasons for their separation. On the 25th of

April, 1785, Gov. Martin issued his manifesto, in which he stated and answered *seriatim* each alleged cause of separation. One reason, said he, is that the western country was ceded to Congress without their consent, by an act of the Legislature, and the same was repealed in the same manner. To this he replied that the impartial world may judge. Let facts be brought forward and speak for themselves. The journals of the Assembly hold up to public view the names of those who voted on the different sides of that important question, where is found a considerable number, if not a majority of the members, some of whom are leaders in the present revolt, then representing the above counties in the aforesaid territory, in support of the act they now deem impolitic, and pretend to reprobate, which in all probability would not have passed but through their influence and assiduity, the passage of which was at length affected but by a small majority. That government should still be supported and the anarchy prevented, which it is now suggested the western people were ready to fall into; the sovereignty and jurisdiction of the State of North Carolina were by another act passed at the same Assembly reserved over the ceded territory, with full power and form as before, until Congress shall accept the cession aforesaid. The last Assembly having learned what uneasiness and discontent the cession act had occasioned through the State, whose inhabitants had not been consulted in that precipitate measure, judging the act impolitic at this time, more especially as it would, for a small consideration, dismember the State of one-half her territory, when no one State had parted with any of her citizens on the like occasion, or given any thing like an equivalent but vacant lands of a disputed title and distant situation; and also, considering that the act by its tenor and form was revocable at any time before the delegates should complete the cession by grant, repealed it by a great majority. At the same time the Assembly, to satisfy the people of the western country that although they had ceded the vacant territory, by no means had relinquished the sovereignty and jurisdiction of the State over them, and to convince them of their affection and attention to their interest, attempted to render government as easy as possible to them by removing such inconveniences and grievances as they might labor under for want of a regular administration of criminal justice, and a proper and

immediate command of the militia. A new district was erected, an assistant judge and a brigadier-general were appointed.

Another reason for the revolt is assigned that the Assembly, on passing the cession act, shipped a quantity of goods they had intended for the Cherokee Indians as a compensation for their claims to the western lands, and that the Indians had committed murder in consequence thereof. The journals of the Assembly evince the contrary, that the goods were still ordered to be given to the Indians, but under the regulation of Congress, should the cession take place. This occasioned the delay of not immediately sending them forward, of which the Indians were particularly and timely notified. "And I am well informed," said he, "that no hostilities or mischiefs had been committed on this account; but, on the other hand, that provocations have been and are daily given, their lands trespassed upon, and even one of their chiefs murdered with impunity. On the repeal of the cession act, a treaty was ordered to be held with the Indians and the goods distributed as soon as the season would permit, which before this would have been carried into effect had not the face of affairs been changed. Under what character but truly disgraceful could the State of North Carolina suffer treaties to be held with the Indians, and other business transacted in a country where her authority and government were rejected and set at naught, and her officers liable to insult and void of assistance and protection?"

"The particular attention the Legislature have paid to the interest of the western citizens, though calculated to conciliate their affections and esteem, has not been satisfactory, but has been attributed to lucrative designs. Whatever designs the Assembly might entertain in the repeal of the cession act, they appear to be in favor of the State at large, that every citizen might reap the advantage of the vacant territory, by reserving it for the payment of the public debts of the State, under such regulations hereafter to be adopted, judging it ill-timed generosity to be too liberal of the means which would greatly contribute to their honesty. But designs of a more dangerous nature, and of a deeper dye, seemed to glare in the western revolt. The power usurped over the vacant territory, the Union deriving no emolument from it, not even the part intended this State by the cession, being reserved; her jurisdiction and sovereignty over

the country, which by the consent of its representatives were to remain, and to be exercised, rejected, and deposed; her revenue in that part of the government seized by the new authority and not suffered to be paid to the lawful treasury, but appropriated to purposes different from those intended by the Legislature—are all facts that evince a restless ambition and lawless thirst for power to have inspired this enterprise, by which those persons concerned therein may be precipitated into measures which must at last bring down ruin upon themselves and our country at large. In order, therefore, to reclaim such citizens, who, by specious pretenses and the arts of designing men, have been seduced from their allegiance to the State, to restrain others from following their example who are wavering, and to confirm the attachment and affection of those who adhere to the old government, and whose fidelity has not yet been shaken, I have, said he, thought proper to issue this manifesto, warning all persons concerned in the revolt that they return to their duty and allegiance, and forbear paying any obedience to any self-created power and authority unknown to the Constitution of the State, and unsanctioned by the Legislature; that far less causes have deluged States and kingdoms in blood, which have at length terminated their existence, either by subjecting them a prey to foreign conquerors, or erecting in their room a despotism that has bid defiance to time to shake off the lowest state of misery human nature can be reduced to under such a government. That they should reflect, there is a natural pride in all kingdoms and States which inspires every citizen and subject with importance, the grand cement and support of government which must not be insulted. That the honor of this State has been particularly wounded by prematurely seizing that by violence which in time, no doubt, would have been granted by consent, when the terms of separation could have been explained and stipulated to the mutual satisfaction of the mother and new State. That Congress, by the confederation, cannot countenance such a separation, wherein the State of North Carolina has not given her full consent, and if an implied and conditional one has been given, it has been rescinded by a full Legislature. So solemn and serious a business will be transacted with caution; that by such rash, irregular conduct a precedent is formed for every district, or even every county in the State, to claim the right of

separation and independence for any supposed grievance of the inhabitants, as caprice, pride, or ambition shall dictate, with impunity, thereby exhibiting to the world a melancholy instance of a feeble and pusillanimous government that is unable, or does not restrain the designs or punish the offenses of its lawless citizens, which will give ample cause of exultation to our late enemies, and raise their hopes that they may hereafter gain by the divisions among ourselves that dominion which their tyranny and arms have lost, and could not maintain. That the citizens of the western country tarnish not the laurels they so gloriously won at King's Mountain and elsewhere in supporting the independence of the United States, and this in particular, to be whose citizens was their boast, in being concerned in a black and traitorous revolt from the government in whose defense they have so copiously bled, and still, by solemn oath, are bound to support. Let not Vermont be held out as an example. Vermont had her claims for a separation before the existence of the American war, and as such with the other States has exercised her efforts against the late common enemy. That you be not insulted or led away with the pageantry of a mock government, without the essentials; a shadow without the substance, which always dazzles weak minds, and which, in its present form and manner of existence, will not only subject you to the ridicule and contempt of the world in general, and raise the indignation of the other States in the Union at your intruding yourselves as a power amongst them without their consent. Consider what a number of men of different abilities will be wanting to fill the civil list of the State of Frankland, the expense necessary to support them according to their various degrees of dignity; when the District of Washington, with its present officers, might answer all the purposes of a happy government until the period arrived when a separation might take place to mutual advantage and satisfaction, on an honorable footing.

“The Legislature will shortly sit, before which the transactions of your leaders will be laid. Let your representatives come forward and present every grievance in a constitutional manner, that they may be redressed; or let your terms of separation be made known, your proportion of the public debt be ascertained, the vacant territory appropriated to the mutual benefit of both parties, in such manner and proportion as may be just and rea-

sonable. Let your proposals be consistent with the honor of the State to accede to, which, by your allegiance as good citizens, you cannot violate, and he made no doubt her generosity would meet their wishes. But, on the contrary, should you," he continued, "be hurried by blind ambition to persist in your present unjustifiable measures, which may open afresh wounds of this late bleeding country, and plunge it again in the miseries of civil war, which God avert, let the fatal consequence be charged on the authors. It is only time which can reveal the event. The State with reluctance will be driven to arms. It will be her last alternative to imbrue her hands in the blood of her citizens. But if no other way or means can be found to save her honor and reclaim her headlong, refractory citizens but this last-named expedient, her resources are not so exhausted, or her spirit so damped, but that she may take satisfaction for the injury received, regain her government over the revolted territory, or render it not worth the possessing. But all these effects may be prevented by removing the cause, by those who have swerved from their duty and allegiance returning to the same, and those who have stood firm still continuing to support the government of the State until the consent of the Legislature be fully and constitutionally had for a separate sovereignty and jurisdiction, all which, by virtue of the power and authority which your representatives and others in the State at large have invested me with in General Assembly, I hereby command and require, as you will be liable to answer all the pains and penalties that may ensue on the contrary."

This State paper, conceived in the glowing spirit of the day, presents to full view the governing motives of the contending parties—the alleged causes of separation, together with the arguments then resorted to for their refutation, the topics then dwelt upon, and the sentiments recommended in place of those which the chosen leaders of the new government had avowed, and were endeavoring to propagate—it gives a fresh and animated picture of the times, and therefore, upon this subject, is of great importance. Copies were dispersed and read among the citizens of the new State. Many were induced to look more deeply into the subject than they had before done; and the adherents of North Carolina were supplied with new weapons to be used against their adversaries as fresh stimulants to perse-

vere in the course they were pursuing. But, as was to be expected, the government of Frankland did not recede from its purposes, nor harbor the most distant thought of abandoning the position it had taken. It soon began, however, to experience an increased weight of opposition; and those who were learned in politics could already begin to perceive the deleterious principle by which the first constitution of every system, whether natural or political, is destined at some future period to be brought to an end.

County Courts as well as Superior Courts were established, and justices of the peace were appointed. All acted in the places assigned them. New counties were erected—Caswell, Spencer, and Sevier. The latter county covered the same territory that it now does, and some part of what is at present the County of Blount. Caswell County occupied the section of country which is now Jefferson. Spencer County occupied what is now Hawkins.

On the 10th of June, 1785, the Governor, by proclamation, announced the appointment of Mr. Ramsey as Clerk of the Superior Court for the District of Washington. County and Superior Courts were held, and the militia was mustered and disciplined under its authority. Samuel Weir was the Clerk of the County Court of Sevier, and colonel of the militia. Samuel Newell and John Clack were the Representatives of the county in the next General Assembly. Thomas Henderson was the Clerk of the County Court of Spencer and colonel of the militia; and William Cocke and Thomas King Representatives. Joseph Hamilton was the Clerk of the County Court of Caswell, George Doherty was colonel of the militia, and Alexander Outlaw and Henry Caney Representatives. Daniel Kennedy was the Clerk of the County of Greene, and John Newman colonel of the militia. James Sevier was the Clerk of the County Court of Washington. John Rhea was the Clerk of the County Court of Sullivan; George Maxwell, Col. John Long, John Provin, and George Maxwell, members of the Assembly. Landon Carter was appointed Secretary of State; Daniel Kennedy and William Cocke, brigadier-generals; and they delegated William Cocke to represent their situation to the Congress of the United States. Mr. Cage was elected Treasurer, and Stokely Donaldson, Surveyor. In the place of the late Speaker of the House of Com-

mons they made Joseph Hardin, from Greene County, the Speaker. And thus the new government seemed to float upon the full tide of success.

The following is a list of the acts of the first session of the first General Assembly of Frankland. They were ratified on the 31st of March, 1785; were signed by Landon Carter, Speaker of the Senate; countersigned by Thomas Talbot, Clerk of the Senate; and by William Cage, Speaker of the House of Commons; countersigned by Thomas Chapman, Clerk of the House:

An act to establish the legal claims of persons claiming any property under the laws of North Carolina, in the same manner as if the State of Frankland had never formed itself into a distinct and separate State.

An act to appoint commissioners, and to vest them with full power to make deeds of conveyance to such persons as have purchased lots in the town of Jonesboro.

An act for the promotion of learning in the County of Washington.

An act to establish a militia in this State.

An act for dividing Sullivan County, and part of Greene, into two distinct counties, and erecting a county by the name of Spencer.

An act for procuring a great seal for this State.

An act directing the method of electing members of the General Assembly.

An act to divide Greene County into three separate and distinct counties, and to erect two counties by the name of Caswell and Sevier.

An act to ascertain the value of gold and silver foreign coin, and the paper currency now in circulation in the State of North Carolina, and to declare the same to be a lawful tender in this State.

An act for levying a tax for the support of government.

An act to ascertain the salaries allowed the Governor, Attorney-general, judges of the Superior Courts, assistant judges, Secretary, Treasurer, and members of the Council of State.

An act for ascertaining what property in this State shall be deemed taxable property, the method of assessing the same, and collecting public taxes.

An act to ascertain the powers and authorities of the judges

of the Superior Courts, the assistant judges, and justices of the peace; and of the County Courts of Pleas and Quarter Sessions, and denoting the time and place of holding the same.

An act for erecting a part of Washington County, and that part of Wilkes County lying west of the extreme heights of the Appalachian and Alleghany Mountains, into a separate and distinct county by the name of Wayne.

These laws were nearly copies of those made in North Carolina upon the organization of the revolutionary government. Their style was this: "Be it enacted by the General Assembly of the State of Frankland." The present temporary form of government, until a new Constitution should be made by the people, was that of North Carolina. The State of Frankland, at the rise of this session, was composed of the counties of Washington, Sullivan, Greene, Caswell, Sevier, Wayne, and Spencer. The first Monday of August was fixed by law for the annual meeting of the Legislature. In the law for levying a tax for the support of the government was the clause following:

"Be it enacted, That it shall and may be lawful for the aforesaid land tax, and all free polls, to be paid in the following manner: Good flax linen, ten hundred, at three shillings and six pence per yard; nine hundred, at three shillings; eight hundred, two shillings and nine pence; seven hundred, two shillings and six pence; six hundred, two shillings. Tow linen, one shilling and nine pence; linsey, three shillings; and woolen and cotton linsey, three shillings and six pence per yard; good, clean, beaver skins, six shillings; cased otter skins, six shillings; uncased otter skins, five shillings; raccoon and fox skins, one shilling and three pence; woolen cloth, at ten shillings per yard; bacon, well cured, six pence per pound; good, clean tallow, six pence per pound; good, clean bees-wax, one shilling per pound; good, distilled rye whisky, at two shillings and six pence per gallon; good peach or apple brandy, at three shillings per gallon; good, country-made sugar, at one shilling per pound; deer skins, the pattern, six shillings; good, neat, and well-managed tobacco, fit to be prized, that may pass inspection, the hundred, fifteen shillings, and so on in proportion for a greater or less quantity." They by law estimated two dollars and a half to be equal to fifteen shillings of the current money of Frankland. They allowed the Governor annually two hundred pounds; the

attorney-general twenty-five pounds for each court he attended; the Secretary twenty-five pounds for the present year, over and above the fees allowed him by law; the judge of the superior court, one hundred and fifty pounds for the present year; the assistant judges twenty-five pounds each for every court they shall attend; the Treasurer, forty pounds per year; and each member of council, six shillings per day for each day he shall be in actual service. The last section of the act is in these words: "And all the salaries and allowances hereby made shall be paid by the Treasurer, sheriff, or collector of public taxes, to any person entitled to the same, to be paid in specific articles as collected, and the rates allowed by the State for the same, or in current money of the State of Frankland." In specifying the skins which might be received as a commutation for money, the risibility of the unthinking was sometimes excited at the remuneration. The rapidity of wit, which never stops to be informed, and which delights by its oddities, established it as an axiom that the salaries of the Governor, judges, and other officers were to be paid in skins absolutely; and, to add to their merriment, had them payable in mink skins. This idea has been the theme of much pleasantry toward the citizens of Frankland. But, in sober reason, it is to be remembered that the lord proprietors of Carolina, at an early day, preferred peltry to paper bills of credit; and certainly, even now, there are quantities of paper money in the United States between which and the mink skins of East Tennessee there would be no comparison nor any hesitancy in giving the preference to the mink skins.

It is to be remarked that in the State of Frankland at that day merchants from the north were always ready with their gold and silver to purchase skins and furs, which could be at any moment exchanged for gold and silver at certain well-known and well-established prices, with as much ease as a bill of exchange could now be converted into cash, and in some instances with much more certainty. And it may be safely said that at this moment it would be a matter of great consolation to many of the citizens of Tennessee had some of their banks been founded on mink skin capital. The government of Frankland was not inattentive to their relations with the neighboring Indians. Gov. Sevier, with two others, Alexander Outlaw and Daniel Kennedy, were appointed commissioners to treat with them, and met a

great number of the Cherokee chiefs with the king of the Cherokees, at the house of Maj. Henry, on the French Broad River, on the 31st of May, 1785, and continued their conferences to the 2d of June. The Indians agreed in the end that all the lands on the south of the French Broad and the Holston, as far as the dividing ridge between Little River and Great Tennessee, may be inhabited by the white people, for which, in general terms, they are promised compensation. Both parties professed a sincere desire for the blessings of peace and an ardent wish that it might be of long continuance. The Governor, in a speech well calculated to produce the end he had in view, deplored the sufferings of the white people; the blood which the Indians had spilled on the road leading to Kentucky; lamented the uncivilized state of the Indians, and, to prevent all future animosities he suggested the propriety of fixing the bounds, beyond which these settlements should not be extended which had been imprudently made on the south side of the French Broad and the Holston, under the connivance of North Carolina, and could not now be broken up; and he pledged the faith of the State of Frankland, if these bounds should be agreed upon and made known, that the citizens of this State should be effectually restrained from all encroachment beyond it. The Assembly met again in August and passed laws for promoting the views of the new government. They passed a law for encouraging the expedition which it was intended should proceed down the river on the western side and take possession of the bend of the Tennessee, under the titles derived from the State of Georgia. A division into parties had commenced and was silently making its way, and the flames of discord were fanned by the repealing act of North Carolina. One party began to prefer an adherence to North Carolina, and the other harbored the wish to oppose all practical impediments to the government of Frankland. The powers of government, however, were exercised in the name of the new State, without any remarkable obstruction, till some time toward the latter part of the year 1785. It was found in the fall of this year that the novelty of change and of new titles and dignities possessed fascinations which were not confined to the counties that now constituted the State of Frankland. Washington County, in Virginia, adjoined the county of Sullivan, and neither ambition nor pretexts were wanting to stir up among the populace, ever cap-

tivated by new spectacles, a desire to be separated from the mother State. The seeds of disaffection were industriously sown among the people of Washington and their neighbors. Such topics as supplied the most spacious grounds of complaint were fixed upon and carefully introduced into public discourses. As discontents were perceived to arise, the scheme of disapprobation of public measures gradually advanced; at length its objects were so daringly avowed as to call for the interposition of the chief magistrate of Virginia.

In the month of October, 1785, Gov Henry communicated to the Assembly of Virginia the intelligence he had received, in the following words: "I transmit herewith a letter from the Honorable Mr. Hardy; covering a memorial to Congress from sundry inhabitants of Washington County, praying the establishment of an independent State, to be bounded as therein expressed. The proposed limits include a vast extent of country in which we have numerous and very respectable settlements, which, in their growth, will form an invulnerable barrier between this country and those who, in the course of events, may occupy the vast places westward of the mountains, some of whom have views incompatible with our safety. Already the militia of that part of the State is the most respectable we have, and by their means it is that the neighboring Indians are awed into professions of friendship. But a circumstance has lately happened which renders the possession of territory at the present time indispensable to the peace and safety of Virginia. I mean the assumption of sovereign power by the western inhabitants of North Carolina. If the people who, without consulting their own safety, or any other authority known in American constitutions, have assumed government, and while unallied to us, and under no engagements to pursue the objects of federal government, shall be strengthened by the accession of so great a part of our country, consequences fatal to our repose will probably follow.

"It is to be observed that the settlements of this new society stretch into a great extent in contact with ours in Washington County, and thereby expose our citizens to the contagion of the example which bids fair to destroy the peace of North Carolina. In this state of things, it is that variety of information has come to me stating that several persons, but especially Col.

Arthur Campbell, have used their utmost endeavors, and with some success, to persuade the citizens in that quarter to break off from this commonwealth and to attach themselves to the newly assumed government, or to erect one distinct from it. And to effect this purpose, the equality and authority of the laws have been arraigned, the collection of the taxes impeded, and our national character impeached. If this most important part of our territory be lopped off, we lose that barrier for which our people have long and often fought; that nursery of soldiers from which future armies may be levied, and through which it will be almost impossible for our enemies to penetrate.

“We shall aggrandize the new State, whose connections, views, and designs we know not; shall cease to be formidable to our savage neighbors, or respectable to our western settlements, at present or in future.

“Whilst these and many other matters were contemplated by the executive, it is natural to suppose the attempt at separation was discouraged by every lawful means, the chief of which was displacing such of the field officers of the militia in Washington County as were active partisans for separation, in order to prevent the weight of office being put in the scale against Virginia. To this end a proclamation was issued, declaring the militia laws of the last session in force in that county, and appointments were made agreeable to it. I hope to be excused for expressing a wish that the Assembly, in deliberating on this affair, will prefer lenient measures, in order to reclaim our erring citizens. Their taxes have run into three years, and thereby grown to an amount beyond the ability of many to discharge; while the system of our trade has been such as to render their agriculture unproductive of money. And I cannot but suppose that if even the warmest supporters of separation had seen the mischievous consequences, they would have retraced and considered that intemperance in their own proceedings which opposition in sentiment is too apt to produce.”

The disapprobation of this great patriot and enlightened man, though it eventually suppressed the multitudinary commotions in Washington, of Virginia, had not the like effect upon the new government of Frankland.

The limits proposed for the new government of Frankland by Col. Arthur Campbell and the people of Virginia who aimed at

a separation from that State, were expressed in the form of a Constitution, which Col. Campbell drew up for public examination, and were these: Beginning at a point on the top of the Alleghany or Appalachian Mountains so as a line drawn due north from thence will touch the banks of New River, otherwise called Kenhawa, at the confluence of Little River, which is about one mile above Ingle's Ferry; down the said river Kenhawa to the mouth of Rencouvert or Green Briar River; a direct line from thence to the nearest summit of the Laurel Mountain, and along the highest part of the same to the point where it is intersected by the parallel of thirty-seven degrees north latitude; west along that latitude to a point where it is met by a meridian line that passes through the lower part of the rapid of Ohio; south along the meridian to Elk River, a branch of the Tennessee, down this said river to its mouth, and down the Tennessee to the most southwardly part or bend in said river; a brief line from thence to that branch of the Mobile called Donbigbee; down said river Donbigbee to its junction with the Coosawatee River, to the mouth of that branch of it called the Hightower; thence south to the top of the Appalachian Mountains, or the highest land that divided the sources of the eastern from the western waters, northwardly along the middle of said heights and the top of the Appalachian Mountain to the beginning. It was stated in the proposed form that the inhabitants within these limits agree with each other to form themselves into a free, sovereign, and independent body, politic or State, by the name of the Commonwealth of Frankland. The laws of the Legislature were to be enacted by the General Assembly of the Commonwealth of Frankland; and all the laws and ordinances which had been before adopted, used, and approved in the different parts of this State, whilst under the jurisdiction of Virginia and North Carolina, shall still remain the rule of decision in all cases for the respective limits for which they were formerly adopted, and shall continue in full force until altered or repealed by the Legislature; such parts only excepted as are repugnant to the rights and liberties contained in this Constitution or those of the said respective States.

The Assembly of North Carolina, which commenced its session at Newbern on the 19th of November, 1785, passed an act preceded by a preamble, in which it is stated as represented to the As-

sembly that many of the inhabitants of Washington, Greene, and Sullivan Counties have withdrawn their allegiance from this State, and have been erecting a temporary separate government amongst themselves, in consequence of a general report and belief that the State being inattentive to their welfare had ceased to regard them as citizens, and had made an absolute cession, both of the soil and jurisdiction of the country in which they reside, to the United States, in Congress. And whereas such report was ill-founded, and it was and continues to be the desire of the General Assembly of this State to extend the benefits of civil government to citizens and inhabitants of the western counties until such time as they might be separated with advantage and convenience to themselves. And the Assembly are 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 until such time as they may be in a condition, from their numbers and wealth, to be formed into a separate commonwealth, and be received by the United States as a member of the Union. By the act itself they put in total oblivion all matters and things done and transacted by the inhabitants of the counties aforesaid, in setting up or endeavoring to set up an independent government, and carrying on the same, and pardoned the same, provided they returned to their allegiance to this State; and they appointed elections to be held in those counties, of persons to represent them in the next General Assembly of North Carolina; and the freemen were authorized to elect three good men to superintend and act as inspectors of the poll in case of the failure of the County Court to appoint inspectors, as the standing laws of elections required; and the inspectors thus chosen by the freemen were empowered to make a return and certificate of the persons duly elected; they also gave eighteen months further time for the completion of surveys; they also at this session appointed officers for the revolted counties, both civil and military, in place of those who had been appointed by the government of Frankland. Notwithstanding these advances toward a good understanding and reconciliation by the Assembly of North Carolina, many of the inhabitants of the western counties

resolved never to return to a dependence on that State, and to maintain the government which they were forming for themselves at all hazards.

The convention at Jonesboro in December, 1784, and the Assembly of Frankland in August, 1785, had recommended to the people to choose a convention for the purpose of adopting the proposed Constitution, or of altering it as they should instruct. Deputies were elected accordingly, and met at Greeneville on the 14th of December, 1785. From different parts of the new State the people forwarded instructions which showed that there was a great diversity of sentiment among them. The convention, after some debate, agreed to appoint a committee who should prepare a form of government to be laid before the convention, that it might be examined, altered, amended, and added to, as the majority should think proper; and that thus it might be perfected and finished in as accurate a manner as the united wisdom of the members could devise. After the committee retired, the first thing they agreed upon was to proceed upon the business by taking the Constitution of North Carolina for their groundwork; and, together with it, all the political helps that the thirteen Constitutions of the United States, the instructions of the people, and any other quarter might afford, to prepare a report to lay before the convention. In this manner the committee proceeded, adhering strictly to the groundwork (the Constitution of North Carolina), retaining of it whatever appeared suitable, and to it added pieces out of other political helps till they had so formed their plan that it might be laid before the whole convention, and be examined, altered, amended, and improved, as the majority should think best. The whole house having met, the report of the committee was laid before them, and entirely rejected, in consequence of which, on motion of Mr. Cocks, the whole house took up the Constitution of North Carolina, and, hastily reading it, approved of it in the general; whilst the friends of the report of the committee strove to introduce it, but all in vain. Some material points of their plan—a single house of legislation, equal and adequate representation, the exclusion of attorneys from the Assembly, etc.—and failing in the most important points, as they conceived, they, by the unanimous consent of the whole convention, were permitted to enter upon the journals their dissent to what

had been carried in convention; and also to hold out to the people, for their consideration, the report of the committee, except the greater part of the 32d Section, which, upon second thought, they expunged. The dissent which they entered upon the journals was as follows:

“The dissent is because we deem the report of the committee (excluding that part of the 32d Article which fixes a tax upon certain articles, as indigo, tobacco, flour, etc.) to be the sense of a majority of the freemen of Frankland; and more agreeable to a republican government, which report, so considered, we hold out for the consideration of the people.” Signed: “David Campbell, Samuel Houston, John Tipton, John Wier, Robert Love, William Cox, David Craig, James Montgomery, John Strain, Robert Allison, David Looney, John Blair, James White, Samuel Newell, John Gilliland, James Stuart, George Maxwell, Joseph Tipton, and Peter Parkison”—nineteen in all.

A great outcry was raised against the report, and its friends vindicated it by an appeal to the public, in which a wounded spirit is very discernible. They accounted for and excused the inaccuracies of the report, and sheltered it from severe and critical remarks. They said it was certain, from the nature of things, and the declarations of many of those who entered the dissent, that they did not look upon the report as a finished and perfect piece, as its warmest advocates themselves said in convention. Both they and its enemies meant to inspect every paragraph narrowly, and what, upon mutual deliberation, appeared good to receive and by a majority of votes confirm; and what did not, to reject. For the true light in which it should be viewed was, as they declared, that every sentence was a mere proposal unfinished, unconfirmed, and not to be established until the whole house, after due examination and debate upon it, had approved of it. “And,” said they, “it must appear that the loud and bitter outcry that has been raised against the report and its friends is not like the friendly criticism of loving citizens, but resembles the advantages which enemies take of each other, and the use they make of them, when excited by malice and bitter enmity.” They besought the public to lay aside prejudice and to search honestly for the truth, and not for quibbling defects—particularly weighing every part in connection with the whole, whence it might be seen that the greater

part and substance of the report of the committee contains principles, provisions, and restrictions which secure the poor and the ruled from being trampled upon by the rich and the rulers; also their property and money from being taken away to support the extravagance of the great men; and that it is full of that which tends to free them from the prevailing enormous wickedness, and to make the citizens virtuous. And that it is well calculated to open the eyes of the people, to look upon the proceedings of the public, and to know and judge for themselves when their rights and privileges are enjoyed, or infringed; and therefore suitable to remove ignorance from the country; is as beneficial to men who wish to live upon the people, as ignominious in the Church of Rome to support the tyranny of the pope and his clergy. Then follows in their public address the Constitution which the committee recommended in their report.

The same convention which established the Constitution of North Carolina for the State of Frankland sent William Cocks, Esq., with a memorial to Congress, together with the Constitution they had agreed to, and with an application to be admitted into the Union. Congress gave no ear to the application, and Mr. Cocks returned without effecting any of the objects of his mission.

In this year (1785) the Assembly of Georgia, by an act passed for the purpose, established a county by the name of Houston, opposite the Indian town called Nickajack, in the bend of the Tennessee, opposite the Muscle Shoals, including all the territory which belonged to Georgia on the north side of the Tennessee. They appointed Col. Hord, Col. Downs, Mr. Lindsay, John Donalson, and Col. Sevier to act as commissioners, with authority to organize the new county. They opened the land office there, appointed Col. John Donalson surveyor, and authorized the issuance of warrants. The commissioners, with eighty or ninety men, descended the river to the point where it was intersected by the State line. They appointed military officers and justices of the peace, and elected Valentine Sevier, the brother of Gov. Sevier, to represent them in the General Assembly of Georgia. The land-warrants were signed by John Donalson and John Sevier, and were dated the 21st of December, 1785. After remaining there a fortnight, dreading the hostile appearance which the Indians manifested, they broke up the

settlements and withdrew. Zachariah Cox was with them, who, with two others by the name of Smith, and two by the name of Bean, had been sent by Col. Wade Hampton to explore the country. Valentine Sevier went to the Assembly of Georgia to take his seat, but was not received. Col. Hampton then had land-warrants from South Carolina, with which he intended to cover the lands to the distance of several miles from the North Carolina line, contending in behalf of South Carolina that the head branches of the Savannah did not reach the North Carolina line by several miles; and that a line due west from the head to the Mississippi was the boundary of Georgia. This claim was afterward abandoned, and Col. Hampton failed in the attempt to obtain his titles.

In the early part of the year 1786 was presented the strange spectacle of two empires exercised at one and the same time over one and the same people. County Courts were held in the same counties under both governments; the militia was called out by officers appointed by both; laws were passed by both Assemblies, and taxes were laid by the authority of both States. The differences in opinion in the State of Frankland between those who adhered to the government of North Carolina and those who were the friends of the new government became every day more acrimonious. Every fresh provocation on the one side was surpassed in the way of retaliation by a still greater provocation on the other. The judges commissioned by the State of Frankland held Supreme Courts twice in each year in Jonesborough. Col. Tipton openly refused obedience to the new government. There arose a deadly hatred between him and Gov. Sevier, and each endeavored by all the means in his power to strengthen his party against the other. Tipton held courts under the authority of North Carolina at Buffalo, ten miles above Jonesborough, which were conducted by her officers and agreeably to her laws. Courts were also held at Jonesborough, in the same county, under the authority of the State of Frankland. As the processes of these courts frequently required the sheriffs to pass within the jurisdiction of each other to execute them, a rencounter was sure to take place. Hence it became necessary to appoint the stoutest men in the county to the office of sheriff. This state of things produced the appointment of A. Caldwell, of Jonesborough, and Mr. Pew, the sheriff in Tipton's court. While the

County Court was sitting at Jonesborough in this year, for the county of Washington, Col. John Tipton, with a party of men, entered the court-house, took away the papers from the clerk, and turned the justice out-of-doors. Not long after Sevier's party came to the house where a County Court was sitting for the county of Washington, under the authority of North Carolina, and took away the clerk's papers and turned the court out-of-doors. Thomas Gorly was clerk of this county. The like acts were several times repeated during the existence of the Frankland government. At one time, James Sevier then having the records of the old court under North Carolina, Tipton, in behalf of the court of North Carolina, went to his house and took them away by force and delivered them to Gorly. Shortly afterward the records were taken by Sevier's party, and James Sevier, the clerk, hid them in a cave. In these removals many valuable papers were lost, and at late periods for want of them some estates of great value have been lost. In the county of Greene, in 1786, Tipton broke up a court sitting at Greeneville under the Frankland authority. The two clerks in all the three old counties issued marriage licenses, and many persons were married by virtue of their authority. In the courts held under the authority of the State of Frankland many letters of administration of intestate estates were issued, and probates of wills were taken. The members of the two factions became excessively incensed against each other, and at public meetings made frequent exhibitions of their strength and prowess in boxing matches. As an elucidation of the temper of the times an incident may here be mentioned which otherwise would be too trivial for the page of history. Shortly after the election of Sevier as Governor of the State of Frankland under the permanent Constitution, he and Tipton met in Jonesborough, where-as usual a violent verbal altercation was maintained between them for some time, when Sevier, no longer able to bear the provocations which were given to him, struck Tipton with a cane. Instantly the latter began to annoy him with his hands clinched. Each exchanged blows for some time in the same way with great violence and in convulsions of rage. Those who happened to be present interposed and parted them before victory had declared for either; but some of those who saw the conflict believed that the Governor was not as well pleased with his pros-

pects of victory as he had been with the event of the battle of King's Mountain, in which his regiment and himself had so eminently distinguished themselves. This example was followed in the time of those convulsions by the members of their respective families, who frequently and with varying success took lessons in pugilism from each other at public meetings. The rabble, also, who in all countries ape their superiors, made numerous displays of their skill in gymnastic exercises, and, like the Spartans of old, often lost an eye or part of an ear or nose in the antagonistic field without the least complaint for the trifling mutilation. To such excess was driven by civil discord a people who in times of tranquillity are not exceeded by any upon earth for all the virtues, good sense, and genuine politeness that can make mankind happy or amiable.

In the month of August, 1786, an election was held at the Sycamore Shoals, in the county of Washington, of members to represent the county in the General Assembly of North Carolina, to be held at Fayetteville in November. Col. Tipton was elected Senator, and James Stuart and Richard White were elected members of the House of Commons. At this election such persons as chose to accept the terms held out by North Carolina in her act of 1785 were invited to signify the same by enrolling their names, which many of them did. Opposition to the new State of Frankland from this time put on a more solemn and determined aspect than it had ever done before.

On the 26th of August, 1786, John Houston, Esq., the Governor of Georgia, appointed Gov. Sevier by commission to be Brigadier-general for the District of Tennessee, formed for the defense of that State and for repelling any hostile invasion.

Preparatory to the treaty of Hopewell, which the Cherokees made with the United States, they refrained in a great measure, both before and for some time after the treaty, from incursions into the frontier settlements on the waters of the Holston. That treaty proposed to give peace to all the Cherokees, but they soon began to believe that the gift which they had received was not of much value, and shortly became tired of the quietude derived from it. In the spring of the year 1786 they made open war upon those settlements. They attacked the house of Biram, on Beaver Creek, in the section of country which is now a part of

Knox County, and killed two men. Several parties were raised and set in pursuit of them. Among others, Gov. Sevier raised a company of volunteers and followed them. The troops assembled at Houston's Station, and marched across the Tennessee River at the Island Town, and thence crossed by the Tellico Plains over the Unaca Mountain to the Hiwassee. They there destroyed three Indian towns called the Valley Towns, and killed fifteen Indians and encamped in a town in the vicinity. The spies discovered a large trail, and reported to the commanding officers. The troops were immediately put in motion and moved to the place where the trail was discovered. There a council of the officers was held to determine whether it was proper to follow the trail or not. The result was that the troops were marched back to their former encampment. It was ascertained from the best information that John Watts, at the head of one thousand Indians, was endeavoring to draw Sevier and his troops into a narrow defile of rocks. Considering existing circumstances, it was thought most prudent to return home with his troops, and to procure re-enforcements, his corps consisting at this time of not more than one hundred and sixty men. They returned home by the same route they had come.

In this year taxes were imposed by both governments, and paid to neither, the people not knowing, as was pretended, which had the better right to receive them; and neither government was forward in overruling the plea, for fear of giving offense to those who could at pleasure transfer their allegiance.

Members of the Assembly were elected in this year, 1786, for the three old counties, and were sent to the Assembly of North Carolina, which sat at Fayetteville in the month of November. In this session they divided the county of Sullivan, and out of a part of it erected the county of Hawkins. The divisional line began where the boundary line between the Commonwealth of Virginia and the State of North Carolina crosses the North Fork of the Holston River; thence down said fork to its junction with the main Holston River; thence across said river, due south to the top of Bay's Mountain; thence along the top of said mountain to the top of the dividing ridge between the waters of the Holston River and the French Broad River to its junction with the Holston River; thence down the said river Holston to its junction with the Tennessee River; thence down the same to the

"Suck," where said river runs through the Cumberland Mountains; thence along the top of said mountains to the aforesaid boundary line; and thence along said line to the beginning. All that part of the settlements lying to the west of the North Fork of the Holston was erected into the county of Hawkins. They appointed justices and militia officers for the county, and appointed times for holding the County Courts; and they had under consideration the measures which were to be adopted in relation to the revolvers.

At this critical conjuncture appeared William Cocke, Esq., on a mission from the western counties; and, at his entreaty, he was heard at the bar of the House of Commons. In a speech of some hours he pathetically depicted the miseries of his distressed countrymen; he traced the motives of their separation to the difficult and perilous condition in which they had been placed by the cession act of 1784. He stated that the savages in their neighborhood often committed upon the defenseless inhabitants the most shocking barbarities, and that they were without the means of raising or subsisting troops for their protection, without the authority to levy men, without the power to lay taxes for the support of internal government, and without the hope that any of their necessary expenditures would be defrayed by the State of North Carolina, which had then become no more interested in their safety than any other of the United States. The sovereignty retained being precarious and nominal, as it depended on the acceptance of the cession by Congress, so it was anticipated, would be the concern of North Carolina for the ceded territory. With these considerations full in view, what were the people of the ceded territory to do to avoid the blow of the uplifted tomahawk? How were the women and children to be rescued from the impending destruction? Would Congress come to their aid? Alas! Congress had not yet accepted them, and possibly never would; and if accepted, Congress was to deliberate on the quantum of defense which might be afforded to them. The distant States would wish to know what profits they could respectively draw from the ceded country, and how much land would remain after satisfying the claims upon it. The contributions from the several States were to be spontaneous. They might be too limited to do any good, too tardy for practical purposes. They might be unwilling to

burden themselves for the salvation of a people not connected with them by any endearing ties. The powers of Congress were too feeble to enforce contributions. Whatever aids should be resolved on might not reach the objects of their bounty till all was lost. Would common prudence justify a reliance upon such prospects? Could the lives of themselves and their families be staked upon them? Immediate and pressing necessity called for the powers to concentrate the scanty means they possessed of saving themselves from destruction. A cruel and insidious foe was at their doors. Delay was but another name for death. They might supinely wait for events, but the first of them would be the yell of the savage through all their settlements. It was the well-known disposition of the savage to take every advantage of an unpreparedness to receive them, and of a sudden to raise the shrieking cry of exultation over the fallen inhabitants. The hearts of the people of North Carolina should not be hardened against their brethren who have stood by their sides in perilous times, and never heard their cry of distress when they did not instantly rise and march to their aid. Those brethren have bled in profusion to save you from bondage, and from the sanguinary hand of a relentless enemy, whose mildest laws for the punishment of rebellion is beheading and quartering. When driven, in the late war, by the presence of that enemy from your homes, we gave to many of you a sanctified asylum in the bosom of our country, and gladly performed the rites of hospitality to a people we loved so dearly. Every hand was ready to be raised for the least unhallowed violation of the sanctuary in which they reposed. The act for our dismissal was indeed recalled in the winter of 1784. What then was our condition? More penniless, defenseless, and unprepared, if possible, than before; and under the same necessity as ever to meet and consult together for our common safety. The resources of the country all locked up—where is the record that shows any money or supplies sent to us, a single soldier ordered to be stationed on the frontier, or any plan formed for mitigating the horrors of our exposed situation? On the contrary, the savages are irritated by the stoppage of those goods on their passage which were promised as a compensation for the lands which had been taken from them. If North Carolina must yet hold us in subjection, it should at least be understood to what a state of distraction, suffering, and

poverty her varying conduct has reduced us; and the liberal hand of generosity should be widely opened for relief, from the pressure of their present circumstances—all animosity should be laid aside and buried in deep oblivion, and our errors should be considered as the offspring of greater errors committed by yourselves. It belongs 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 harbor 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 own character, consistent with their own honor, 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 heavy 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 connection be supplied with the degree of liberality which will demonstrate seriousness on the one hand and secure affection on the other. His speech was heard with attention, and he retired.

The Assembly progressed in deliberating on the measures to be adopted with respect to the revolted counties. By another act of this session they pardoned the offenses of all persons who had returned to their allegiance to the State of North Carolina; and restored them to all privileges of the other citizens of the State, as if the said offenses and misconduct had never existed. With regard to decisions respecting property, which were incompatible with justice, they enacted that the persons injured should have remedy at common law. They continued in office all officers, both civil and military, who held and enjoyed such offices on the 1st of April, 1784; but declared vacant the offices of all such persons as had accepted and exercised other offices and appointments the acceptance and exercise of which were considered to be a resignation of their former offices held under the State of North Carolina; and they directed that such vacant

offices, both civil and military, shall be filled with proper persons, to be appointed by the General Assembly, and commissioned by the Governor of North Carolina, as by law directed. They ordered the arrearages of taxes due from the citizens of those counties, up to the end of the year 1784, to be collected and accounted for; and that all taxes due since the end of that year shall be relinquished and given up to the citizens.

Measures conceived in so much moderation, and breathing nothing but benignity, could not fail to make the wished-for impression upon those whom they affected. The Assembly of North Carolina directed that the first court for the county of Washington should be held at William Davis's, on Buffalo Creek, ten miles from Jonesborough. Commissioners were appointed to fix on some suitable place on which to erect the public buildings and to fix the seat of justice for this county. After various meetings and consultations, they finally agreed upon Jonesborough as the proper place. The County Court had been held there for several years before, until the courts themselves were discontinued by the intrusion of the new government of Frankland. A year before this period, County Courts were held at Davis's under the authority of North Carolina; whilst at the same time courts were held at Jonesborough under the government of Frankland. The partisans of each government quarreled with those of the other. Tipton and Sevier both resided in the county of Washington, and, being the leaders of different sides, kept the people in a continual agitation and uproar, each alternately breaking up the courts of the other.

Here it is right to remember, in justice to those who once appeared on the side of the new government and now on the side of North Carolina, that the face of affairs was quite different at the time of the convention of Frankland, which resolved upon independence, and in the fall of the year 1786. Before this juncture there was no governmental head to which the people of the western counties could carry their complaints. In 1784, it is true, the Assembly which passed the cession act retained the sovereignty and jurisdiction of North Carolina in and over the ceded territory and all the inhabitants thereof, until the United States, in Congress, should have accepted the cession, as if the act for making it had never been passed. Yet, in reality, so long as the cession act continued unrepealed, North Carolina

felt herself as much estranged from the inhabitants of the western counties as she was with respect to any other State or Territory in the United States. Until induced by the bonds of federalism and a common interest, so far as concerned their external relations with other nations of the globe, but wholly unconnected, so far as regarded their internal relations and engagements, and as any one State was not obliged, by the nature of her federal duties, to advance moneys for the maintenance of another in the possession of her rights, but through the intervention of all, in Congress assembled; so neither did North Carolina conceive herself bound to exert her strength or resources for the defense of the western counties, unless in the proportion for which she was liable to other federal contributions. It was in vain, then, to solicit for her interference in behalf of the western counties so long as the cession act subsisted; but when that was repealed and the precipitancy of the western people obliterated, when North Carolina declared herself desirous to extend to them the benefits of civil government, whence it might be rationally inferred that every necessary and proper support would be afforded, it certainly cannot be a matter of surprise that many well-meaning and intelligent persons, believing their declarations, thenceforward deemed it their duty to return to their dependence on North Carolina. If there be any competent reason which should have precluded Col. Tipton and his associates from the adoption of the course they took, it must be confessed that it is not very obvious; at the same time others are not to be blamed who reflected upon the past conduct of North Carolina and the unpromising circumstances in which she stood in relation to the western counties should come to the conclusion that no real and solid advantages were to be expected from further connection with her, for perhaps this was the opinion which every experienced politician should have formed.

The fate of the State of Frankland was imperceptibly hastening to a crisis. Every day she sustained the loss of some friend, who by an accession to the cause of her adversaries added to their strength and confidence. Those who stood firm were yet respectable for numbers, and satisfied beyond doubt of the correctness of their opinion. They formed an impenetrable phalanx which a change of sentiment was not likely to dissolve or impair for the future.

The year 1786 closed and that of 1787 opened with the melancholy prospects that fellow-citizens and neighbors might, ere long, be engaged in spilling the blood of each other. Gov. Sevier, aware that the government of Frankland would soon be in a tottering situation, endeavored by the utmost assiduity to procure props for it in every quarter whence it was imagined they might be possibly furnished. At his suggestion the Assembly of Frankland had professed a readiness to join the arms of their State to those of Georgia in prosecution of a war against the Creeks, should the conduct of the latter make it necessary. The Governor, in the latter part of January, 1784, had dispatched Maj. Elholm, a man of address and skill in the management of business, to the executive of that State with these tokens of friendship, and with sealed instructions to attach to the interests of the State of Frankland as many of the leading men of Georgia as could, by proper representations, be inspired with a disposition to wish for the prosperity of the new government. So well did Maj. Elholm conduct the affairs which were committed to his charge that he caused them to be made a subject of legislative deliberation, and to be reported on by a committee on the 3d of February, 1787, in which it was stated that the letters from John Sevier, Esq., evinced a disposition which ought not to be unregarded by the State, particularly with respect to the intention of the people of Nolichucky to co-operate with those of Georgia in case of Indian hostilities, as the late alarms indicated, and it recommended that his Honor, the Governor, inform the Hon. John Sevier, Esq., of the sense which Georgia entertained of their friendly intentions to aid in the adjustment of all matters in dispute between the people of Georgia and the hostile tribes of Indians who were inimical to that State. It declared that Maj. Elholm, who had been so particularly recommended, was entitled to the thanks of the Legislature, and that a sum of money be drawn from the treasury for his use by a warrant to be issued by the government. Gov. Matthews on the 12th of February communicated to the Hon. John Sevier, Esq., the gratitude of the Assembly for the instances of his friendship which had been laid before them, and said he should feel himself guilty of ingratitude, should it ever be in his power, not to render the Governor or his people every service that may not be inconsistent with the interests of the State of Georgia. The

salvo at the end was a genuine exemplification of political sensation for proffered friendship, which is always supposed to have some selfish design at the bottom; and, indeed, if the facts were otherwise in the present instance, and if the offers really sprung from a principle of pure good-will to the people of Georgia, this cold answer must be considered as very unfit for the occasion. Gov. Sevier also had made the attempt to conciliate the favor of Dr. Franklin, whose advice he had asked on the affairs of the new government. The Doctor, on the 30th of June, 1787, acknowledged himself sensible of the honor which, said he, your Excellency and your council thereby do me. But being in Europe when your State was formed, I am too little acquainted with the circumstances to be able to offer you any thing just now that may be of importance, since every thing material that regards your welfare will doubtless have occurred to yourselves. There are two things which humanity induces me to wish you may succeed in: the accommodating your misunderstanding with the government of North Carolina, and the avoiding an Indian war by preventing encroachments on their lands. Such encroachments are the more unjustifiable, as these people in the fair way of purchase, usually give very good bargains, and in one year's war with them you may suffer a loss of property and be put to an expense vastly exceeding in value what would have contented them perfectly in fairly buying the lands they can spare. Here (at Philadelphia) is one of their people who was going to Congress with a complaint from the chief of the Cherokees that the North Carolinians on the one side, and the people of your State on the other, encroach on them daily. The Congress not being now sitting, he is going back, apparently dissatisfied that our general government is not just now in a situation to render them justice, which may tend to increase ill-humor in that nation. I have no doubt of the good disposition of your government to prevent their receiving such injuries; but I know the strongest governments are hardly able to restrain the disorderly people who are generally on the frontiers, from excesses of various kinds, and possibly yours has not as yet acquired sufficient strength for that purpose. It may be well, however, to acquaint those encroachers that the Congress will not justify them in the breach of a solemn treaty, and that if they bring upon themselves an

Indian war they will not be supported in it. I will endeavor to inform myself more perfectly of your affairs by inquiry and searching the records of Congress, and if any thing should occur to me that I think may be useful to you, you shall hear from me thereupon. I conclude with repeating my wish, that you may amicably settle your differences with North Carolina. 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 to it to accede to any fair and reasonable proposition it may receive from you if the cession act had now passed.

The Governor in all these communications might plainly see both realized and personified the fable of the hare and many friends. But he had a persevering temper, and no idea of receding had as yet entered his mind. He again wrote to the Governor of Georgia, by Maj. Elholm, and on the 20th of July in council it was ordered, upon consideration of his letter of the 20th of June, that the Board entertained a high sense of the friendly intentions of the people of Frankland, and wished to continue the correspondence between the Hon. John Sevier, Esq., and that State, and ordered that this letter be laid before the Legislature. On the 7th of August they used more perspicuity, and ordered an express to be sent to the Hon. John Sevier, Esq., informing him of the present situation of this State with the Indians, and that he be requested by his Honor, the Governor, to take such measures as may be conducive to the safety of both people. Gen. Clarke professed that he would be very happy to be of any service to the State of Frankland consistent with the interests of Georgia, and in case of a Creek war would meet him and his army with pleasure in the Creek Nation. It was apparent that the Georgians were willing that the Governor should fight for them if needful; but as to any assistance to be furnished by them to the government of Frankland, it seemed to be a question so far in the background at present as would not be likely in any short time to receive an unequivocal answer. Gov. Matthews believed that his State wished to render the people of Frankland every service in its power *not inconsistent with its duty to the United States*, expected a war with the Creeks and that the people of Georgia would be joined by those from the State of Frankland. Others of the leading men of

Georgia, who were in less responsible situations, spoke with more warmth in favor of the State of Frankland; commended their zeal in the cause of liberty and their fidelity to each other; commended also the resolution of the Assembly, which had determined not to send a delegation to North Carolina, as had been pressed; spoke in very obliging terms of the zeal and capacity displayed by Maj. Elholm for the station he had been selected to fill, and also for the judicious discernment which had fixed upon him as the subject of its choice. The Council of Georgia received him as a man of distinction and gave him a seat in the Council whilst the dispatches of Gov. Sevier were under consideration. He associated with the best characters in Georgia, and upon every good opportunity stated the warlike temper, the devotion to liberty of the Western people, and the fertility and beauty of their country, placing them in the most advantageous lights; till at length he succeeded with many of them in the engagement of their partialities in favor of his principles. The late Gov. Telfair addressed Gov. Sevier in the character of Governor of the State of Frankland; spoke highly of the ardor of Maj. Elholm in the service of the State of Frankland; made acknowledgment for the confidence reposed in him respecting the State of Frankland; and gave an assurance, as far as was consistent with policy and mutual interests and the duties which he owed to Georgia, that she should be the object of his care and attention. Fishburne, Col. Walton, and other distinguished characters made professions of their esteem for Gov. Sevier, and of their good wishes for the new State of Frankland. The Cincinnati Society adopted him as a member, and communicated the same to him in a very flattering letter. Col. Walton presented him with the thirteen Constitutions, neatly bound together, with a complimentary address, conceived in very neat and delicate terms.

In Georgia the people began to feel themselves interested in the success of the government of Frankland. A common toast then was: "Success to the State of Frankland, his excellency Gov. Sevier, and his virtuous citizens." On the 5th of November, 1787, the late Gov. Matthews, in council and in behalf of the supreme power of the State of Georgia, presented to Maj. Elholm his warmest thanks for the assiduity of Maj. Elholm, and for the due attention that he had paid mutually to the State

of Georgia and the people of Frankland. "Impressed deeply as we are," he said, "for the welfare of all those who have had independence enough to free themselves from British usurpation, we cannot but be mindful of the good people of Frankland, and hope that ere long the interests of both will be sincerely and lastingly cemented. In respect to the policy of nations or countries, one general observation may not be amiss: that those who strictly adhere to any constitution or principles agreed upon and solemnly entered into, and who do not commit any infringement upon the principles and rights of the people, deserve to be respected. And as such appears to be the present disposition of the Franks, we are happy in the opportunity of testifying our approbation of their conduct in respect to the State of Georgia. When we last had the pleasure to receive a communication from the Hon. John Sevier, whom we respect, he informed us that the people of Frankland were met for deliberation, and that he would transmit us the result as soon as they should rise. As this communication has not yet arrived, we are at a loss to return any answer thereto; but shall embrace the earliest opportunity to do so, when we are favored therewith. I am directed, too, to request your particular attention to our very serious situation, and beg leave at the same time that it may be communicated through you to the people of Frankland. We have necessarily entered into a war with the Creek Indians, and for the expelling of whom the Legislature of this State has passed a law, entitled 'An act for suppressing the violence of the Indians,' a copy of which you carry with you. You will there find that we have not been unmindful of your situation. It is now within the power of the people of Frankland to render very essential services to the people of this State, and from the very generous and liberal offer proffered us, we are confident that we shall receive every assistance."

Late in December, 1787, Gov. Sevier had it in contemplation to march against the Creeks, and issued orders for the embodying of troops. He continued to be addressed at this time by Dr. Franklin as the Governor of the State of Frankland. The above-mentioned act, passed by the Legislature of Georgia, directed the raising of three thousand men, and empowered the executive to call for fifteen hundred more from Frankland; and the Governor wished to know whether it might be depended

upon that fifteen hundred would be raised in Frankland, and at what time they would be ready to take the field. The bend of the Tennessee was allotted for the men to be raised in Frankland, and to supply the bounties to be given to them for entering into the service.

In the month of September, in the year 1787, the Legislature of Frankland met for the last time, in Greeneville. John Menifce was Speaker of the House of Representatives, and Charles Robinson Speaker of the Senate. Several bills passed both Houses, which were chiefly unimportant amendments of the laws of North Carolina. One, however, attracted notice, the object of which was to provide ways and means to descend the river and take possession of the bend of the Tennessee, under claims which Gov. Sevier and others had on this country. The Legislature also authorized the election of two representatives to attend the Legislature of North Carolina, to make such representations as might be thought proper. Judge David Campbell and Landon Carter were elected to this office. Judge Campbell also acted in the Legislature of North Carolina, at Tarborough, as a member of that Assembly.

At this session they also opened the land office, directing the officers to take peltry instead of money, but before any entries were made the authority of the government of Frankland expired.

The western counties, at the stated time of election in this year (1787), elected members and sent them to the General Assembly of North Carolina at Tarborough, which commenced a session there on the 18th of November that ended on the 22d of December. Davidson sent James Robertson and Robert Hays; Greene was represented by David Campbell and Daniel Kennedy; Washington, by John Tipton, James Stuart, and John Blair; Hawkins, by Nathaniel Henderson and William Marshall; Sullivan, by Joseph Martin, John Scott, and George Maxwell. These members returned home about the 4th of January, 1788. This Assembly extended their former acts of pardon and oblivion to all who desired to avail themselves of their advantages, and fully restored them to the privileges of citizens. They directed all suits to be dismissed which had been commenced for the recovery of any penalty or forfeiture incurred by a non-compliance with the revenue laws; and gave a further time of three

months, in which those might give in lists of their taxable property for the year 1787, who had failed to do it before. By this Assembly David Campbell was elected a judge of the Superior Court for the District of Washington, at Jonesborough. Col. White (afterward Gen. White), who favored the government of Frankland, whose yea was yea and nay, nay, throughout his whole life, deemed the acceptance of this office by Campbell an unpardonable dereliction of duty. Meeting Campbell on the road as he returned home from Tarborough, he upbraided the latter with the desertion of his friends in very undisguised terms of reprobation.

In the year 1787 East Tennessee, though miserably entangled in other difficulties, was not entirely free from the inquietude of some restless spirits in relation to the Spaniards any more than West Tennessee was in 1783, when Col. Robertson was necessitated to contradict the reports which had reached the Baron de Carondelet of designs entertained by the people of Cumberland to make a descent upon the Spanish possessions on the Mississippi. Some ambitious men in East Tennessee had probably proposed and canvassed the same project, and had deemed it so far practicable as to resolve on its execution, so far as depended on themselves to bring it about. They resented the occlusion of the Mississippi against our commerce by the Spanish authorities, and were exasperated by the proposal of our minister delegated to treat with the Spanish court that the navigation of that river should be resigned for twenty-five years; and the more so, as Congress had made the proposal a subject for deliberation. The treaty made in 1784 in the fort at Pensacola, from the uncommon nature of some of the articles, induced the belief that the Spanish Governors had great influence over the Creeks and encouraged them in that inimical temper and those animosities which of late, and indeed almost ever since the date of that treaty, they had evinced toward the people of Cumberland; and considerable resentment was entertained on this account by many persons on the western waters against the Spaniards below them. The members from Cumberland, in the Legislature of North Carolina, had spoken in their memorial to the Assembly at Tarborough in 1787 in terms of bitterness against the unfriendly conduct of the Spaniards. At this conjuncture a letter came to the hands of the general government, written in the same

spirit, but in more undisguised and emphatical terms, which seemed to point unequivocally to machinations, devised and intended to be acted upon by the people of the new government of Frankland. This letter, written on the 24th of September, 1787, by John Sullivan, at Charleston, was addressed to Maj. William Brown, late of Maryland artillery, Philadelphia. Speaking of the Tennessee River, he said: "There will be work cut out for you in that country. I want you much. Take my word for it, we shall be speedily in possession of New Orleans." Unauthenticated publications had stated that the people of Kentucky and Cumberland had held consultations, in the summer of 1787, concerning the practicability of seizing both Natches and Orleans. Gen. Harmar was immediately directed by the War Office to make the strictest inquiry upon the subject of this letter, and to give every possible discountenance to the instigators. The government was justly alarmed for the fate of our negotiations pending with Spain, which might ultimately be broken off should any such attempt be made as was intimated by the letter. Inquiry was also made at the War Office of those who came directly from Frankland, who gave assurances that no such plans were on foot as the letter suggested. Eventually the public agents failed in detecting the conspiracy to which the letter referred. The contrivers of the plan were probably too few in number and too destitute of funds to come to an open avowal of their purposes. Upon a nearer approach to the object, they began, perhaps, to view it as less attainable than their heated imaginations had at first conceived, and in the end preferred to bury it in concealment rather than incur the ridicule of offering for public adoption a plan so preposterous and impracticable. The people of the State of Frankland were split into contending factions, were poor and galled under the evils which their divisions created. How was it possible that any effectual efforts could be made by them for the annoyance of the Spanish possessions? After the fall of the Frankland government a different spirit prevailed for some time. In place of a disposition to encourage resentment against Spanish provocations, there grew up in some parts of the western territory a temper of conciliation toward them which, running in a contrary current, held the Spaniards up to view as those who might in time become the allies and protectors of the

western settlements. Five or six years afterward this current shifted; and, at the invitation of Genet, some of the people of Ohio, Kentucky, Tennessee, South Carolina, and Georgia were zealous in the plan for invading the Spanish territory. The government of the United States, with much difficulty, was able to suppress this mania. Had any of all these plans been put into execution, the consequences would have been ruinous to the people of the western country. The only wise course was that which the government pursued. It has equaled by its success the most sanguine expectations, and should serve as a lesson to all our citizens to wait in future difficulties with patience upon the operations of the government, which, though they may be taxed with tardiness, are yet conducted with a view to surrounding circumstances, and by one steady course of policy which perseverance seldom fails to render effectual.

Upon the return of the members of the Assembly from Tarborough in the early part of February, 1788, it was soon understood that North Carolina would not come into the views of those who favored the establishment of the Frankland government, and a storm was blown up. A *feri facias* had been issued in the latter part of the year 1787, and had been placed in the hands of the sheriff to be executed against the estate of Gov. Sevier in the early part of 1788. The sheriff, acting under the authority of North Carolina, by virtue thereof, seized all or the greater part of Gov. Sevier's negroes to satisfy it, and removed them for safe-keeping from his farm on the Nolichucky River to the house of Col. Tipton. Sevier was at this time on the frontier of Greene County devising means for defending the inhabitants against the incursion of the Indians, whose conduct of late had given room for the apprehension of a formal renewal of hostilities. Having heard of the seizure of his negroes by virtue of an unlawful precept, as he deemed it, and by an officer not legally constituted, he resolved immediately to suppress all opposition to the new government of Frankland, and to punish the actors for their audacity. He raised one hundred and fifty men, principally in Greene County, but partly in Sevier and what is now called Blount, and marched directly to Tipton's house, near to which he arrived in the afternoon. Not more than fifteen men of Tipton's party were then with him. Sevier halted his troops two or three hundred yards from the house, on

a sunken piece of ground, where they were covered from annoyance by those in the house. Sevier was also incited to action by another incident. Tipton, it was said, in order to get possession of his person, had collected a party of his adherents some time before, and had sent them off with orders to make Sevier a prisoner. The latter happened to be on the frontier, and Tipton's emissaries missed their aim. When Sevier came home and was informed of this attempt, he burned with indignation at the ingratitude of it, and at the unrelenting temper which he considered to have prompted it. Hence he received an additional motive to action, and resolved in turn to look for the Saul who searched for him in all the dens and hiding-places of the country. Tipton had gained some intimation of Sevier's designs, and had but just time to call for the aid of fifteen of his friends, who were with him at the time of Sevier's arrival. With them he kept possession of his house, and barricaded it against the expected assault as well as he could; and, with undismayed steadiness, waited the arrival of the Governor. The house of Col. Tipton was on Sinking Creek of the Watauga River, eight or ten miles east of Jonesborough. The Governor was not dilatory in making his appearance. He presented himself and his troops, with a small piece of ordnance, and took post in front of the house. He demanded the unconditional surrender of Tipton and of all who were with him in the house. Tipton, with the earnest language which he sometimes employed on emergent occasions, sent word to him to "fire and be damned." He sent to Tipton a written summons. This, with a letter calling for assistance, Tipton immediately sent to Col. Maxwell, of Sullivan, who was commandant of militia in that county, and a Representative of the county in the General Assembly of North Carolina. For some time Tipton would not permit any communication with Sevier. Early the next day, however, he consented that Robert Love, Esq., one of the fifteen who had come to his assistance, might correspond with him. Mr. Love wrote to him through the medium of his own flag, and directed his letter to Col. Sevier. In reply, it was said that Col. Sevier was not in camp, alluding to Valentine Sevier, a brother of the Governor, who bore the title of colonel. Mr. Love answered them, and strongly recommended to the troops to withdraw and disband themselves, which he said would enable those who supported

the government of North Carolina to countermand the orders for levying troops in Sullivan County and other places. The reply made to this recommendation was that Gov. Sevier could countermand the orders for their march. Here the correspondence ended. A few of the most influential persons then with Tipton were sent out to collect re-enforcements from the neighborhood, and from the settlements above. Two or three were also sent to Sullivan County for the same purpose. On the next day a few men joined Tipton; and in the course of the day a woman coming to the house on some occasion, in company with another woman, was shot in the shoulder. Some of Sevier's troops occupied an eminence of limestone rocks within shooting distance of the house, and from that quarter the woman was wounded. On the next night Mr. Robert Love went out with one man for the purpose of getting aid from the quarter of the country where he resided. On his way home he met his brother, Thomas (now Gen. Love), with ten or twelve men going to join Tipton, whom he informed of the guard at the eminence of rocks, which lay near the road that led to the house. Mr. Thomas Love, before it was light, approached to the rocks on a prancing horse, himself hemming and coughing. Not being hailed, he went to the rocks at which the guard had been stationed, and found that the whole guard was absent. The weather being excessively cold, they had retired to the main body to warm themselves by their fires. Mr. Thomas Love returned to his companions, and informed them of the absence of the guard from their post, whereupon, raising a whoop, they went in full gallop to Tipton's house, and by their junction with the besieged infused fresh vigor into their resolutions.

Elholm, second in command to the Governor, in order to make short work and to escape from the danger of delay, proposed the erection of a light, movable battery, under the cover of which the troops might safely advance to the walls of the house. In the meantime, those coming in and going out of the house of Tipton were fired upon, and one whose name was Webb was killed; another, whose name was Vaun, was wounded in the arm. Maxwell with all possible expedition raised one hundred and eighty men, and, marching with them, he had halted at Dungan's Mill, and had staid there in the forepart of the night, till he could have just time to reach the camp of Sevier by morning. While

they were lying there Sevier's scouts came within a mile of them, and, not discovering any advancing enemy, returned to their main body. The night was cloudy and dark, and on the morning of the 3d of February, just after day-break, which was the time of the attack made by Sevier, the snow poured down as fast as it could fall from the clouds. Sevier had placed in the road leading from Sullivan County by the place of his encampment sentinels to watch the approach of the re-enforcements to Tipton which were expected from Sullivan. The cold weather was so extreme that it had forced them into camp to warm themselves for a few minutes. Maxwell and Pemberton advanced cautiously, with their men well formed in a line, within gunshot of Sevier's camp, having passed the spot where the sentinels were stationed unobserved. Here they awaited the approach of day-light. As soon as objects had become visible, the snow falling and Sevier's men advancing to the attack of the house, the troops under Maxwell fired a volley and raised a shout which seemed to reach the heavens, and communicated to Tipton and his men in the house that deliverance was at hand. From the house they re-echoed the shout, and instantly sallied out upon the besiegers. In the midst of these loud rejoicings a tremor seized the dismayed troops of Sevier, and they fled in all directions through every avenue that promised escape from the victors. Tipton and Maxwell did not follow them more than two hundred yards. Within one hour afterward Sevier sent in Robert Young with a flag, proposing terms of accommodation. They left in their flight, to be taken by the victors, the small piece of ordnance which Sevier had caused to be planted upon a battery. Pugh, the high sheriff of Washington County, was mortally wounded. Divers persons were made prisoners who belonged to Sevier's corps, and among them two sons of Sevier—James and John. Tipton forthwith determined to hang both of them. Apprised of the rash step which he intended to take, the young men sent for Mr. Thomas Love and others of Tipton's party, with whom they had a good understanding, and solicited their intercession with Tipton. These persons went directly to him, and represented in strong terms the rashness, illegality, and impolicy of the intended execution. They urged their arguments so effectually that with tears flowing down his cheeks at the mention of his own sons, supposing them to be in the possession of Sevier,

about to be executed by him for offenses imputed to the father, he pronounced himself too womanish for any manly office, and desisted from his purpose. Shortly afterward he restored them to their liberty and they returned home, Mr. Robert Love becoming surety for their appearance when called for, and for their future good behavior. Had the father been a prisoner, it was believed that no entreaty from any quarter could have saved him from destruction. With this battle the government of Frankland came to an end. Ever since the latter part of the year 1785 it had experienced those shocks which a disputed legitimacy of power never fails to beget. A sudden calm took place, and the remains of the late disorders became in a short time forgotten and imperceptible. Sevier withdrew from the pursuit of those who sought for him into the frontiers, and there opened a campaign against the Indians, in the midst of a people who adhered to him with devoted affection, and where he was inaccessible.

In May, 1788, courts were held at Greeneville without interruption under the authority of North Carolina, at which were admitted as attorneys, who were licensed by North Carolina, Judges Andrew Jackson, John McNairy, David Allison, Archibald Roane, and Joseph Hamilton.

The Cherokees began in the first months of the year 1788 to burn with a desire for war. It seemed, indeed, as if nothing could insure peace but their total extinction. The knowledge of their hostile designs was made public by their massacre of Kirk's family. In the month of May, 1788, Kirk lived with his family on the south-west side of Little River, twelve miles south of Knoxville. While he was absent from home an Indian by the name of Slim Tom, known to the family, came to them and requested to be supplied with provisions, which they gave him. He withdrew, having seen who were there and the situation they were in with regard to defense. He soon afterward returned from the woods with a party of Indians, fell upon the family, massacred the whole of them—eleven in number—and left them dead in the yard. Not long afterward, Kirk, coming home, saw his dead family lying on the ground. He gave the alarm to the neighborhood, and the militia assembled under the command of Col. Sevier to the number of several hundred. They met at Hunter's Station, on Nine Mile Creek, which runs into the

Holston on the south side. Thence they marched under command of Col. Sevier to the Hiwassee River, and early in the morning came upon a town which had been burned in 1779. The Indians who were in it fled and took to the river. Many were killed in the town, some were made prisoners, and many were fired upon and killed in the river. They burned the town, and returned to Hunter's Station. On the next day they went up the Tennessee to the towns on that river, killed several Indians, burned the towns, and returned to the station. Tallassee, on the upper part of the Tennessee, was one of these towns. The Indians fled from their different towns into the mountains, but were pursued by the troops and many of them killed. Abraham, a friendly Indian, with his son, who lived on the north side of the Tennessee, had declared publicly that if the Indians went to war he would remain at his own house, and would never quit it. When the troops came to the south side, Hubbard sent for Abraham and his son to come over the river to the troops. They came accordingly. He directed them to return, and bring with them "The Tassel" and another Indian, that he might hold a talk with them. They also held up a flag, inviting those Indians to come to them. They did so, and were put into a house. Sevier was absent for some time on the business of his command. During his absence those who were left behind permitted young Kirk, the son of him whose family was killed, to go with a tomahawk into the house where the Indians were inclosed, Hubbard being with him. There Kirk stuck his tomahawk into the head of one of them, who fell dead at his feet, the white people on the outside of the house looking in upon them. The other Indians, five or six in number, seeing this, immediately understood the fate intended for them. Each man cast his countenance and eyes to the ground, and one after the other received from the hands of Kirk upon the upper part of the head the fatal stroke of the tomahawk, and were all killed. Sevier, returning, saw the tragical effects of this rash act, and, on remonstrating against it, was answered by Kirk, who was supported by some of the troops, that if he had suffered from the murderous hands of the Indians as he (Kirk) had, that he (Sevier) would have acted in the same way. Sevier, unable to punish him, was obliged to overlook the flagitious deed and acquiesce in the reply.

It is much to be regretted that history, in the pursuit of truth, is obliged to record, to the shame and confusion of ourselves, a deed of such superlative atrocity, perfidy, cowardice, and inhumanity. Surely something is due to wounded feelings, and some allowance is to be made for the conduct of men acting under the smart of great and recent suffering. But never should it be forgotten by an American soldier that his honor must be unspotted; that a noble generosity must be the regulator of his actions; that inviolable fidelity in all that is promised an enemy is a duty of sacred obligation; and that a beneficent and delicate behavior to his captive is the brightest ornament of his character.

Suspicion, ever alive toward the conduct of military commanders, attributed to Col. Sevier a voluntary absence, while many of those who were present acquitted him of all presentiment of the horrid act. Col. Sevier never acted with cruelty, before or since. He often commanded, but he was never accused of inhumanity; and he could not have given his consent on this occasion. Considering existing circumstances, he could not have maintained as much authority then as at other times. He was routed, proscribed, and driven from his home; he took shelter among the frontier inhabitants, who now composed his little army; he relied upon them for safety. They consulted only the exasperated feelings of the moment, and had never been instructed in the rules of refined warfare.

Capt. Gillespie, on arriving at the river, had also gone off with his company in search of the enemy, by order of the commanding officer. He went up the river on the south side, and crossed to where the Indians were on the north. He pursued them several miles, and took some pack-horses. On his return the Indians were everywhere in motion. He recrossed the river to the south side at the place where he had just before crossed. As he ascended the bank on the south side he saw an Indian named Alexander Mayberry, and hailed him. He stopped and gave up his gun, and surrendered himself a prisoner. Capt. Gillespie then went toward the army which he had left, and as he proceeded was met by a company of soldiers who insisted upon killing his prisoner. Capt. Gillespie told them that he had taken the Indian a prisoner, and that he should not be killed while in his possession. They still persisting, and manifesting a deter-

mined purpose to put the prisoner to death, Gillespie dismounted from his horse, and, placing himself between them and the Indian, cocked his gun, and gave them the most positive assurances that he would instantly pour the contents of it into the heart of that man who dared to fire upon the Indian. The resolute air of his countenance convinced them that he intended what he said, and they desisted and went off. He led his prisoner into camp and delivered him to Col. Sevier, who removed him to Hunter's Station, whence he was sent home in safety.

The massacre of Kirk's family was followed in quick succession by that of many others. A man by the name of English was killed near Bean's Station, and James Kirkpatrick between Bean's Station and Holston. Some were killed in the neighborhood of Bull run, and others at places north of Knoxville, and many others on the roads to West Tennessee and Kentucky. The people were compelled to live in forts. They built Houston's Station, sixteen miles south of Knoxville, not far from the place where Maryville now stands. Gen. Martin sent a party to protect the inhabitants of the station under the command of Maj. Thomas Stewart, which went to the station and garrisoned it.

Capt. John Fayne, with some enlisted men who composed a part of the guard under the command of Capt. Stewart, and some of the settlers who turned out with them, were sent out as scouts to reconnoiter the adjacent country. They crossed the Tennessee River and entered into an apple-orchard where carelessly they began to gather the fruit. The Indians were lying in wait, and had suffered them to march into the orchard without molestation. Whilst in the act of gathering fruit the Indians surrounded them, drove them into the river, killed sixteen of the whites dead on the ground, took one prisoner, and wounded four, who with difficulty effected their escape. The scene of this tragedy was at a town called Sitico. Capt. Evans raised thirty men, who with himself lived a considerable distance from the place, and was at it in the evening of the third day. That night, being on the north bank of the Tennessee, they buried the dead whom they found on that side of the river, marched back about one mile, and encamped for the night on high ground. Maj. Thomas Stewart came in also with the enlisted men of the station. These were under his command, but the volunteer company

was exclusively under that of Capt. Evans. Next morning they crossed the river at the upper end of Chota, and thence to Sitico, where the massacre took place. There they found one white man lying on his back, with his belly ripped open; four men lying on a sand bar with their bellies also ripped up and their bowels floating on the water. The head of one man was cut off, and his heart and bowels were torn out and strewed about on the ground. After burying the dead, they returned home.

Such of the company in the orchard as survived the massacre had fled toward Knoxville. These the Indians had pursued to within five miles of that place, and in the pursuit killed a great part of them. They then determined to attack Houston's Station, and with that view marched to it, but were beaten off by the garrison. Col. Sevier was at this time within twenty-five miles of the mouth of the Holston, and was marching diligently to the defense of Houston's Station, which he had been informed the Indians had intended to reduce, but he had not yet heard of the attack which they had actually made upon it. He unexpectedly met one hundred of the retreating Indians, fired upon them, compelled them to give way, and continued his march to the station; thence he immediately went home, and without delay convened Capt. John Craig and his company, and one or two other companies, and at the special request of Col. Sevier he was joined also by Capt. Evans and his company, who was requested to do so by an express sent for the purpose. Capt. Evans took post in the rear of the front guard. As the army passed through Sitico, Evans seeing an old Indian slip into a house between daylight and sunrise, took with him John Ish and rode up to the house, in which he saw sitting an old man, and upon dismounting and going into the house, saw in it two young Indian fellows, both of whom he and Ish killed, and rejoined the army. It marched constantly, and arrived at Chilhowee. At this place they found Indians, had a skirmish with them, killing thirteen dead on the ground. The whites receiving no damage on their side, they all returned home safely. A few weeks after this Evans raised a volunteer company, and other captains also raised companies to make an expedition into the Indian Nation. At their solicitation Col. Sevier took the command of them. They crossed the Tennessee River and went

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through Big Tellico Town; thence crossing the Unaca Mountain, they entered the valley towns. Whilst the army marched on, Capt. Hubbard took ten men with him, and following a small path they came to a house where were seven or eight Indians, who ran out of the house, when the whites killed five of them, took one small prisoner, and returned to the army. When the army halted at noon, Capt. Evans discovered an Indian coming down the ridge. He mounted his horse, and taking two or three men with him, rode toward the Indian. He fired upon Evans and his men, the ball passing through the hunting-shirt of one of them, and then ran to the foot of the hill, and, charging his gun, gave them a second fire. One of the white men fired at him and shot off his fore-finger. The Indian again charged his piece, but when he attempted to prime, the blood ran so fast into the pan of the firelock that he could not effect it. The whites rode up to him and shot him down. Marching four miles farther, they encamped in hearing of the crowing of a cock, from a town that was six miles long, but perceiving that the enemy had left it at the approach of the army, Sevier, with the army, in the morning took a different route, which led them to the upper end of another town, where the corn was in the silk. The whole of this the army cut down before them. The Indians kept up a constant fire, but the distance was too great to do it with any effect. After encamping here all night, Evans, with ten men, was sent to reconnoiter the confines of the camp. On the top of a ridge he discovered the signs of Indians; a large body of them had been there, and had thrown off their old moccasins and put on new ones. He immediately gave intelligence of this to the colonel, and was ordered by him to keep the ridge till the main body should be ready to march. About one hundred Indians had turned back, and others went on to form an ambuscade in a narrow passage. The army followed upon their trail till it came in view of the place where it was thought they lay concealed. The passage which the army had to go through was one where the path was on the bank of the river under a large cliff of rocks for one-quarter of a mile, which did not admit of more than one man abreast, followed by others in Indian file. They had placed two hundred men on the south side of the river ready to receive the whites had they attempted to cross; one hundred in the front,

one hundred in the rear, and three hundred amongst the rocks and cliffs. Of the whites the number was not more than one hundred and forty. The danger of marching through this passage was judiciously considered by Col. Sevier as too great to be encountered for the advantage to be attained, and he marched for the foot of the mountain, where he crossed as he went out. The army drove before it three head of neat cattle, and proceeded with so much haste that one of the cattle tired out and would go no farther. At the foot of the mountain they killed their cattle, and in fifteen minutes had the whole of their beef cut up and put into their knapsacks and had begun their march up the mountain. Capt Evans marched in the rear, and having passed the summit of the mountain and proceeded about two hundred yards down the other side of it, one of his men said that he had left his knife just before he crossed the top of the mountain, and he ran back for it. When he got to the mountain-top he heard the Indians ascending on the side of the mountain up which the whites had just before come. Intelligence of their vicinity was immediately given to the colonel. It was now between sunset and dark, and the army, before it could encamp safely, was obliged to travel ten miles to Big Tellico, where, on the plains, it encamped. Five hundred Indians followed until they came in view of the camp, and there, their courage failing, they retired. The next day the troops crossed Tennessee and returned home.

In the spring of the year 1788, while Gov. Sevier was on the frontier keeping the Indians in check, Spencer, one of the principal judges of North Carolina, joined the assistant judge, and held a Superior Court under the authority of North Carolina, at Jonesborough. Among other things, he issued a bench warrant against Sevier for the crime of high treason. He still continued, however, to be addressed as the Governor of Frankland. Mr. Gardoqui, the Spanish minister, on the 18th of April, 1788, wrote to him, at the request of a gentleman of the North Carolina delegation, who wished that the minds of the good people of the frontiers of that State might be made easy with respect to the apprehension entertained by some lest the depredations of the savages should be encouraged by Spain. He assured the Governor that it was a malicious report, and that his Majesty, the King of Spain, was very graciously disposed to give the in-

habitants of that country every protection they should ask. "And for my part," said he, "it will give me the highest pleasure to contribute to your satisfaction on this or future occasions. Any thing, therefore, in my power shall be done to check the savages on your frontier, and I shall take care to write to the Governor of his Majesty's dominions in that quarter, according to the request of Mr. White."

The Indians persevered during the whole of this year in doing to the frontier inhabitants all the mischief they could. Gen. Joseph Martin was under the necessity of raising troops for the protection of the inhabitants. He had succeeded Gen. Evan Shelby, resigned, who had been appointed on the non-acceptance of Sevier, in 1784. He collected soldiers from all the four western counties, and some were sent to his assistance from Virginia. They rendezvoused at the place now called Knoxville, and there crossed the Holston. Thence they marched to the Little Tennessee; thence to the Hiwassee; and thence down the river to the vicinity of Lookout Mountain, to a Chicamauga town, and burned every house there. One hundred men were dispatched across the mountain to another town on the west side of it. They were met by the Indians, who fired upon them, and they retreated. They were upon the mountain at sunset. The Indians fired upon them from an ambuscade. Early next morning the spies were sent out, who took the mountain, and the Indians fired upon them from the same place. The army was then ordered to march up the mountain. After advancing some distance, the Indians poured in upon them a thick fire from every tree and rock near them. Three of Martin's captains were killed, and several of the Indians. They retired, and a guard of thirty or forty men was placed upon the top of the mountain until the army could return to the camp and get the baggage they had left there. The guard was to keep possession until the main body should return and cross the mountain, and go to the town they intended to burn; but the men refusing to go on the mountain, and Gen. Martin being unable to coerce them, he was obliged to abandon the enterprise, and ordered the guard into camp. The whole army then crossed the Hiwassee and Little Tennessee, and returned home. In the evening, after the battle, having made litters for carrying the wounded, and having buried the dead, they took up the line of march for the settlements,

being one hundred miles within the Indian country, not more than four hundred and fifty strong, most of whom were in a mutinous state, and having the wounded to take care of. The Indians followed their trail, and at night fired upon them and stole their horses. Shortly after the return of the troops to their homes, the Indians came in a body of not less than two or three hundred men, and on the 10th of September took Gillespie Station or Fort, near the Little River, within eight or ten miles of Knoxville. Sevier immediately followed them into their towns, and brought as many of their women and children, who were exchanged for the former.

Sevier, ever since his defeat at Tipton's, had been in the constant performance of the most brilliant actions of great utility to his countrymen. He was among the frontier people, who adored him. He had by nature a talent for acquiring popular favor. It was natural for him to travel in the paths which led to it. To him it was no secret that in a republican government, where the democratic principle is a main ingredient in its composition, the love of the people is substantial power. He had a friendly demeanor, a pleasing address, and, to crown all, he was a soldier. With such qualities he could not fail to catch the prepossessions of the people, to attach them to his interests, and to mold them to the furtherance of his designs. The beloved man of the populace is always distinguished by a nickname: Noliehucky Jack was the one which they gave him. Whenever at future elections that name was pronounced, it had the effect of electrical power in prostrating the pretensions of every opposing candidate. Sevier was generous, liberal, and hospitable. The people of North Carolina valued his good qualities, and had no disposition to dwell upon his late errors with any malevolence. As the government of North Carolina was now submitted to universally, they wished not to inflict punishment upon any for the parts they had taken in the late troubles. As he easily forgave in others the offenses they committed against him, he had not any suspicion that he was not as readily forgiven. He was elevated by his merits in the public esteem; he knew not what it was to repine at the prosperity of others. But he had not learned that he who is rendered eminent by his services is the last to be pardoned for his faults; and that a repetition of meritorious actions, like oil thrown upon fire, so far from

extinguishing, actually aggravates the angry passions which are roused against him.

At the close of Martin's campaign, and in the month of October, in the year 1788, not long before the intended meeting of the Assembly of North Carolina, in November of that year, Sevier returned home, and appeared openly at all public places. About this time Gen. Martin called a council of field officers at Jonesborough, to take into consideration the situation of the frontiers, and to consult about the most effectual means of affording to them better protection than they heretofore had. Col. Robert Love was present at the council; so was Col. Tipton. The Board rose, the members dispersed, and Tipton went home. Col. Love, the general, and Maj. King still remained at Jonesborough. The general was preparing to send Maj. King to the frontiers on the Tugulo, to open a correspondence with the Indians on the subject of peace. It was agreed upon among them that the general and Maj. King should go home with Col. Love, who lived on the road that led across the mountains to the Tugulo. While the latter were at Jonesborough, Gov. Sevier came riding into town with ten or twelve men. There he drank freely, and in a short time a controversy arose between him and Maj. Craig, who at that time lived where Maryville now stands, respecting the killing of those friendly Indians in the spring of the year, which occasioned the war with them that then existed. Craig censured Sevier for not preventing the murder, Craig having been present when it happened, and under the command of Sevier. Those who were present interposed, and brought them to friendly terms. The general, Maj. King, and Col. Love left them, and set off for Col. Love's house, fourteen miles distant. Not being able to go that far, Gen. Martin and King stopped at a house near Col. Robinson's. After they left Jonesborough, another quarrel arose between Sevier and Caldwell, the former advancing with a pistol in his hand, and Caldwell with a rock. The pistol accidentally fired, and shot one of Sevier's men in the abdomen, who was of the name of Cotton. Shortly after this Sevier left Jonesborough, and came by a place near Col. Robinson's, where Col. Love had taken up and stopped at Robinson's still-house, where they all drank freely and after some time separated. After Sevier left Jonesborough, Caldwell, with whom he had quarreled, went to Tipton, and in going and

returning collected eight or ten men, with whom he went in pursuit of Sevier. Arriving at the house where Col. Love lodged, he went with them to Col. Robinson's, where Gen. Martin and Maj. King were. Tipton there had a close search made for Sevier, supposing that, as there was a good understanding between Robinson and him, the latter might be there. The pursuers then went to the widow Brown's, where Sevier was. * Tipton and the party with him rushed forward to the door of common entrance. It was about sunrise. Mrs. Brown had just risen. Seeing a party with arms at that early hour, well acquainted with Col. Tipton, probably rightly apprehending the cause of this visit, she sat herself down in the front door to prevent their getting into the house, which caused a considerable bustle between her and Col. Tipton. Sevier had slept near one end of the house, and on hearing the noise sprung from his bed and, looking through a hole in the doorside, saw Col. Love, upon which he opened the door and held out his hand, saying to Col. Love: "I surrender to you." He was in his undress, and Col. Love led him to the place where Tipton and Mrs. Brown were contending about a passage into the house. Tipton, on seeing Sevier, was greatly enraged, and swore that he would hang him. Tipton held a pistol in his hand, sometimes swearing that he would shoot him, and Sevier was really afraid that he would put his threat into execution. Tipton at last became calm, and ordered Sevier to get his horse, for that he would carry him to Jonesborough. Sevier pressed Col. Love to go with him to Jonesborough, which the latter consented to do. On the way he requested Col. Love to use his influence that he might be imprisoned in Jonesborough, and that he might not be sent over the mountains into North Carolina. Col. Love remonstrated to him against an imprisonment in Jonesborough; "for," said he, "Tipton will place a strong guard around you there; your friends will attempt a rescue, and bloodshed will be the result." Sevier urged that he would persuade his friends to peaceable measures, and expressed great reluctance at the idea of being taken from his family and friends. As soon as they arrived at Jonesborough, Tipton ordered iron handcuffs to be put on him, which was accordingly done. He then carried the Governor by the residence of Col. Love and that of the widow Pugh, whence he went home, leaving Sevier in custody of the deputy sheriff and two other men,

with orders to carry him to Morganton, and lower down if he thought it necessary. Col. Love traveled with him till late in the evening, and was requested by the Governor to send down to his wife and let her know of his situation, with a request to her to send clothes to him and some money. Next morning James Love, the brother of the colonel, was dispatched with this message to Mrs. Sevier. She transmitted to her husband the necessaries he wanted. A few days afterward James and John Sevier, sons of the Governor, together with Mr. Cosby, Maj. Evans, and some few others, were seen by Col. Love following the way the guard had gone. Before Col. Love had left the guard, they had at his request taken off the irons of their prisoner. The next morning he attempted to make his escape, but the guard overtook him; and one of them, George French, shot at him with a pistol, as the horses were running, before they stopped him. The friends of Sevier say that French had it in charge to kill him, and intended to execute his commission; and that on the Iron Mountain, on their way to North Carolina, Golley, another of the guard, informed Sevier of the order and intention of French, upon which he endeavored to make his escape. That in his flight he became entangled in trees and brush thrown down by a hurricane, and could proceed no farther; when French came up and fired a pistol at his face, which fortunately did him no harm, except burning him with the powder. The bullet had slipped out of the pistol unknown to French. The guard proceeded with him to Morganton, where they delivered him to William Morrison, the then high sheriff of Burke County. As the guard passed through the settlement of the McDowells, in Burke County, Gen. McDowell and Gen. Joseph McDowell, the latter of whom had been in service with him and fought by his side in several perilous battles, and the former of whom had a few years since fled from the enemy in his own neighborhood and taken shelter under the roof of Sevier, both followed him immediately to Morganton, and there became his securities for a few days, until he could go down and see a brother-in-law who lived in that county. Agreeably to his promise, he returned punctually. The sheriff then, upon his own responsibility, let him have a few days more to visit his friends and acquaintances. By this time his two sons, with Cosby, Evans, and others, came into Morganton without any knowledge of the people there, who

they were or what their business was. On striking the settlements on the east side of the mountains they had separated, and had come into town singly. Court was at that time sitting in Morganton, and they were with the people generally without suspicion. At night, when the court broke up and the people dispersed, they, with the Governor, pushed forward toward the mountains with the greatest rapidity, and before morning arrived at them, and were beyond the reach of any who might think proper to pursue them.

In July of this year the convention of North Carolina met at Hillsborough, under a resolution of the Assembly at Tarborough, to accept or reject the proposed Federal Constitution. They rejected until certain amendments could be obtained. All the Western or ultramontane counties were represented in the convention. The elections were made in the spring, and at that time the remains of the government of Frankland were no longer visible.

After the Assembly of North Carolina, in the year 1783, had designated the boundaries of the Indian hunting-grounds, making the Tennessee, French Broad, and Big Pigeon Rivers a part of these boundaries, a great number of persons at different times prior to the year 1789, and between the commencement of that year and the year 1783, during the time of the disturbances between North Carolina and the government of Frankland, had settled themselves upon the territory south of the Tennessee and Holston and west of the French Broad and Big Pigeon Rivers, which was undeniably and confessedly a part of the Cherokee lands assigned by the act of 1783. In the time of the Frankland government they were included in the county of Sevier, but when that government became dissolved the people found themselves considered as trespassers and violators of the law of North Carolina, without government, without judicial tribunals, and without officers, civil or military, to protect them from injury. Sensible of the deplorable evils to which they were exposed by this state of things, they endeavored to remedy it as well as they could by private associations. Written articles were framed and circulated for the adoption of the people in that part of the country, in which they styled themselves the inhabitants south of the French Broad, Holston, and Big Tennessee. The articles stated that "by means of the divisions and anarchy that have of

late prevailed within the chartered limits of North Carolina west of the Appalachian Mountains, being at present destitute of regular government and laws, and being fully sensible that the blessings of nature can only be obtained and rights secured by regular society, and North Carolina not having extended her government to this quarter, it is rendered absolutely necessary for the preservation of peace and good order, and the security of life, liberty, and property to individuals, to enter into the following social compact as a temporary expedient against greater evils:

“Article the first. That the Constitution and Laws of North Carolina shall be adopted, and that every person within the bounds above mentioned shall be subject to the penalties inflicted by those laws for the violation thereof.

“Article the second. That the officers appointed under the authority of Frankland, either civil or military, and who have taken the oaths of office, shall continue to exercise the duties of such offices, as far as directed and empowered by these Articles and no further, and shall be accountable to the people or their deputies for their conduct in office.

“Article the third. That militia companies as now bounded shall be considered as districts of the above territory, and each district or militia company shall choose two members to represent them in a general committee, who shall have power to choose their own president and clerk, to meet on their own adjournments, and the President shall have power to convene the committee at any time when the exigences of affairs require their meeting, and shall have power to keep order and to cause rules of decorum to be observed, in as full a manner as the President of any other convention whatever. And in all cases of maladministration or neglect of duty in any officer, the party grieved shall appeal to the committee or a majority of them, who shall be competent to form a board for business. And upon such application the committee shall cause the parties to come before them, and after examining carefully into the nature of the offense shall have power to relieve of office, or publicly reprimand the offender as the demerit of the crime may deserve, or otherwise to acquit the party accused if found not guilty.

“Article the fourth. Where vacancies happen in the military department, the same shall be filled up by election as heretofore used, and the officers thus elected shall be the reputed officers

of such regiment or company, as the case may be, and shall be accountable to the committee for their conduct as other officers.

“Article the fifth. Civil officers shall have power to take cognizance of breaches of the peace or criminal offenses, and where any person is convicted of an offense not capital, the officer before whom such offender is convicted shall immediately inflict the punishment directed by law for such offense. But where the crime is capital the officer shall send such criminal, together with the evidences for or against him or them, to the highest justice of the peace for North Carolina, there to be dealt with according to law, but no civil officer shall decide upon cases of debt, slander, or the right of property.

“Article the sixth. Militia officers shall have power to collect their regiments or representative companies, emergencies making it necessary, and in case of invasion by the common enemy, shall call out their companies regularly by divisions, and each militia-man shall give obedience to the commands of his officers as is required by law, or otherwise be subject to the penalties affixed by law for such neglect or refusal at the judgment of a court-martial.

“Article the seventh. And whereas it is not improbable that many horse-thieves and fugitives from justice may come from different parts, expecting an asylum amongst us as we are destitute of a regular government and laws by which they may be punished, each and every one of us do oblige ourselves to aid and assist the officers of the different State or States, or of the United States, or any description of men sent by them, to apprehend such horse-thief or fugitive from justice. And if any of the above characters should now be lurking amongst us, or shall hereafter be discovered to have taken refuge in this quarter, we do severally bind ourselves by the sacred ties of honor to give information to that State or government from which they have fled, so that they may be apprehended and brought to justice.

“Article the eighth. United application shall be made to the next session of the Assembly of North Carolina to receive us into their protection, and to bestow upon us the blessings of government.

“Article the ninth. The captains of the respective militia companies shall each of them procure a copy of these articles,

and after calling the company together for the purpose, shall read them or cause them to be read distinctly to said company, and each militia-man or householder after hearing them read, if he approve of them, shall subscribe his name to the articles as a proof of his willingness to subject himself to them, and said articles shall be the temporary form of government until we are received into the protection of North Carolina, and no longer."

The application to be formed into a county was not yielded to by the Legislature of North Carolina, and these people were suffered to remain in the situation in which they had so indiscreetly placed themselves till long afterward.

The real character of the times cannot be represented more to the life than by exhibiting in the expressions which the people themselves used, the prominent evils they recapitulated and endeavored to provide against at the very moment when they were suffering under them.

The Assembly of North Carolina met at Fayetteville in this year (1788) on the 3d of November, and continued their session to the 6th of December. In this session they added a part of the county of Washington to Sullivan—namely, all that part of Washington County included in the following bounds: Beginning at the head of Indian Creek, where the line divides Washington and Sullivan Counties; thence in a straight line south of David Hughes's; thence in a straight line south of Francis Hodge's to the Watauga River; thence down the meanders of said river to its junction with the Holston River; thence up the line which divides Washington and Sullivan Counties to the first station. They authorized the commanding officers of the four western counties to fix on a proper place on the northern side of the Tennessee River for establishing a station for the protection of the frontiers, and to insure safety to travelers on the new road to the Cumberland settlements. The guard was to consist of one captain, one lieutenant, one ensign, and thirty-three non-commissioned officers and privates to be kept at the station for one year, the men to be raised from the respective counties by voluntary enlistment or an equal indiscriminate draft; the guard to be subject to the regulations established by the militia law, and to have the same pay and rations. The commanding officers of the counties were empowered and required to appoint some one person commissary and paymaster to

the guard, in whose favor the Governor was to issue warrants for the pay and rations of the guard on the public Treasurer, payable out of the funds arising from the taxes of the said four counties and out of no other fund whatever. A restriction which at this time, and for some years past, occupied the greater part if not all the appropriations for the western people. They likewise at this session extended the act of oblivion to all persons who desired to avail themselves of it, and pardoned all crimes of a similar nature committed since the passage of the act of the last Assembly in 1787. The persons who committed them were freely restored to all the privileges of citizens, provided that they within three months should take the oath of allegiance to the State of North Carolina before the judge of the Superior Court of the District of Washington; provided, further and expressly, that the pardon then given should not extend to crimes, offenses, or misconduct which might be done subsequently to the passing of this act. And they further provided that the benefit of this act should not entitle John Sevier to the enjoyment of any office of profit, of honor, or trust in the State of North Carolina, but that he be expressly debarred therefrom. The Assembly again ordered the election and meeting of another convention to deliberate on the propriety of adopting the proposed Federal Constitution. The public opinion upon this subject had undergone a great change since the sitting of the convention in July of this year. The time appointed for the meeting of the next convention was shortly precedent to that on which the Assembly was to sit. Between the rising of the Assembly in 1778 and the election of members to serve in the convention, the subject of adopting or not the proposed Federal Constitution underwent all the discussions of which it was susceptible, which appeared in the speeches of eminent men in their debates upon the same subjects in the conventions of other States. In newspaper publications, and in verbal discourses in all public meetings and private companies, explanations were given, the defects to be obviated were referred to, the effects to be attained shown, the evils to be avoided pointed out, the dangers impending were demonstrated, and the experience of successful operation upon the adopting States was appealed to. The people, ever willing to do right if they can but understand what it is, as they do whenever the noisy mosquitoes of the day are silenced,

began to see with their own eyes the necessity for political regeneration. Deputies to the convention and members for the Assembly were elected in the western counties as well as everywhere else; and on the 21st of November, 1789, at Fayetteville, the convention adopted and ratified the proposed Constitution.

The members of the convention who voted against the adoption of the Constitution at Hillsborough, in the year 1788, were Col. Tipton, John Stewart, Richard White, Joseph Tipton, and Robert Allen. Those who were members from the same county in 1789, and voted for its adoption, were Landon Carter, John Blair, and Robert Love.

Sevier, at the time of the annual election, in August, 1789, offered himself as a candidate to represent the county of Greene as a Senator in the next Assembly of North Carolina, and without difficulty was elected. At the appointed time, which was on the 2d of November, he went to Fayetteville to take his seat; and for his accommodation they, in a very early period of the session, repealed all and every part of the last providing clause in the act of oblivion of the last session which related to him by name. He took the oaths of qualification, which were required of every member, and the oath of allegiance to the State of North Carolina.

On his first arrival at Fayetteville Sevier waited eight or ten days before he attempted to take his seat, partly that his friends might discover what would be the consequence of attempting to take a seat, and partly to give time for the repeal of that part of the act of oblivion which excluded him by name from any office of honor, trust, or profit. After taking his seat matters remained quiet for some time, until Col. (afterward general and Governor) Davie proposed for adoption a resolution to inquire into the conduct of John Sevier, the then sitting Senator from Greene County. It was well understood how the proposal would be received, even before it was offered, and to show at once how far were the members of this Assembly from meditating any harsh proceedings against him. His friends were alarmed for a moment, but they soon found the favoritism which predominated on the side of their friend. The resolution, much to the satisfaction of the mover, was left on the table, and Sevier was reinstated in the command of brigadier-general for all the western counties.

Thus was brought to a final conclusion the government of Frankland, and all the consequences appendant to it. Under the present government the Legislature of the State both passed laws confirmatory of administrations granted by the courts held under the authority of the government of Frankland and laws for legalizing marriages celebrated under the authority of that government.

The Assembly of North Carolina, which sat at Fayetteville in November and part of December, 1789, passed a law for paying the militia officers and soldiers for their services in the expedition carried on against the Chiccamunga Indians by Brig.-Gen. Joseph Martin in the year 1788. The commanding officer was authorized to exhibit in the Comptroller's office paroles on oath for the service of said militia; and a roll with the names of the officers who served in the expedition, which the Comptroller was to examine and to make out, and issue certificates to each officer and soldier, which should be received by the sheriff of the District of Washington in payment of the public money tax due therein, and no other, until all such certificates be paid. And in order that the certificates might be got ready in time to pay the taxes with, they ordered the collectors of the public moneys for the District of Washington to delay the collection of the taxes due in that district for the term of three months, and repealed the law for fixing a garrison on the north side of the Tennessee River. They empowered the Comptroller also to liquidate the accounts of the commissary on this expedition, and to grant him certificates receivable as the other certificates were in payment of public dues.

Ever since the month of October, in the year 1784, when the Legislature of North Carolina repealed the cession act which had been passed in the spring of that year, the people of Washington, Sullivan, and Greene Counties were in a state of restlessness concerning their situation. They found themselves suddenly re-attached to a country in which a considerable portion of them could perceive no affection for themselves, nor any disposition to give them protection, nor otherwise actuated, as many believed, but by a desire to get from the sale of their lands more certificates of public debt, and the opinion was entertained that North Carolina could expose them to the tomahawk and scalping-knife without feeling in the least for their

sufferings, and without having the least inclination to prevent them. Past experience, in their judgment, had fully demonstrated the advantages which were to be expected from the renewal of their connections with North Carolina—they were to fight for themselves, protect their own possessions, and pay taxes, which, if not sufficient for the expenses incurred in defending themselves, were to be applied as far as they would go, and the surplus of expenses was to be left unsatisfied. Many instances of such treatment were supposed to lie scattered through the public annals of the country. The expenses of maintaining, protecting, and governing the settlements through various channels had greatly accumulated, and every law was carefully worded, so as to restrict the burdens of payment to the districts of Washington and Mero. The instances to the contrary were very few and inconsiderable. The expenses of maintaining the western members at the Assembly, and some others of small note, had inevitably fallen upon the State treasury. On the other hand, the members of the Atlantic Counties had the near prospect, as they supposed, of becoming subject to a still greater aggravation of burden, and this anticipation never failed to recall a desire for separation; indeed, it seemed as if at this moment there was a presentation to the Assembly of more western claims than had ever before come forward at one time. The Atlantic members labored to find ways and means, and still more to avoid making contributions from the counties east of the Alleghanies. At the same time they began to be tormented with the dreadful apprehension that the time would soon come when they must dive into the pockets of their immediate constituents for the payment of their growing expenses. The western members were charged in private circles with an industrious intimation of enormous expenses, which the present circumstances of the new settlement made indispensable. Whilst for some cause an outcry was made that the western settlements would soon cost more than even the possessions of them would retribute; and it began to be whispered that it was sound policy to follow the scriptural injunction of lopping off and casting away whatever member of the body proved to be offensive. To such and the like apothegms the members of the Legislature began to be familiarized either by the real or pretended accumulation of pressing burdens, which it was dreaded were about to

fall upon the interior counties. They had in the late revolt been furnished with the hint that for very small provocations as they deemed them the western counties would set up for independence, which it was not in their power to control. Operated upon by these and other motives, the Atlantic counties came to the conclusion to let them separate, stipulating for themselves, as the price of emancipation, such terms as were necessary and convenient for their own people. The Chicamauga claims, as they were termed, were no small stimulants to the cession act. The Chicamaugas had plundered and killed the inhabitants of Washington District till it became necessary to embody the militia and march in hostile array into their own country. The Assembly made the provision already mentioned for paying them. The comprehensiveness and the acumen of the terms they employed sufficiently point out the decisive spirit with which it was enacted, and the settled determination of the Assembly not to subject themselves to any more western debts. Complaints were made that long after the cession act an unfair use was made by the western people of the laws; and it must be acknowledged that if any attempts were made after 1790 to settle accounts and obtain certificates under the provisions of the Chicamauga act, it was an unexpected course of proceeding, adverse to the state of things which North Carolina supposed to exist after the acceptance of the cession act. But the western people may have thought it was not material by what means they could draw from a treasury replenished by the sales of lands which the unassisted valor of the western people had plucked from the hands of the savages, and which had also been rendered valuable by the settlements which the same valor had planted upon them. They may have judged that to get into such a treasury through an unguarded avenue which the proper owners had left open and forgotten might not, in a court of conscience, be a crime that is entirely unpardonable, especially if the court were created amongst the western people. The learned say that all consciences are not made in the same mold nor are of the same length, and it has been shrewdly suspected that upon this subject a North Carolinian and a Tennessee conscience would be found to differ materially. It was believed about this time that the western people and their members were not deficient in the advancement of all their just claims, and lost

no opportunity to present them whenever there was a hope of having them favorably passed on, and as their constituents were not opulent enough to make them neglect trifles, they claimed, it was thought, full measure for all their services and supplies, and omitted no claim from a motive of disinclination to swell the account. Either by accident or design the ungrateful creed was inculcated that more expeditions against the Chiccamaugas and other Indian tribes would soon become necessary. Upon its trail there followed the odious suggestion that whenever the western people wanted money they pretended that the Indians plundered and scalped their inhabitants; embodied the militia, and continued them in service till their pay amounted to the sums they wanted; that there were endless sources of expenditure which would never cease to furnish claims and complaints for the unwilling ears of the Atlantic members, who had nearly as much complacency about this time for the yell of the savage as the claims and complaints of the western representatives. These rumors did not fail of their effect. Each party ran with joy to the formation of articles which were to sever them forever asunder. They authorized and required their Senators in Congress to execute a deed or deeds conveying to the United States of America all right, title, and claim which North Carolina had to the sovereignty and territory of the lands situated within the chartered limits of North Carolina and west of the line which has already been described as the eastern boundary of the State of Tennessee. (See "Appendix," cession act.)

On the 25th of February, in the year of our Lord 1790, Samuel Johnston and Benjamin Hawkins, the Senators in Congress from North Carolina, executed a deed in the words of the cession act; and on the 2d of April, of the same year, the United States, in Congress assembled, by an act made for the special purpose, accepted the deed. The sovereignty of North Carolina over the ceded territory instantly expired. North Carolina was relieved from all her inquietudes, and the western people with joyful alacrity began to open for themselves the paths to prosperity and glory. The separation was not like that of a disconsolate mother parting from a beloved daughter, but rather like that where Abraham said unto Lot: "Separate thyself, I pray thee, from me: if thou wilt take the left hand, then I will go to the right; or if thou depart to the right hand, then I will go to the left."

CHAPTER VII.

Commissioners and Guards Lay Off the Bounds of the Military Lands—Nashville Established—Provisions Made by the Assembly for the Settlers in Cumberland—Spaniards Set Up Claims to the Counties North of Thirty-one Degrees of North Latitude—Treaty with the Creeks as within Their Limits—Articles of the Treaty—Col. Robertson's Conduct toward the Spaniards—Indian Incursions—Their Combat with Trammel and Mason—Aspre's Combat with Them—Persons Killed or Wounded by the Indians in 1783, 1784, and 1785—Provisions of the Assembly in 1785 for the Cumberland Settlements—Davidson Academy Established—Superior Court for the County of Davidson Established—Distillation of Grain in Cumberland Prohibited—Treaty of Hopewell—Inhabitants South of the French Broad and the Holston—The Southern States Dissatisfied with the Treaty—Creeks Persevered in Their Hostilities—Extension of the Settlements in the Cumberland—Persons Killed by the Indians—Whites Routed by the Indians on Defeated Creek—Men Raised by the Assembly for the Protection of Davidson—Road to Be Cut from the Lower End of Clinch Mountain into the Cumberland Settlements—Further Time for Surveys and Registration of Grants—Sumner County Erected in 1786—Settlements toward Red River Extended—Persons Killed or Wounded by the Indians in 1786 and 1787—Expeditions to Coldwater—Indians Surprised and Killed—French Traders and Their Goods Taken; the Town Burned—French Boats Taken Coming up the River—The Troops Returned to Nashville; Goods Sold, and the Proceeds Divided—A Company Went by Water, and Were Defeated at the Mouth of Duck River, and Turned Back—Col. Robertson Wrote to Illinois, Giving a Detailed Statement of This Expedition, and of the Causes Which Led to It—Creek Parties Came to the Cumberland Settlements and Fell upon the Inhabitants; Pursued and Routed; in Turn Attacked by the Indians, Who, after a Long Conflict, Retreated—Other Parties Came to the Cumberland Settlements and Killed the Inhabitants—Troops of Evans's Battalion Begin to Arrive in Small Detachments—Patrol Appointed by Col. Robertson, and Duties Prescribed—Indian Party Pursued by Capt. Rains; Not Overtaken—Fell upon the Trail of Indians Going to Nashville; Followed Them; Overtook and Dispersed Them—Sent Out Again Afterward; Fell upon a Trace; Overtook the Indians; Killed Some, and Made a Boy Prisoner—Sent Out Again; Found a Trace, Overtook the Indians; Killed Some, and Took a Prisoner—Other Parties Frequently Sent Out—The Soldiers of Evans's Battalion Placed at Different Stations—Persons Killed in 1787—Scouting Parties—Their Various Fortunes—Representation to the Assembly of the Distressed Situation of the Cumberland Settlements by the Members from Davidson and Sumner—Names of Persons Killed—Spaniards Blamed—Proceedings of the Assembly in Favor of the Cumberland Settlements—Road—Pass to the Indians—Ill Treatment of Indians Prohibited—Escort for Moving Families—Road Cut—Making of Salt Encouraged—Persons Killed or Wounded by the Indians in 1788—

Robertson and Bledsoe Inquire of the Creeks the Real Cause of Their Hostility—The Answer of McGillivray—Other Persons Killed or Wounded by the Indians in 1788—Accession of New Settlers—Federal Constitution Rejected—Tennessee County—Seperior Court District; the name of Mero Given to It—Remarks upon That Circumstance—Creek Claim to Lands in Cumberland Refuted by Gen. Robertson—Justified His Expedition to Coldwater—His Reply to McGillivray—McGillivray's Answer—Conflicts with the Indians, 1789—Persons Killed or Wounded in 1789—Mero's Proclamation Inviting Settlers on the West Side of the Mississippi—Col. Morgan Made a Settlement; Discontinued in 1789—Proceedings of the Assembly of 1789, in Relation to the Cumberland Settlements—Salt Licks Disposed of—Tobacco Inspection.

EARLY in 1784 the commissioners and guards came from North Carolina, and laid off the military land from the northern boundary of the State southwardly. They ran south fifty-five miles to Mount Pisgah; and then, forming themselves into two divisions, one ran to the Tennessee and the other to the Caney Fork. The line made by the commissioners in 1783 crossed the Harper River a mile, or thereabout, below the place where the Big South Road (as it was then called) crossed the same river, being six or seven miles above where Franklin now stands; and, in its western direction, passing near where Giddens now lives. This South Road, as it was called, was a broad beaten path, made by the buffaloes which came from the south to the French Lick, and apparently had been used by them for ages. It was worn into the earth one or two feet, or more in many places. In some places it was three or four feet wide. Buffaloes, when they go to or from a lick, follow their leader in front in a single line. Sometimes they continue in the same slow and solemn pace for nine or ten miles before they turn off the road to graze and satisfy their hunger. This South Road extended from the French Lick to Duck River, and how much farther the writer has not yet ascertained. The lines run in these two years were said to be eight or nine miles apart. That run in 1783 was called the "Continental Line;" that run in 1784, by Rutherford, the "Commissioners' Line."

The Assembly of North Carolina, in their April and May session of the year 1784, established a town at the bluff, and named it Nashville in memory of the patriotic and brave Gen. Nash. He was a gallant and active officer, full of zeal for the glory of his country. At the battle of Brandywine he commanded the brigade from North Carolina. In the heat of the battle a can-

non-ball broke his thigh as he was sitting on his horse in the field of battle. He died a death of honor in the arms of glory. His name is embalmed in the memory of his countrymen, with an unguent of endless duration.

At the same session they provided for many persons who had failed from inevitable causes to obtain from the commissioners in 1783 certificates of their preemption rights.

After the rights of preemption were created by the act of 1782, events took place which *de facto* formed the preemptioners into classes more or less meritorious. Some had gone off when the public distress was very pressing, and lived for a time in Kentucky or in other neighboring settlements; some had remained and defended the country through all its dangers; others had done the same, but were under the age of twenty-one years, and for that reason were out of the provisions of the act of 1782; others had come after the 1st of June, 1780, but had joined with great bravery and effect in repelling the Indians; and some were killed, and left young children and widows. Those of the first description this act of 1784 left as they were before. Under the provisions of the act of 1782 and 1783 they were entitled to a right of preemption, but must pay the price required. Not so with those who had staid and defended the country, and were still living. They were to make their entries without any price to be paid to the public. These the act particularly named—that is to say: John Cockrill, Ann Cockrill (formerly the widow), Ann Johnston, Robert Espey, James Espey, John Buchanan, Cornelius Reddle, James Mulherrin, James Todd, Isaac Johnston, John Gibson, Francis Armstrong, John Kennedy, Jr., Mark Robertson, William Ellis, James Thompson, James Shaw, James Franklin, Henry Howdeshall, Pierce Castello, Morris Skean, William Logan, David Flood, John White, Peter Looney, William Collins, Jonas Manifee, Daniel Williams, John Evans, Andrew Thompson, Casper Mansco, George Freeland, Daniel Johnston, Edward Swanson, Andrew Kellow, Francis Hodge, John Mulherrin, James Freeland, John Tucker, James Foster, Amos Heaton, Dennis Condry, Frederick Stump, Russell Gower, Andrew Erlin, Thomas Rater, Isaac Lindsey, Moses Winters, James Harris, John Brown, Lewis Crane, John Montgomery, Stephen Ray, Daniel Hogan, Thomas Spencer, Humphrey Hogan, Heyden Wells, Henry Ramsey, John Barrow, John

Thomas, William Stewart, Samuel Walker, David Rouncevall, Arthur McAdoo, James McAdoo, Henry Turney, Samuel Barton, John Dunham, Ephraim Pratt, William Overall, and James Robertson—seventy in all. The same provision was made in favor of the heirs and devisees of such as were dead, and those also were specially named: Zachariah White, Alexander Buchanan, James Leiper, James Harod, Alexander Thompson, Daniel Maxwell, Robert Lucas, Timothy Terril, William Hood, Edward Carven, William Neely, James Franklin, Samuel Morrow, George Kennedy, John Robertson, Able Gowen, Sr., Abel Gowen, Jr., Nicholas Trammel, Philip Mason, James Turpen, Nathan Turpen, Jacob Stump, Nicholas Gentry, William Cooper, Jacob Jones, James Mayfield, William Green, William Johnston, Samuel Scott, George Aspie, William Leighton, John Crutchfield, Joseph Hay, John Searcy, Isaac Lucas, Patrick Quigley, Jacob Stall, Joseph Milligan, Abraham Jones, David Porter, Benjamin Porter, Edward Larimore, William Gausley, Jonathan Jennings, David Carver, Jesse Bralston, Joseph Renfro, Philip Conrad, William Gausway, John Bernard, John Lumsden, John Gilky, Solomon Phelps, James Johns, Thomas Hainey, Alexander Allerton, John Blackmore, James Fowler, John McMurtry, John Shoctly, John Galloway, and Isaac La-four—sixty-three in all. The act takes notice of these latter as persons who were killed in the defense and settlement of the county of Davidson, and directs that the heirs and devisees of each of them shall have six hundred and forty acres of land without price to be paid to the public. It proceeds to make provision for those who, because of their non-age on the 1st of June, 1780, were not entitled to the right of preemption under the act of 1782, though they had remained in the country and helped to defend it; and for those who had joined in its defense, though not in the country on the 1st of June, 1780. They gave to each of them six hundred and forty acres of land, to be laid off out of any lands in the country, except those set apart for the officers and soldiers. These also they particularly named, and enabled them to enter their lands without price to be paid to the State. Their names were: Christopher Gais, Sr., Christopher Gais, Jr., Jonathan Gais, Kasper Booker, Richard Breeze, Phineas Cook, Mark Nobles, John Kells, Isaac Mayfield, Samuel Holles, Isaac Rouncevall, Eneas Thomas, Joshua Thom-

as, Caleb Winters, John Buchanon, Sr., John Kennedy, Jr., John Castello, Robert Thompson, and Sampson Williams. A number of other preemptioners had, indeed, remained in the county, and shared in all the dangers which had threatened it; but they had made their entries and had paid the purchase money, and were therefore not embraced in this act.

An office was opened for receiving entries of preemption rights, and another for entering and surveying the claims of the officers and soldiers upon the warrants which were so directed to issue to them from the Secretary's office.

But as the affairs of the Cumberland settlers seemed to brighten the Spanish became sullen. They began to intimate that their territorial limits toward Georgia included the greater part of the Creek Nation, and that the boundary of their territory was several degrees north of latitude thirty-one. Whilst these States were in the childhood of independence the conduct of the Spaniards toward them implied that they had not yet acquired any knowledge of international law, or were too weak to resent the infraction of its rulers. It is an obvious law among nations that one sovereignty shall not treat with inhabitants residing upon the territories of another, nor take them under protection, much less receive from them a stipulation that its governmental orders and municipal laws shall be obeyed by them. Yet now such was the conduct of Spain toward the State of Georgia.

On the 1st of June, 1784, in the fort of Pensacola, the capital of West Florida, Gov. Mero, Gov. Oneille, and Don Navarro, on behalf of the Spanish crown on the one side, and Alexander McGillivray for the Creek nation on the other, made and signed a treaty by which the Creek nation engaged to maintain inviolable peace with the Spaniards; to expose their lives and fortunes for the King of Spain; to obey the orders which should be received from the Governor of Louisiana or Florida, and the laws of the great King of Spain in points compatible with the character and circumstances of the Creeks, who should conform themselves to the municipal usages and customs, established or to be established, in Louisiana and both Floridas. The treaty speaks of the Tallapuche Nation, who were on the lands conquered by the arms of the King of Spain, and engages to establish a permanent commerce for them. The Creeks were

to establish a general peace with the Chickasaws and Choctaws, and others of the continent. They engaged also to arrest all strangers coming into their country advising them to take up arms against the King of Spain, and not to admit into their towns any white persons without a Spanish passport. They engaged further to desist from the practice of taking scalps and of making slaves of the whites; and, in case of a war against the enemies of the King of Spain, such persons as they should make prisoners should be well treated until they should be exchanged. They agreed to deliver up all white prisoners who were citizens of the United States of America. They were not to admit deserters or fugitive slaves from Louisiana or Florida into their country, and were to prevent thefts by the Creeks as much as possible. The King of Spain guaranteed to them all the lands which they possessed within his limits; and, in case of dispossession of their lands by his enemies, he engaged to give them other equivalent lands. All the regulations applicable to a state of war, and the provision to take effect in case of the expulsion of the Indians from their country, seemed to look forward to a contest with some neighboring people, whom the Creeks might kill or capture, or by whom they might be driven from their country. The people who were thus in contemplation, having no such anticipations, had not yet thought of any counteracting plan. Whether at the date of this treaty or soon afterward any mischievous designs were infused into the minds of the Indians will be best understood by their posterior conduct. As they promised in all things to obey the Spanish authorities, they would certainly have obeyed the order for them to be at peace with the people of Cumberland, if any such they had received. And as it was not stipulated that the Creeks should be at peace with them, as well as with the Chickasaws and Choctaws, it is evident that their conduct toward the people of Cumberland was to be regulated by orders, which the Spanish government should issue. Although these Spanish transactions were kept secret from the people of Cumberland, Col. Robertson entertained the suspicion that Spanish jealousy was the cause of Indian hostilities, and accordingly he pursued all such measures as were best calculated to inspire the Spanish officers with a confidence in the amicable inclinations toward them of the new settlers on the Cumberland. Colbert and some

of his people, for some cause, had made seizures of Spanish property, which the Spaniards called robbery. Robertson immediately wrote to Mr. Portell in October, 1784, to convince him that none of the people of Cumberland had any share in these violences; and offered, if he could be furnished with proof to identify the property, and could find it in the possession of the Chickasaws, to cause it to be restored to the owners. Portell, in reply, was very sensible of the high character which the American people had and justly deserved for integrity and justice; and was perfectly satisfied that the people of Cumberland never had any co-operation with those brigands, as he called them; but, on the contrary, that they participated in suffering from the evils which the Spaniards sustained from those vagabonds. "Colbert and his people," said he "are carrying on a war by robbery and pillage everywhere, and he has so large a number of persons under his command that it is impossible to make proof of those who are the owners of the negroes in their possession whom Col. Robertson had described." Mr. Portell not only expressed very feelingly his grateful sensations for the amicable behavior of the people of Cumberland, but promised to maintain the most friendly disposition on his side, and would experience much pleasure in being useful to the colonel and his people, and of convincing the latter of the high consideration in which he held him.

The Indians through the course of this year made incursions into the Cumberland settlements for the purpose of killing and plundering the inhabitants. Early in this year they killed Philip Trammell and Philip Mason, whose names are mentioned in the legislative act of the May session of 1784, providing for the uncertificated preemptioners. As one among a thousand specimens of the unequalled fortitude and gallantry of the first settlers, it is proper to give a recitation of the conflict in which they ended their existence. These two men at the head of White's Creek had killed a deer, and were skinning it. The Indians stole up to the place and fired upon them. They wounded Mason, and carried off the venison. Trammell got assistance from Eaton's Station, and followed the Indians. He came up with them. They fought, and he killed two of them; but other Indians coming up with their horses in possession, the whites were once more obliged to retreat, after Mason had received the

second ball, which proved fatal. Trammell found some other white men in the woods, whom he induced to go with him back to the place where the Indians were. They found the latter, and immediately renewed the fight. They killed three Indians, and fought till both parties were tired. Trammell and Josiah Hoskins, enthusiastically courageous, and bent upon making their enemy yield the palm of victory, precipitated themselves into the midst of the retreating Indians, and received the fruit of their temerity. They fell by the hands of the foe. The rest of the white men maintained their ground until both parties were willing to respire from their martial labors. Aspie is another of the names mentioned in the same obituary catalogue, and his case, too, is deserving of particular notice. He, together with Andrew Lucas, Thomas S. Spencer, and one Johnston, had left the bluff on horseback to go on a hunting tour, and had proceeded to the head waters of Drake's Creek, in crossing which their horses stopped to drink. At this moment a party of Indians came up and fired upon them, when they had no suspicion that any Indians were in the vicinity. Lucas was shot through the neck and through the mouth. He dismounted, however, with the rest, but in attempting to fire the blood gushed out of his mouth and wet his priming. Perceiving this, he crawled into a bunch of briars. Aspie, as he alighted from his horse, received a wound which broke his thigh, but still he fought heroically. Johnston and Spencer acquitted themselves with incomparable gallantry, but were obliged to give way, and to leave Aspie to his fate, though he entreated them earnestly not to forsake him. The Indians killed and scalped Aspie, but did not find Lucas, who shortly afterward returned to his friends. The whole family of the Aspies were superlatively brave. The brother of this one was killed in the battle at the bluff. When he first fell he placed himself in a position to reach a loaded gun, with which he shot the Indian that ran to scalp him. Spencer in the heat of the engagement was shot, but the ball split on the bone of his arm and saved his life.

In the year 1784 the Indians killed Cornelius Riddle, near Buchanon's Station, on a small path leading to Stone's River, by the place where Maj. Hall's plantation now is. He had killed

two turkeys and hung them up on a tree, and had gone off into the woods to hunt for more. The Indians, hearing the report of his gun, came to the place and, finding the turkeys, lay in ambush where they were, and on Riddle's coming to take them away they fired upon and killed him.

In the year 1785 Moses Brown was killed by the Indians, near the place on Richland Creek where Jesse Wharton, Esq., now lives, then called Brown's Station. In this year, also, the Indians killed Edmund Hickman, a surveyor. They came upon him in that part of the country which is now Hickman County, on Piney River, whither he, Col. Robertson, and Col. Weakly had gone in company to survey entered lands. In this year, also, they killed a man who lived with William Stuart, on the plantation where Judge Haywood now lives, in the forks of Mill Creek, on that part of the plantation where John Buchanon once lived.

The Assembly of North Carolina, which began its session on the 19th of November, 1786, and ended it on the 29th of December, of the same year, made several important provisions for the Cumberland settlements. They established an inspection of tobacco in the county of Davidson; but how the raisers of tobacco expected to sell, prohibited as they were by Spain from navigating the Mississippi below the 31st degree of latitude, the Assembly neither knew nor inquired. But as the inspection cost no money to be paid out by the public treasury, they were willing as well in that as in other costless experiments to gratify the wishes of the Cumberland settlers. The members of Davidson, on account of the good offices they could do for those who wished to become the owners of land on the Cumberland, and to have the military warrants which they had purchased well located and attended to, were regarded and treated with great attention. Hardly any request they made was rejected, if it only abstained from interference with the public coffers. In all Legislatures there is a class of members who idolize the contents of the public chest, having nothing to allege in support of their claims to popular favor but a disposition to save money on all occasions, while to all other subjects they have the most consummate indifference. Dexterously using the advantages which these circum-

stances put into their possession, Col. Robertson, a member of the Legislature, did not fail to improve them to the benefit of his suffering constituents. They passed an act establishing the Davidson Academy; appointed trustees and made them a corporation; exempted the lands of the academy from taxation for ninety-nine years, and vested in them, for the use of the seminary, two hundred and forty acres of the lands reserved for the use of the State, being that part of the French Lick tract which is most remote from the Salt Springs, near Nashville. They passed a law, also, to establish a Superior Court of law and equity in the county of Davidson, the first session of which was to commence on the first Monday in May, 1876. They appointed a young man of the age of twenty-four years to be the judge of this court, who, upon more mature reflection becoming fearful that his small experience and stock of legal acquirements were inadequate to the performance of those great duties which the office devolved upon him, chose rather to resign than to risk the injustice to suitors, which others of better qualifications might certainly avoid. The act provided that no person in the county of Davidson should be subject to any action in any of the courts on the east side of the Appalachian Mountains, and that no person on that side of the mountain should be subjected to any action in the county of Davidson. According to the established usage of that day, the Assembly did not neglect to provide that the salary of the judge should be paid by the County Treasurer of Davidson. They also passed a law to prevent the distillation of spirituous liquors in the county of Davidson for a limited time. Crops were short and grain scarce, owing to the obstruction of agriculture by the withdrawal of the planters to oppose the infesting savages, and sound discretion required that the grain should be preserved for the subsistence of the settlers and of the new emigrants upon their arrival.

An event now took place which afforded the hope that Indian hostility would considerably abate for the future. On the 23th of November, 1785, the United States on the one hand and the Cherokees on the other, concluded a treaty at Hopewell, in the Keowee, in which it was stated that the United States gave peace to the Cherokees and received them into favor and protection under certain conditions. The Cherokees acknowledged themselves to be under the protection of the United States, and

of no other sovereign. They promised to restore all the prisoners and negroes they had taken; and any of their people made prisoners were to be restored. Their boundaries were fixed, as in the first chapter of this book is stated, by which a great part of the lands entered in the offices opened in 1783 for receiving entries of vacant lands were made to be within the Indian territory. It was engaged that the lands secured to them by this treaty shall not be settled on by the white people, who for obstinate intrusion should be liable to be punished by the Indians as they might think proper, with an exception in favor of the occupants on the south of the French Broad and the Holston, who, as well as the Indians, were to abide by the decision of Congress on their case. They were bound to deliver up capital offenders who took refuge amongst them. For capital offenses committed against them by the white people the offenders were to be punished in the presence of some of the Cherokees in the same manner as they would be for like offenses committed on citizens of the United States. And they agreed not to retaliate on the innocent for crimes committed by the guilty. It was agreed that Congress should regulate their trade, but in the meantime traders were to be received and well treated, and the Indians were to give notice of any hostile designs formed by other tribes or by other persons, and the Indians were to send a deputy of their own choice to Congress whenever they thought proper. Friendship was to be forever re-established and maintained to the utmost of their power by both parties.

The treaty of Hopewell gave great umbrage to all the Southern States. William Blount, Esq., then in Congress from North Carolina, determined to give it all the opposition in his power. He deemed it beyond the power of Congress to make a treaty repugnant to the laws of North Carolina concerning lands and boundaries within her limits. Such power, he contended, was not given to Congress by the Articles of Confederation. In this year the Cumberland settlements remained stationary, but upon renewal of friendship with the Cherokees it was expected that they would soon begin again to progress, and that there would be a great accession of new settlers in the year 1786. But the year 1786 was not without its troubles, though it was not so fruitful in the destruction of the settlers and in the abundance of disasters to be recorded in the pages of history as former

years had been. By the treaty of Hopewell much had been given up to purchase the good-will of the Cherokees. The boundaries of the whites were greatly contracted, and extensive counties resigned, which were included in the treaty at Fort Stanwix, and in the deed to Henderson, the benefit of which North Carolina was entitled to, having paid him with lands in Powell's Valley for his trouble and expenses in negotiating and making the treaty for the safety of the Cherokees, and the purchase by him and his companions of the lands contained in his deed. Although no purchase could be made from the Indians but by public authority and for public uses, yet a purchase made by individuals might be deemed obligatory on the Indians and be converted by public authority to public uses. The prohibition was not made for the benefit of the Indians, but of the State, which might either ratify it or not as the public good required. This purchase covered a great part of the lands renounced by the treaty of Hopewell. The concessions made by this treaty to the Indians may have contributed to that abatement of savage cruelties which characterized the year 1786. The Creek aggressions, however, proceeded without alleviation. They had waged a deadly war against the Georgians for five or six years then last passed, and had so much annoyed them as to make the restoration of peace a very desirable event. For some time after the treaty of Hopewell they were the principal marauders and plunderers of the Cumberland settlements, and the chief perpetrators of all the massacres committed on the settlers.

In this year the settlements were not extended, but the number of the inhabitants increased. James Harrison, William Hall, and W. Gibson settled above Bledsoe's Lick, and Charles Morgan at Morgan's Station, on the west side of Bledsoe's Creek, four or five miles from the Lick. The Indians killed Peter Barnet below Clarksville on the waters of Blooming Grove; also David Steele, and wounded William Crutcher, and went off leaving a knife sticking in him, but he recovered. On the creek now called Defeated Creek, in Smith County, on the north side of Cumberland River, John Peyton, a surveyor, Ephraim Peyton, Thomas Pugh, and John Frazier had commenced their surveys and had made a camp. Whilst they were all asleep at the camp, in the night-time, about midnight, snow being upon the ground, on the 2d of March, a great number of

Indians surrounded the camp and began to fire upon it. Before they were perceived they wounded four out of the five. The whole party of whites ran through them and made their escape and got home. The Indians took their horses, compass, chain, blankets, saddles, and bridles, and went off. Ever since that time this creek has been called Defeated Creek. The Indians who committed this depredation were Cherokees.

The Assembly of North Carolina, at their session which commenced at Fayetteville on the 18th of November, 1786, taking notice of the frequent acts of hostility committed by the Indians on the inhabitants of Davidson County for a considerable time past, and that necessity required the taking of some measures for their protection, enacted, at the instance of Col. James Robertson, who devised, directed the drawing of, and introduced the bill, that three hundred men should be embodied and stationed in Davidson to protect the inhabitants and to be employed in cutting a road from the Clinch River to Nashville. They ordered four hundred acres of land to be laid off and allotted to each soldier in full satisfaction of the half of the first year's pay, and in the same proportion for the time that he should serve over and above one year, in full satisfaction of the one-half of the pay that should be due him for such further service; such lands to be in some part of North Carolina, west of the Cumberland Mountains. Proportionate allowances in lands were made to the officers for the pay they might be entitled to, and they inserted the *indispensable clause* that the moneys arising from the tax of lands west of the Appalachian Mountains should be appropriated to the purpose of discharging the expenses of raising and clothing armies, and supporting the troops to be embodied in pursuance of this act; the surplus, if any, to be carried to the contingent fund. And they provided further, by way of clearly intimating what would be their future conduct upon similar subjects, that in all returns of taxable property made by receivers of lists and clerks of courts, they shall particularly specify the lands situated west of the Cumberland Mountains, that the net produce of the revenue arising therefrom may be ascertained; as much as to say, be it understood, that beyond it we will not go for the satisfaction of any debts contracted in the maintenance and protection of these new settlements. The troops, when raised, were to be marched from time to time into the

Cumberland settlements, and the field officers of Davidson County were to give directions for the disposition of said troops in such proportions and at such places as might be deemed most likely to intimidate the Indians and prevent their incursions into the Cumberland settlements. But, nevertheless, the commanding officer of the troops, in cases of emergency, or when the situation of affairs or alteration of circumstances should render it immediately necessary, was at liberty to make such other disposition of them as should be deemed most conducive to the safety of the inhabitants. And it was ordered that the troops when assembled to the lower end of Clinch Mountain should cut and clear a road from thence the nearest, most correct, and convenient way to the town of Nashville, making the same at least ten feet wide and fit for the passage of wagons and carts. The road was laid off and opened in the next year. Two years' further time was given for completing the surveys of western lands, and two years' further time for the registration of military grants. At this session also, the county of Sumner was made out of part of the county of Davidson. The line of division began where the county line crosses the west fork of Stone's River; thence a direct line to the mouth of Drake's Lick Creek; thence down the Cumberland River to the mouth of Casper's Creek; thence up the said creek to the head of the War Trace Fork; thence a northwardly course to the Virginia line, at a point that will leave Red River Old Station one mile to the east. All that part of Davidson which lay east of this line was thereafter to be considered as the county of Sumner. This name was given as a testimony of respect and gratitude to Brig.-Gen. Jethro Sumner, of the North Carolina line, who continued during the whole war in the service of his country, acting a distinguished part in the greater number of the hottest actions which had taken place during the war, and was as eminent for personal valor as he was for his equanimity and suavity of manners. His name is precious in the estimation of his countrymen. It is engraved on their hearts in characters of imperishable duration.

In 1787 the settlements were not extended, but continued as they had been for some time except toward Red River, where they had visibly and considerably expanded. The Indians were not idle in distributing amongst the new settlers the tokens of their virulent indisposition toward them. In this year, at Hen-

drick's Station, on Station Camp Creek, the Indians came in the night, and assaulted the station. They broke into a house in which were Price and his wife and family. They killed the old man and woman, and chopped the children, and left them wounded. They killed a boy by the name of Baird on Station Camp Creek, near the head of it, in the day-time, and stole several horses there. They killed William Hall and his son Richard, near the locust land, where Gen. Hall now lives, above Bledsoe's Lick. They also killed another man at the same place. These men were brought dead into Bledsoe's Lick Station, with their blood upon them, in the presence of three pregnant women, who were afterward delivered of their children, all of whom were marked, one as if a bullet had been shot through the head; and the others upon the backs of their necks, with red streaks resembling blood running from the head where the scalp had been taken.

In the summer of 1787 a party of Indians came to Drake's Creek, where William Montgomery lived, and shot down his son, and scalped him; they also shot John Allen through the body. About this time, in the same neighborhood, they killed old Mr. Morgan, and were pursued by a party of white men under the command of George Winchester, who followed on their trail. Another party, under the command of Capt. William Martin, also followed them, and went to take their trail by a nearer route. He encamped near the trail, not having found it. The other party, on the same night, came on the trail; and, seeing the camp of Martin, fired upon it, and killed William Ridley, the son of George Ridley, now of Davidson.

In the month of May of this year (1787), a few days before the embodying and marching of troops to Coldwater, the Indians came to Richland Creek, and in the day-time killed Mark Robertson (near the place where Robertson's Mill now stands) as he was returning home from the residence of Col. Robertson, his brother. In a few days afterward, shortly after the beginning of June, one hundred and thirty men assembled from the different settlements on the Cumberland River at Col. Robertson's, under his command, who, being assisted by Col. Robert Hays and Col. James Ford, marched for the Indian town, Coldwater, with two Chickasaws to lead them to the Creeks and Cherokees. They crossed at the mouth of South Harper; thence

they went in a direct course to the mouth of Turnbull's Creek; thence up the same to the head; and thence to Lick Creek, of Duck River; thence down the creek seven or eight miles, leaving the creek to the right hand; thence to an old lick as large as a corn-field; thence to Duck River, where the old Chickasaw trace crossed it; thence, leaving the trace to the right hand, they went to the head of Swan Creek, on the south side of Duck River; thence to a creek running into the Tennessee River, which the troops then called Blue Water. It ran into the Tennessee about a mile and a half above the lower end of the Muscle Shoals. They left this creek on the left hand. When within ten miles of the river they heard the roaring of the falls. One of the Indian guides, with several of the most active soldiers, were ordered to go to the river, but returned about midnight, saying that the river was too distant for them to reach that night and return. In the morning they pursued the same course they had done the day before. At 12 o'clock they struck the river at the lower end of the Muscle Shoals, where it is said the road now crosses, and concealed themselves in the woods till night. On the north side of the river, on a bluff, was a plain path leading down the river, which seemed to be much traveled. On the south side of the river were cabins on the bank. Six or seven of the soldiers went down privately to the bank, and concealed themselves in the cane to observe whatever could be seen on the opposite side. After some time they saw on the south side some Indians looking for the troops under Col. Robertson. They passed into an island near the south side, where they took an old canoe and came half-way over the river. They then stopped and swam and washed themselves, and returned to the same place with the canoe they had taken it from, and tied it there. Capt. Rains was sent with fifteen men up the river on the path, with orders from Col. Robertson to take an Indian alive. Capt. Rains went on the path toward the mouth of Blue Water Creek. About sunset Col. Robertson recalled him. In the whole day they heard no cocks crowing or dogs barking. The whole body of troops was called together on the north side of the river to cross over at night. They went to the low lands on the bank of the river. The seven men who had watched in the cane in the day now swam over the river and went to the cabins, and no living being was there. They untied the canoe

and came over to the north side. Forty men with fire-arms were put into the canoe. The hole which they had stopped with their shirts now opened, and the canoe began to sink. The swimmers carried her to the north bank. In these operations some noise had been made, and the troops were obliged to remain on the north side till daylight. They got a piece of bark of the lynn-tree and covered the hole in the canoe, and screwed in nails upon it. They sent forty or fifty men in the canoe to take possession of the bank on the other side. They did so. The remainder of the troops went over, swimming and swimming their horses. Having crossed the river, they hung up their clothes to dry. A rain came up and forced them into the cabins. After some time the clouds cleared away, and they saw a plain path leading from the river out into the barrens in a western direction. They took this path and followed it briskly, and at the distance of five and a half miles they came to corn-fields; thence going a mile or two farther they came to a large creek called the Coldwater, toward which the lands had descended two or three hundred yards. They passed it instantly by a path wide enough for a horse to go up the bank. On the other side, to which they had then passed, were a number of cabins and low grounds which descended to the river about three hundred yards below. The people of the town ran down to the boats in the river, and were pursued by such of the troops as had crossed. Capt. Rains, with Benjamin Castleman, William Loggins, William Steele, and Martin Duncan, went down the creek on the right side to the river. The retreating Indians, as they ran down on the other side and had their attention drawn to those who pursued them on the same side, crossed over and came to the spot where Rains and his men were, who fired upon them as they looked back without perceiving the snare into which they had fallen. Three of them dropped down dead. The troops killed three French traders and a white woman who had gotten into a boat and would not surrender, but mixed with the Indians and seemed determined to partake of their fate, whatever it might be. They wounded and took the principal trader and owner of the goods and five or six other Frenchmen who lived there as traders and had in the town stores of tafia, sugar, coffee, cloths, blankets, Indian wares of all sorts, boxes full of salt, shot, Indian paints, knives, powder, tomahawks, tobacco, and other articles

suitable to Indian commerce. The troops killed many of the Indians who had gotten into the boats, and gave them so hot and deadly a fire from the bank of the river that they were forced to jump into the water and were fired upon whilst in it until, as they afterward learned from the Chickasaws, twenty-six of the Creeks were killed in the river. The troops burned up all the cabins in the town, and killed all the fowls and hogs which they found in a pen. But before this, they collected all the boats to one place from the river into a creek opposite the town, where a party was placed over them. The creek there was twenty or more yards wide and as deep as the saddle-skirts of a rider crossing on horseback. Next morning they gave a horse to each of the Indian guides, giving them the second choice; also as many blankets and other cloths as they could pack, a gun apiece, and dispatched them to their homes. The name of one of these Chickasaws was Toka. The troops lay near the town all night on the side of the creek opposite to it; and the next day, after burying the white men and woman, they loaded three or four boats with the prisoners, consisting of five or six Frenchmen and a child, and with the goods taken in the town, and putting on board the boats to navigate them Jonathan Denton, Benjamin Drake, John Eskridge, and Moses Eskridge, they were sent down the river, whilst the troops marched down by land, looking for some convenient place to cross over to the north side, whither the boats were to come and assist them in crossing. At the same time that the boats started down the river the troops began their march by land; but not being acquainted with the winding of the river, the course they took carried them farther from it than they intended, into the piney woods, where they encamped. The next day they went to the river, where they saw at a distance several persons on the islands of the river, who proved to be their own boatmen, but neither knew the other till some of the boatmen came from the island to the troops on the bank. The troops then moved down the river a few miles, and came to a place just above the point of an island, where the descent to the river was easy and convenient for embarkation, and where the bank on the opposite side afforded a safe landing. Here, with the assistance of the boats, they crossed not very far from what is now Colbert's Ferry, and they encamped all together on the north side of the river. There

they found that they had not lost a single man, and that not one man was wounded. After remaining there all night, the next morning they gave to the French prisoners all their trunks and all their wearing apparel, and made a division of the sugar and coffee amongst the troops and the Frenchmen and the Indian squaw, giving to each of them an equal share. They gave to the Frenchmen and squaw a canoe, bid them farewell, and they went up the river. The dry goods were ordered under the care of the same boatmen to Nashville. Sailing upon the river some days, they met other French boats laden with goods, and with French traders on board, who, being greatly rejoiced to meet their countrymen returning home, as they supposed the Cumberland boatmen to be, fired off their guns. The latter going down the river with their guns charged, came alongside of the French boats, boarded them, and captured the boats and crews, and conducted them to a place a few miles below Nashville. There the captors gave them a canoe and dismissed them with permission to go down the river, which they did. The goods taken at Coldwater were brought to Eaton's Station and sold, and the proceeds were divided amongst the troops. They returned to Col. Robertson's on the nineteenth day after the commencement of the expedition at his house. After crossing the Tennessee on their returning march, they came nearly a north course till they struck the path that led to the Chickasaw old crossing on Duck River, where they crossed in going out; thence they returned on the same trace they had followed in their march to the south.

After this expedition there was a short respite from savage visitation. Before it commenced a few days, there was not an hour of safety to any settler on the Cumberland waters. The vengeance so long delayed at length had fallen with fatal effect upon those who had so frequently provoked it. At Coldwater Col. Robertson discovered the sources whence the Indians were supplied with the material which enabled them to make inroads upon the new settlements; the means by which and the channels through which they received them, and the practicable mode of cutting them off when necessary, as well as the facility of seizing upon the stores when deposited in villages near the place of disembarkation. The advantages acquired by this expedition were various and important, and by putting the Indians in dan-

ger at home greatly diminished the vivacity of their enterprises against the settlers.

When the troops began their march for the Coldwater from Col. Robertson's, David Hay, of Nashville, had the command of a company, and concluded to go by water and carry provisions for the main body, which it was expected might be needed on their arrival at the Tennessee River, and particularly in case of detention in the neighborhood for a longer time than was anticipated. Hay and his men went in their boats as far as the mouth of Duck River without interruption. When they got there, the boat commanded by Moses Shelby went into the mouth of Duck River to examine a canoe tied or fastened to the bank. The Indians had concealed themselves in the cane and behind the trees, not more than ten or twelve steps from the canoe, and from the boat itself when it came to the canoe. From this thicket the Indians poured an unexpected fire into the boat, shooting John Top and Hugh Roquering through the body. They broke Edward Hogan's arm by a ball shot through it; Josiah Renfroe they shot through the head, and killed him on the spot. The boat made haste to get off, but being with her stern up the small river, and several of the crew being wholly disabled, and some of them greatly dismayed by the sudden fire and destruction which had come upon them, acted in disorder, and with great difficulty got again into the Tennessee, out of the reach of the Indian guns, before they could reload and fire a second time. Otherwise, it is probable that by this rash and unadvised act in going to the canoe the whole crew would have become victims to Indian ferocity and stratagem; for, whatever may be said of the Indian character, it is a truth that they excel in invention, readiness, and presence of mind, and in plans to draw in and surprise an enemy. In these qualities it is probable that they are not surpassed by any nation on the earth, either ancient or modern. The boats were so disabled by this mishap that they were under the necessity of returning with the wounded men to Nashville, where only proper surgical and medical assistance could be obtained. They did so, abandoning the object which they had in view when they set off from the bluff.

Col. Robertson, soon after the affair at Coldwater, made a written exposition of the causes and motives which led to it, and directed it to a person of note at the Illinois. He stated in it

that for some years past a trade had been carried on by some Frenchmen from the Wabash with the Indians on the Tennessee. The trade had been formerly managed by a Mr. Veiz, "and while he carried it on the Indians were peaceable toward us; but for two or three years these Indians have been inimical at all seasons, killing our men, women, and children, and stealing our horses." He had sufficient evidence of the fact, also, that these Indians were excited to war against us by the suggestions of these traders, who both advised them to war and gave them goods for carrying it on. The Chickasaws had told him that they had been offered goods by these traders if they would go to war against us; and one John Rogers declared that he had seen a Creek fellow have on a pair of arm-bands, which he (the Creek fellow) said were given to him by the French traders for going to war against us. "The incursions upon us this spring," said he, "have been more severe than usual, and I determined to distress them." For this purpose he stated that he had taken a part of the militia of Davidson County, followed the tracks of one of their scalping parties, who had just been doing murder here; and, following them to a town on the Tennessee, at the mouth of the Coldwater, destroyed the town and killed, as he supposed, about twenty of the Indians. The scalps of two of our men whom they had lately murdered were in the town. Some of the French imprudently put themselves into the action, and some few of them fell. From that place he sent a party around to the Cumberland River by water. In the Tennessee they found five Frenchmen with two boats, having goods to trade with those very Indians. The commander of the party took the boats with the men, and brought them around to this river; and gave them their choice, to come up to the settlement and stand trial for what they had done, and thereby to try to regain their goods, or else that they might go home at once without their goods. They chose the latter. "The taking of these boats," said Col. Robertson, "was without my knowledge or approbation. I am now endeavoring to collect the property which was in them." And he desired that the owners be notified that if they could make it appear that they were not guilty of a breach of the laws, and did not intend to furnish our enemies with powder, lead, and other goods for our destruction, on applying here at Nashville they might have their property again.

He declared that if these Indians would be peaceable we should never attempt to deprive them of any trade they could procure; "but while they continue at war," said he, "any traders who furnish them with arms and ammunition will render themselves very insecure."

The pride of the Indians was exceedingly mortified at this fearless irruption into their country. Soon after their rout and discomfiture at Coldwater they collected in small bodies, crossed the Tennessee River to the north side, and commenced an undistinguishing carnage upon the settlers of all ages and sexes. Capt. Shannon, with a small body of white men, pursued one party of them. The Indians had reached the banks of the Tennessee, and some were eating, while others were making preparations to cross the river. Shannon and his little corps discovered those who were eating, and fired and rushed upon them. Castleman killed one. Another, proving too strong, took Luke Anderson's gun from him; but before he could discharge it William Pillow, since a colonel of Maury County, shot the Indian and recovered the gun. The Indians who were out of the camp were commanded by Big Foot, a leader of determined bravery. Under his command they resolved to attack the whites, believing from the report of the guns which had been fired that they were few in number. The whites were also a daring set, whom the presence of danger could not move. A doubtful conflict ensued; but victory, for some time wavering, at length declared for the whites. They killed the chief of the Indians and five of his followers. The rest raised the yell, and took to the bushes.

Shortly before the last of July, 1787, Mr. Perrault, on his way from Nashville to the Cherokees, met two hundred Creeks, going, as they said, to take satisfaction for three persons whom the North Carolina people killed when they defeated him (Perrault) eighteen miles below Chota. He delivered and expounded to them the letter which Col. Robertson had given to him for their nation, and did all in his power to turn them back; but in vain. They persevered in progressing, saying, however, that they would not do much harm this time; but that if the North Carolina people should go in force into their country, or should kill any of their nation after the blow which they meant to give the people of the Cumberland, they might expect a merciless war.

Maj. Evans had been appointed, with the rank of major, to the command of the battalion ordered to be raised for the protection of Davidson. By the arrival of these troops, who came in successive detachments, and by some emigration from North Carolina and other States, the population having become augmented, Col. Robertson was enabled to select and detach a certain portion to act as patrols or spies, as they were then called. It was their business to go through the woods from the frontiers of the settlements, in every direction and to every place where there was an Indian or buffalo trace, and to the crossing-places on the rivers and creeks to look for Indians and their tracks, or the trails they had left in going through the woods. At that time the canes and weeds grew up so spontaneously and luxuriantly in all parts of the country that two or three men, even without horses, could not pass through without leaving a trace, discernible without any uncertainty, which might be followed without danger of mistake. Among those whom Col. Robertson selected for the performance of this service was Capt. John Rains. He was led to this choice by the entire confidence he had learned by experience to place in his diligence and prowess. He very often selected Capt. Rains, and gave him his orders, which were uniformly, punctually, and promptly executed, and with a degree of bravery which could not be exceeded.

In the month of April the Indians killed Randel Gentry, at the place where Mr. Foster now lives; also, Curtis Williams and Thomas Fletcher and his son, about the mouth of the Harper. Col. Robertson issued orders to Capt. Rains to pursue the doers of that mischief. Capt. Rains immediately raised sixty men and followed them, getting upon their trace and pursuing it, which led them across Mill Creek; thence to Big Harper, where a road now crosses it; thence to the Fishing Ford of Duck River; thence to Elk River, at the mouth of Swan Creek; thence into the barrens and to Flint River. Not being able to overtake them, he turned off the trace and went westwardly till he struck McCutchin's trace. Before coming to Elk River, he saw the tracks of Indians going toward Nashville. At Elk River, where McCutchin's trace crosses, near Latitude Hill, he found the camp which they had left in the morning of the day on which he had come to the Elk. That night he halted six miles from the river, and lay all night at the place, but sent on two or

three men to see that they were at such a distance as not to hear his company while they were talking and cutting wood. They returned and reported that the Indians were not within hearing. Next morning he followed them, and in the afternoon came to the place where they had encamped the preceding night, and where they had cleared the ground of leaves and brush and had danced upon the place cleared. They had made forks all around, and placed small poles in them, on which their guns rested—a circumstance to show that in these perilous times it was considered dangerous and imprudent to be at any distance beyond arms-length from their accouterments and guns. The troops passed by, and, crossing Duck River at the mouths of Globe and Fountain Creeks, encamped at night on the north side of it, about two miles from the river. Next morning they renewed their march, and at the distance of six miles, on the waters of Rutherford Creek, near where Solomon Herring now lives, they came upon the Indians as they lay encamped, and fired upon and dispersed them, killing one man only. The company then continued their march, and came to Nashville the next day.

About a month afterward Capt. Rains received orders from Col. Robertson to raise a troop and go southwardly through the woods from Nashville, and on finding any Indians on the Cherokee side of the Chickasaw divisional line between the Chickasaws and Cherokees, to destroy them. Capt. Rains raised sixty men, and took the Chickasaw trace, and crossed Duck River and Swan Creek, still traveling on the Chickasaw path, which was the boundary. Then leaving the path and going south and east up the Tennessee, after two days they came to an Indian trace, which they were able to ascertain had been made by five men and a boy. The troops overtook them in a few miles, and killed four men and took the boy. The fifth man escaped. The troop took their horses, seven in number, their guns, blankets, skins, and whatever else they had, and returned to Nashville with their scalps, as an evidence that they were killed. The mother of the boy was a Chickasaw; the father was a Creek. In behalf of the woman Mountain Leader, a distinguished chief of the Chickasaws, wrote to Capt. Rains. The Creeks had made captive the son of a Mrs. Naine, who lived on White's Creek, on the north side of the Cumberland. Batterboo, a son of Mountain Leader,

had gone into the Creek Nation, and had stolen and carried away the son of Mrs. Naine; and it was proposed by the chief in his letter to Capt. Rains to give the boy in exchange for the Indian boy. The exchange was agreed to and made. The Indian boy was well dressed in the style of the white people, and promised to return and see Capt. Rains, which he did a year afterward, when he was poorly clad and dressed in the Indian fashion.

In the month of September Capt. Rains was again ordered out by Col. Robertson, and with the same company as before proceeded to Duck River, and crossed at Greene's Lick. This company had been re-enforced at Nashville by Capt. Shannon's company of sixty men. The whole body proceeded together, and, after crossing at Greene's Lick, went on by the Pond Spring, and crossed the Tombigbee near its head; thence toward the Elk in various directions, so as to scour the whole country. The command of the whole was in Capt. Rains. Capt. Shannon, having been ordered to advance in front, had gone over a fresh Indian trace without perceiving it. Rains came to it and pursued, and soon came in sight of the Indians. Rains and one of his men (Beverly Ridley) pursued one of the Indians, and overtook and killed him. Some of the other soldiers of Rains's company (John Rains, Jr., and Robert Evans) outran and made prisoner a young Indian of the age of nineteen years, and brought him to Nashville, whence by the order of Col. Robertson he was removed to the barrens of Kentucky and placed in the custody of a brother-in-law of Capt. Shannon. He was afterward removed to the city of Washington, and at the end of two years came back to Knoxville, and thence to Nashville, and was released from captivity and permitted to go whithersoever he pleased. He returned to the Creek Nation. In the camp of these Indians was found a large quantity of deer-skins, fifteen good Indian horses, and other things. The young Indian man received from the whites the name of Shannon; the other, who was exchanged for Naine, was called John Rains. Divers other companies were sent out by Col. Robertson in this year for the same purposes, and were very alert in discharging the trust committed to them; and though they did not overtake and rout many groups or bands of marauding Indians, nor destroy many of them, yet in some instances they did execution of

that sort; and the intelligence was spread amongst the Indians that the woods through which they had to travel to Nashville were constantly traversed by armed bodies of men, endeavoring to find their trails and to pursue them.

Some of the first raised soldiers of Evans's battalion came to Cumberland with Capt. Hadley, and were placed at different stations in such proportions as emergencies required, the most numerous guards being at the places most exposed. The soldiers for the greater part of the ensuing two years remained in the country, and made an addition to the population and security of the inhabitants. One of these was Valentine Sevier, who will be mentioned in a subsequent chapter. But notwithstanding all these precautionary measures, such was the eagerness of the Indians for blood and plunder that they frequently found means of insinuating themselves into the settlement, and killed the inhabitants. In this year (1787) they killed Samuel Buchanon, the brother of John Buchanon. They came upon him in the field where he was plowing, and fired upon him. He ran, and twelve Indians pursued him in the form of a half moon. When he came to the bluff of the creek, he jumped down a steep bank into the creek, where they overtook him and killed and scalped him. Scouts from Bledsoe's Lick to the Caney Fork and the waters that flowed into it were also sent out, under the orders of Col. Winchester, who acted by the directions of Col. Robertson. They frequently fell upon Indian trails and met Indian parties in the woods, with a great variety of fortune—sometimes disastrous and sometimes successful. But the result produced was a conviction in the minds of the Indians that the frontiers were so vigilantly guarded by brave men, experienced in Indian fighting, as to make the acquisition of any thing in the settlements by their irruptions to be no otherwise attempted than at the imminent risk of wounds, death, or captivity. Those they were equally averse from as other people, notwithstanding their passion for war and for the occurrence of the difficulties connected with it, which it was their glory to evade or conquer by dexterous management and the adoption of well-chosen expedients. Under these impressions it is not to be doubted that they did far less mischief than otherwise they would have done.

On the 11th of December, in the year 1787, at Tarborough, in North Carolina, the representatives of the counties of Davidson

and Sumner, in the General Assembly then sitting at that place, made to that Assembly a solemn and written statement of the sufferings of their constituents, in the formation of which they were assisted by William Blount, Esq., afterward the Governor of the territory south-west of the river Ohio. They stated that the inhabitants of the western country were greatly distressed by a constant war that was carried on against them by parties of the Creeks and Cherokees and some of the western Indians; that some of their horses were daily carried off secretly or by force, and that their own lives were in danger whenever they lost sight of a station or stockade; that in the course of that year thirty-three of their fellow-citizens had been killed by those Indians, a list of whose names they annexed, and as many more had been wounded; that by original letters or talks from the Chickasaw nation, which they had submitted to the inspection of the Assembly, it appeared that they were jealous or uneasy lest encroachments should be made on their hunting-grounds, and that unless some assurances were given them that their lands should not be located, there was reason to apprehend that they shortly would be as hostile as the Creeks and Cherokees; that these counties had been settled at great expense and personal danger to the memorialists and their constituents, and that by such settlement the adjacent lands had greatly increased in value, by which means the public had been enabled to sink a considerable part of the domestic debt. They and their constituents, they said, had cheerfully endured the almost unconquerable difficulties in settling the western country, in full confidence that they should be enabled to send their produce to market through the rivers which water the country; but they now have the mortification not only to be excluded from that channel of commerce by a foreign nation, but the Indians were rendered more hostile through the influence of that very nation, probably with a view to drive them from the country, as they claimed the whole of the soil. The memorialists called upon the humanity and justice of the State to prevent any further massacres and depredations of themselves and their constituents, and claimed from the Legislature that protection of life and property which is due to every citizen; and they recommended, as the safest and most convenient means of relief, the adoption of the resolves of Congress, of the 26th of October last. This relief,

they trusted, would not be refused, especially as the United States were pleased to interest themselves on this occasion, and were willing to bear the expense. And these, they said, were the names of several persons, inhabitants of Davidson and Sumner Counties, who had been killed since the first day of January, 1787, by the Indians: Cornelius Riddle, Eneas and James Thomas, William Price and Mrs. Price, Mr. Bowman, William Bush, Maj. William Hall and two sons, Richard and James Hall, John Buchanon, Abner Bush, Mr. Dunham, Mark Robertson, Josiah Renfro, Thomas Hickman, Mr. Wallis, M. Ramsey, Mr. Staten, James Biswell, William Smothers and a Frenchman, Thomas Nolans, William Hays, and five others; William Colyears and three others, killed since the representatives left home, as they had been informed by letters. Gen. Wilkinson was in Tarborough at the time of this session of the Legislature, and from him they may have received some intimation of Spanish interference and claims. These sentiments were never avowed with such little reserve. It was evident that from that time the Spaniards were considered as the authors of Indian violences. The General Assembly which commenced its session at Tarborough on the 18th of November, 1787, upon a representation from the members from Davidson and Sumner, authorized the commanding militia officers of those counties to appoint two or more persons to examine, survey, and mark out the best and most convenient way from the lower end of the Clinch Mountain to the settlements of Cumberland, and to order out the militia of these counties to cut and clear the road so marked. The regiments of these counties were ordered to be divided into four classes and parts of classes, beginning with the first, and so on, in rotation, until the road should be cut. The counties of Davidson and Sumner were directed to pay a tax with which to satisfy the laborers to be employed in cutting the road. And no person was permitted to go through Davidson or Sumner to any of the Indian towns, unless he had a pass from some officers duly authorized under the United States, the executive of North Carolina, or the militia field officers of one of the said counties. This was to prevent the going of disorderly persons into the Indian towns, and provoking them by outrageous conduct to acts of revenge; and they subjected to severe penalties those of the counties of Davidson and Sumner who should provoke or plun-

der any friendly Indian, or who should threaten to kill or destroy or beat any such Indian or any of his tribe. And the militia officers of these counties were directed to raise militia guards, not exceeding fifty men each, when it should be known to such officers that a number of families were at the Cumberland Mountains, waiting for an escort to conduct them to the Cumberland settlements, the expense to be paid by a poll-tax which the County Courts were authorized to levy upon those counties respectively. A road was soon afterward cut from Bledsoe's Lick into the Nashville road, leading to the Clinch River, and the last-mentioned road was also cleared. By these improvements emigration into the new settlements was greatly facilitated and encouraged. Especially when being traveled by a guard there was little or no danger from Indian aggressions, the emigrants and the guard together generally making up a formidable corps. The Assembly at the same time passed a law to encourage the making of salt in Davidson County.

The gates of the new year (1788) were unfolded under circumstances less propitious than in olden times usually accompanied the like ceremony at the temple of Janus. The settlers experienced a mixture of prosperity and distress, which, however, gave them the foretaste of a final triumph over the calamities by which they had been so long oppressed. Increase of population, with agricultural exertion and success, had given a firm establishment to the settlement, and there was no longer any apprehension that they would ever be broken up. But they were still disturbed by the implacable enmity of the savages, who would expose themselves to the most imminent dangers rather than not wreak their vengeance on the Cumberland people, who every day became more formidable and more efficient.

In the month of February, 1788, the Indians came to Bledsoe's Station in the night-time, and shot into it through the gaps between the logs, and wounded George Hamilton, and went off. Near Asher's Station, on the north side of the Cumberland, they wounded Jesse Maxey. He fell, and they scalped him and stuck a knife into his body. Contrary to all expectation, he recovered.

In this year, on Drake's Creek, they came to the house of William Montgomery, the same person whose son was wounded in the year 1787, and killed this son and two of his brothers in

the day-time, at the spring, one hundred yards from the house. In the early part of March, at the plantation of Col. Robertson, on Richland Creek, a few days after he and Col. Bledsoe wrote to McGillevray, a party of Creeks killed Peyton Robertson, his son, at a sugar camp; took prisoner another lad, John Johnston, led him off, and detained him in captivity several years. In this year they killed Robert Jones, on the lands of David Wilson, called Wilson's Station, in the day-time; and also Benjamin Williams, near the head of Station Camp Creek. They killed, also, the widow Neely, in Neely's Bend, below Neely's Lick, and wounded Robert Edmonson at the same time and place, by breaking his arm. In the month of October in this year they killed two men, of the names of Dunham and Astill.

Though not without information which pointed to Spanish policy as the chief engine of their suffering from the Indians, Cols. Robertson and Bledsoe were yet desirous to discover, as a director in future resolves, whether the Creeks had any real or alleged cause for their displeasure against the people of Cumberland. The Creeks had no land on the south side of Tennessee to which they had ever laid claim. The people of the Cumberland had never encroached upon any of their possessions, nor had they acted inimically toward any of the Creeks, except in defense of themselves and their families when attacked. They could not conceive, therefore, how the Creeks could have any ground of complaint peculiar to themselves which should urge them into the extremes to which they had gone. But if, unknown to them, the Creeks really had any such grounds, and did not act under an impulse received from others, these gentlemen hoped that, if it were made known to them, they could give satisfactory explanations to the enraged Creeks or could remove the exasperating causes. Early in the spring they addressed a letter in their joint names to McGillevray, the celebrated chief of the Creek Nation, inquiring into the grounds of the offensive deportment of the Creeks toward them, and transmitted it to him by special messengers, Mr. Hoggatt and Mr. Ewing. To this application McGillevray replied at Little Tallassee, on the 4th of April, 1788: "I will not deny that my nation has waged war against your country for several years past, and that we had no motives of revenge for it, nor did it proceed from any sense of injuries sustained from your people; but, being warmly at-

tached to the British, under their influence our operations were directed by them against you, in common with other Americans. After the general peace had taken place you sent us a talk, proposing terms of peace, by Samuel Martin, which I then accepted and advised my people to agree to, and which should have been finally concluded in the ensuing summer and fall. Judging that your people were sincere in their professions, I was much surprised to find that while this affair was pending they attacked the French traders at the Muscle Shoals, and killed six of our nation who were there trafficking for silver ware. These men belonged to different towns, and had connections of the first consequence in the nation. Such an unprovoked outrage raised a most violent clamor, and gave rise to the expedition against Cumberland which soon took place. But as that affair has been since amply retaliated, I now once again will use my best endeavors to bring about a peace between us. And, indeed, before I received your dispatches I had given out strict orders that on the return of all hunting parties none should go out under any pretense until the first general meeting, which I expect to hold in May next, when all my influence and authority will be exerted in the manner you wish. I shall take leave of this subject, referring you to Mr. Hoggatt, to whom I have freely explained my sentiments.

“I have seen the resolves of Congress respecting Indian affairs as early as the beginning of January last, besides being notified of the same by Gen. Pickens; but I have as yet heard nothing of a superintendent or Georgia commissioner. Relative to the business of their commission I had received his Excellency, Gov. Caswell's letter and duplicate only a short time before the unlucky affair of the Muscle Shoals, so that I deferred writing an answer until I could be satisfied in my own mind that he might depend on what I should say to him. As I abhor every species of duplicity, I wish not to deceive; and if I were not decided on settling and terminating the war, I would not now write. I have hitherto only seen my friend, Col. Hawkins, on paper, and I highly honor and esteem him on this kind of acquaintance. The excellent character everybody gives him makes him a valuable advocate for your cause. Chance may put us in each other's view one day or other, and I shall rejoice in having the opportunity of saluting him as my friend.”

A personal avowal of one's own candor, sincerity, or probity is seldom the best evidence to be had of either, and by the maxims of prudence, as well as by the principles of law, it should generally be rejected till better be produced. The Creeks were not inclined to a pacific demeanor by exhortations received from any quarter. About the 20th of the month of July, in this year, in the night-time, they killed Col. Anthony Bledsoe, standing in an entry between two cabins. He heard the cattle running, as they always did when the Indians were about, and the dogs barking. He encouraged the dogs, and the Indians from the corners of the fence near the house fired upon and wounded him so that he died the next morning. At the same time and place they killed Campbell, an Irishman, who had been a servant of James and George Winchester.

Col. Robertson, seeing the union in disorder and at the point of dissolution from the imbecility of its own structure, and expecting no aid from that quarter or from North Carolina, which betrayed inability and disinclination, thought it most prudent to temporize and amuse awhile both the Spanish agents and the Creek chieftain; to dissemble the deep resentment he had at their conduct, and even to insinuate that he had come to a state of unconcernedness with respect to their main object; so true it is in nature that the strong and rich man speaketh surlily, but the weak one in the language of mildness. Col. Robertson replied to the letter of McGillevray on the 3d of August, 1788; and though he could not be otherwise than greatly irritated at the recent death of Col. Bledsoe, not the least symptom of asperity escaped him. He stated to McGillevray that his letter had given much satisfaction to the country in general; that he had transmitted copies of it to Gov. Caswell, which he had since seen published in the *Kentucky Gazette*. The Indians, said he, still continue their incursions in some measure, though trifling to what they had experienced in the spring. He imagined, he said, that they were made by the Cherokees or some outlying Creeks who were not apprised of McGillevray's orders. He informed McGillevray that Col. Anthony Bledsoe was killed by a small party about the 20th of July. It is reported, said he, that the inhabitants of Holston and the Cherokees are at war, but we have not received any account that may be depended on, nor whether you and the Georgians are likely to terminate your dis-

pute. "From Mr. Hoggatt's account," said he, "I have expected some of the Creeks in. I have caused a deed," said the colonel, "for a lot in Nashville to be recorded in your name, and beg you will let me know whether you will accept of a tract or two of land in our young country. I could say much to you," continued the colonel, "respecting this fine country, but am fully sensible you are better able to judge what may take place a few years hence than myself. In all probability we cannot long remain in our present state; and if the British, or any commercial nation who may be in possession of the mouth of the Mississippi, would furnish us with trade and receive our produce, there cannot be a doubt but that the people west of the Appalachian Mountains will open their eyes to their real interests. I shall be very happy to hear your sentiments of this matter." We shall see hereafter that the contents of these letters really had upon the Spanish commissioners the influence which it was expected they would create. If love conquers all things in the natural world, so does well-applied compliments in the civil departments of life, and in the prosperous management of affairs perhaps the latter are equally as operative as the other.

In the fall of this year the Indians killed one Watters after they had killed Bledsoe, near the place where Stamps now lives, two or three hundred yards from Winchester's mill. In the fall of this year, also, twenty-two families came to the Cumberland settlements by the way of Knoxville, escorted by a guard of one hundred men raised in the counties of Davidson and Sumner, commanded by Col. Mansco and Maj. Kirkpatrick. The guards to escort emigrant families were kept up for several falls, and such families were enabled to come through the wilderness without much danger. On the south side of the Cumberland the Indians did mischief also in this year. They attacked the station of Southerland Mayfield, upon the head of the west fork of Mill Creek, four miles above its junction with the east fork. They were in a body of ten or twelve men. In the evening they came to a place near the station, where Mayfield and his two sons and another person were making a wolf-pen, together with the present Col. Jocelyn, then a private man. The Indians, unperceived, got between them and their guns. They fired upon and killed Mayfield and one of his sons and another person who acted as a guard at that station. They fired upon the soldier and the son

as they went toward the guns to bring to the pen something that was there, and jumped over a log from where they had lain behind it, to scalp them in the presence of Jocelyn and Mayfield. Jocelyn ran for his gun and got amongst the Indians, who fired upon him and set fire to his clothes, and drove him back pursuing him, a string of them being on both sides in the form of a half-moon. At length they drove him to a very large log, over which if he could not have jumped, he was completely penned. Beyond his own expectations, he jumped over it and fell upon his back; but, despairing of taking a man of so much activity, they desisted from any further attempt, and left him. He took a circuitous route, and got into the station. Some bullets, not aimed at Southerland Mayfield, had glanced and wounded him, for the Indians did not see nor follow him when he ran. He did not return to the station, however, and looking for him the next day in the direction he had run, he was found dead, by a bullet which had penetrated his body. They took George Mayfield, the son of Southerland Mayfield, prisoner, and led him to the Creek Nation, where he remained ten or twelve years. The Indians made no attempt upon the station, but went off with their prisoner and the guns they had taken. Those who were in the fort removed to Capt. Rains's, near Nashville, their situation being deemed too exposed and dangerous for them to remain where they were with any hope of safety. The Indians who committed this massacre were Creeks. In the same year, in the spring season, at Brown's Station, on the west fork of Mill Creek, a mile below Mayfield Station, the Indians attacked and killed four boys, two of them sons of Stowball, one a son of John Brown, and one the son of Joseph Denton. The people who were living at that station immediately withdrew to Rains's Station. In the same year, after the boys were killed, James Haggard and his wife were killed at Brown's Station, and at the same time and place a man of the name of Adams. A few days after this John Haggard was killed, and then it was that the station was broken up and removed to Rains's. In the month of August of this year a convention of delegates from all the counties of the State met at Hillsborough to consider the proposed federal Constitution, and rejected it by a great majority, the members from the counties of Davidson and Sumner, as well as those from the counties on the waters of Holston, being amongst the dissentients.

In November, 1788, the increased population of Davidson again called for its division, and a new county with the name of Tennessee was taken from the western part of it. The old county of Davidson was divided by a line beginning on the Virginia line; thence south along Sumner County to the dividing ridge between the Cumberland River and Red River; thence westwardly along said ridge to the head of the main south branch of Sycamore Creek; thence down the said branch to the mouth thereof; thence due south across the Cumberland River to the Davidson County line. All that part of Davidson which lay west was erected into a county by the name of Tennessee. Officers of all sorts, both civil and military, were directed to be appointed, and courts to be held for the administration and execution of the laws. In their November session of 1788, they erected the counties of Davidson, Sumner, and Tennessee into a Superior Court district, and appointed Superior Courts to be held therein. It was usual in the Assembly of North Carolina on the third reading of a bill for the establishment of a district or county, and sometimes at the second reading, for the speaker to call for the name with which the blank left for the purpose was to be filled up, at which call the name was given by the advocate and father of the bill. Upon the passage of this bill the name was called for and the name of Mero given. It was received without opposition. The leading members of the House, being probably acquainted with the motives which dictated this nomination, made no objection, and others, without the same knowledge, followed their example. But some who were not so well informed as to be able to see the groundwork of this procedure, took offense at it. To such men it seemed to be as strange, as unexampled, that the name of an officer of a foreign government who was not and never had been in our service should be selected as the favorite whose name should be perpetuated on our public records, and that it should be given to a great political section of country which might perhaps sustain that name for many ages. They wished to know the meaning of this phenomenon, not having yet learned that political ends are liable to be defeated by a publication of the means used to attain them. Not receiving satisfaction, they argued on the basis of conjecture.

Don Estephan Mero was a colonel in the service of the King of Spain, and Governor of Orleans; was an enlightened man, of

engaging deportment, and of a very benevolent heart; but so were ten thousand other foreigners who had not been honored with any mark of peculiar esteem. And again, why select a Spaniard of so much distinction at the very time when that nation unjustly withheld from us the free navigation of the Mississippi, and when this very officer was the one chosen by the Spanish courts to see that exclusion completely executed. And this not all: at the very time, too, when it was proposed by Spain, and had been submitted to Congress by their minister negotiating with Spain, that the United States should relinquish the navigation of the Mississippi for twenty-five years, a measure which, if acceded to, would have completely ruined and broken up all the settlements on the western waters.

And still more, when it was fiercely urged in the neighboring State of Kentucky that certain visitants from that country to Orleans who were now suspected as having passed through the Cumberland settlements in returning to Kentucky, had industriously scattered the seeds of alienation from our own government through all parts of their progress. It was reported of them that they had vilified our own government for its incompetency to procure for the people those advantages which were essential to their existence; that at the same time they advised the rejection of the proposed Constitution for the government of the United States, the object of which was to establish a more efficient government and to give to it an arm strong enough for the protection of all its parts; that they had treated with derision the fallacy and futility of transmontane promises, and referred to the long experience which the western people had of them. Those who reasoned upon these conjectures were fearful lest in some parts of the western country there might have been imbibed a portion of the insidious opinion that there was more congeniality between their circumstances and Spanish connections than between them and the prostrated energies of the Atlantic confederacy. These speculations harrowed up the imagination till it had rendered the danger of separation extreme and imminent. They called to mind that the proposal to give up the navigation of the Mississippi for twenty-five years was made about the time when certain political characters in Kentucky were accused of intriguing with the Spanish agents to detach the western country from the Union, and to render it a province

or dependency of the Spanish government. These accusations, it was said, were urged with vehemence, referring to divers parts of the conduct of the accused, as evidence in support of the charge, and that they supplied at least plausible testimony toward substantiating the fact. It was undeniable, they said, that some of the accused had visited the Governor of Orleans, Don Stephen Mero, and had negotiated, as rumor proclaimed, for the transportation and sale of Kentucky tobacco in the Spanish market; and that this was only a part of a more extended plan, which was not submitted to public inspection.

Commercial indulgences coming from the spontaneous permission of the Spanish government when they could not be procured by the influence of the Union were suspected to be the artful substratum of an invincible argument for separation. To these, it was believed, were added the surprising apathy with which Congress received the proposal for the relinquishment of the navigation of the Mississippi for twenty-five years, whilst the situation of the Spanish possessions in the neighborhood of ours, the means they had of depreciating the value of our resources by commercial restrictions, and the friendly disposition they manifested toward us could all be mustered in aid of the scheme for becoming a part of their connections or subjects. These visionaries believed that such apprehensions were not the airy fabrics of a dream, but that Mero had far more studiously shaped his conduct to please and to seduce the western people, wavering between the love of country and of freedom on the one hand, and the actual deprivation of all commerce on the other, than becomes a friendly neighbor, a disinterested politician, or a man of undisguised candor. His benevolence, it was hinted, must be of the most uncommon species if he voluntarily took upon himself all these pains for the relief of a people whom he had not known but as a people oppressed by the jealousy of his sovereign, and every day tomahawked by his Indian allies, who in one moment could be hushed into silence by his word; for a people, too, who could not be supposed to be greatly actuated by affection toward himself, except as they could be induced to believe that their own prosperity was promoted, or was intended to be promoted, by the means which he had at command. These theorists, like the people of Athens, and the strangers who were there, spent their time in nothing else but either to tell or

to hear something new. And they continued to exhibit their vast political attainments upon this inexhaustible subject till by the adoption of the federal Constitution, the event foreseen by the politicians of Cumberland, it became manifest to the whole world that the strong and compact government established by that instrument forever banished the idea that the free navigation of the Mississippi would be abandoned. It was immediately perceived, and by Spain particularly, that there was now too much power concentrated in the hands of the Union to be long withheld from the dominion of the Mississippi and of all the countries adjacent to it. At the applauding thunder in the political atmosphere which ushered into being this grand crisis, the croakers dived in haste to their native habitations, and gave time for a fair examination of the course which had been pursued. And it was accorded that these tokens of friendship were hung out to inspire correspondent inclinations, and with the hope and expectation that they might be the parents of friendly advice to the Indians. And it is asserted that Gov. Mero was far from being unaffected at this instance of personal esteem, and that he did actually soften those asperities toward the people of Cumberland, which the Spanish government was not unwilling to encourage. The truth is, that the western people were in circumstances so exposed to temptation as to awaken the jealousy of their Atlantic brethren who were prompted to make inquiry why it was that as early as 1785 tobacco was raised both in Tennessee and Kentucky in such quantities as to be carried to public warehouses to be there declared marketable. Had it been intimated to the people that tobacco raised in Tennessee and Kentucky would be exported down the Mississippi to the New Orleans market? Trifling circumstances, which at other times would not have made the slightest impression, now gave uneasiness and dissatisfaction, and contributed in no small degree to make the Atlantic counties more sparing of their gratuities. There is one political lesson, and a very important one it is, which is learned from the transactions of these days, that perhaps the predilection for any form of government works not with so much effect, as the consideration that the western people cannot live without a market for the abundant produce of their fertile country; and that it will be a most dangerous experiment ever to place these

desiderata in opposite scales. It teaches us also the great vigilance which the government of the Union should incessantly bestow upon all places which by being well fortified could contribute to the security of Orleans. Whoever occupies Orleans will be the arbiter of our destinies. What a debt of gratitude is due to those by whose valor and good conduct it has been saved to the United States!

It was not till after the date of McGillevray's letter in April, 1788, that the Creeks had ever attempted a vindication of their violence against the people of Cumberland upon the score of encroachment upon their territory. But after that period, in the same year, as if he had forgotten the contents of his former letter, he addressed another to Col. Robertson in the latter part of the year, in which complaints were preferred of encroachments made by the Americans upon the Creek lands. Col. Robertson, in reply to this letter, regretted these circumstances, and excused both himself and the people of Cumberland from blame by remarking that they were not a part of the State whose people had made the encroachments. The people of Cumberland, he avowed, only claimed those lands which the Cherokees, in the year 1775, ceded to Col. Henderson, and for which they were paid. He had not expected to be blamed for his late expedition carried on against a people living below the Muscle Shoals, who had been stated to him both by Creeks and Cherokees as a lawless banditti who submitted to the regulations of no nation. He had just returned, he said, from the Assembly, who, together with the Continental Congress, had the most perfect good-will to do justice to all the red people. And the Assembly had been informed by Dr. White that he (McGillevray) had promised a suspension of hostilities to all persons but those who were endeavoring to take their just and national right. He said that since he and Col. Bledsoe had written to McGillevray he had been subjected to the mortification of seeing one of his children inhumanly massacred, a shock that almost conquered the fortitude which he had been endeavoring from his earliest youth up to provide as a shield against the calamitous evils of this life. At the same time a neighbor's child was made prisoner, whom he requested the good offices of Gen. McGillevray to have restored. His parents, said he, were inconsolable for his loss, and the only comfort they enjoy is the hope founded on the gener-

ous character of McGillevray that he would cause their child to be restored to them. Last fall he had stopped an expedition against the Cherokees on hearing from Dr. White of their friendly professions, and in so doing had incurred the displeasure of many of his friends. He desired McGillevray to punish the refractory part of his nation as the only means of preserving peace. Here grief imperceptibly stole upon his mind and poured forth itself in nature's simple strains. It is a matter of no reflection, said he, to a brave man, to see a father, a son, or a brother fall in the field of action; but it is a serious and melancholy incident to see a helpless woman or an innocent child tomahawked in their own houses. He sent to Gen. McGillevray a law of the Legislature of North Carolina for punishing transgressions against the Indians, and importuned him to put in force a similar law.

In December, 1788, McGillevray answered that he had seen a proclamation of Congress for restoring to the Cherokees the lands encroached upon since the treaty of 1785, which extended near to Chota. The Cherokees had asked assistance, he said, which the Creeks furnished in the fall of 1788, but since seeing the proclamation he had spoken to Little Turkey and the Bloodyfellow, who were satisfied of the intentions of Congress toward them, and promised to refrain from all hostilities against the whites. The leader, called the Dragging Canoe, who was upon the point of setting off with two hundred men, had stopped. He assured Col. Robertson that he would persist in the measures most proper to keep the Creeks from further hostilities against Cumberland. He expected the ensuing spring would terminate their disputes with Georgia. Col. Robertson about this time also wrote to the Cherokees complaining of the outrages they had committed in the time of his absence at the Assembly. Although it had been agreed by treaty that the innocent should not be punished for the misbehavior of wrong-doers, he invited them to send a flag to him with their answer to let him know whether they intended a general war or not.

The year 1789 as it rolled into view brought with it some ordinary and some extraordinary events. On the 20th of January the Indians killed Capt. Hunter and dangerously wounded Hugh F. Bell. A party of white men collected and pursued the Indians, and at the distance of two and a half miles came upon

them ambuscaded. They fired upon the pursuers, killed Maj. Kirkpatrick, and wounded J. Foster and William Brown.

They kept up hostilities during the whole summer, and killed a number of persons whose names are not remembered. In the spring of this year, at Dunham's Station, the Indians killed a man of the name of Mills; in May they killed Dunham, and in the summer Joseph Norrington and another Dunham near where the house of Mr. Joseph Irwin now stands. They fired on J. Cockrill and killed his horse. They stole horses, and killed divers persons in different parts of the country.

In May, 1789, Judge McNairy, who had been appointed to succeed the resigned Judge of the Supreme Court for the county of Davidson, and who had come in 1788 to discharge the functions of his office, set off with others to go into what was then called the settlements, and encamped on the west side of Clinch River. Here a large company of Indians fell upon them about two hours by sun in the morning, and killed a man of the name of Stanley, a Chickasaw chief called Longhair, and his son. The whites were entirely routed, and escaped by swimming across Clinch River. They lost all their horses and a great part of their clothing. In 1789 the Indians killed Miss McGaugh's at Hickman Station. They killed Hugh Webb on the Kentucky trace near Barren River, as he and others were bringing salt from Kentucky to Cumberland. They killed a man who had married Jane Kendrick's, near Winchester's mill. They shot Henry Ramsey through the bowels, near Bledsoe's Creek, between Greene and Morgan's Station, about three or four miles west from Bledsoe's Lick.

In this year the Indians came to Col. Robertson's station in the day-time and attacked him where his hands were at work in the field, in the latter part of June. They fired upon and shot him through the bottom of the foot as he ran toward the station. He ordered Col. Elijah Robertson, of Davidson County, to send men in pursuit of them. Sampson Williams, a captain, was ordered upon that service. His men, to the number of sixty or seventy, convened at Gen. Robertson's, and marched along McCutchin's trace up West Harper to the ridge of Duck River, where they discovered that the Indians outraveled them. Twenty men were ordered to the front, to leave their horses, and to make forced marches upon the trail. Sampson Williams and

the twenty pushed forward, and came in view of their camp on the south side of Duck River. Andrew Jackson, now Gen. Jackson, was one of the twenty. They went a mile and a half up the river, crossed in the night, and went down the river; but the cane was so thick that they could not find the camp, and lay on their arms all night. In the morning, after advancing fifty yards, Capt. Williams descried them mending up the chumps at the distance of one hundred yards from where he was. He and his men rushed toward them and fired at the distance of sixty yards, killed one, wounded five or six, and drove them across the river to the north side. He took from them sixteen guns, nineteen shot-pouches, and all their baggage, consisting of blankets, moccasins, leggins, etc., and returned home. The Indians carried off the wounded, and did not return the fire.

In this year, near the mouth of Sulphur Fork of Red River, the Indians fell upon two moving families by the name of Titsworth, Isaac and John, and killed their wives and children—not one escaped. In this year, also, they killed Evan Shelby and Abednego Lewellen as they were hunting in the woods. Hugh F. Bell and Col. Tenen made their escape. In the month of September, in the year 1789, the Indians came to Buchanon's Station and fired upon John Blackburn near the spring on the bank of the creek, in the morning. Ten or twelve of them fired upon him at the same time, killed him, scalped him, and left a spear sticking in his body.

The Spaniards remitted nothing of their aversion to the Cumberland settlements, nor of the means which they had long since chosen to adopt to repress and to thin those settlements. They and their agents talked much of endeavoring to induce the Indians to be quiet, yet they were in nowise pacified; and also other measures, if not calculated, at least designed to draw off the settlers, were put in practice. Gov. Mero issued his proclamation on the 2d of September, 1789, in which he set forth that his Majesty the King of Spain had been graciously pleased to permit the subjects and citizens of other countries to emigrate to his provinces of Louisiana and West Florida, by the Mississippi River, with their stock, household furniture, etc., and to introduce their property, promising to each family a tract of land, from two hundred and forty to eight hundred acres, in proportion to the numbers, free from all expense, as also exemption

from taxation. In order to fulfill these benevolent intentions, he made it known by this proclamation to all persons who might become the subjects of his Majesty that they would be duly protected in their rights and privileges before mentioned. Each person emigrating, on taking the oath of allegiance, would be obliged to render on oath a true invoice of the property he might bring down, to the governor of the District of Natchez, or the commandant at Lans Le Grace, as the case may be; and solemnly to swear that no other persons are directly or indirectly concerned in the same, it being the intention of his Majesty to extend this bounty to actual settlers only; and any attempt to contravene this design would be punished with the utmost rigor. All these regulations had the obvious tendency to dishearten the Cumberland settlers, and, with the assistance of Indian warfare, to make them desirous of a Spanish alliance. Col. Morgan, for some time previous to the date of this proclamation, dazzled by the splendor of these offers, had attempted a settlement on the Spanish side of the river, and continued with much zeal up to the latter part of 1789 to try to persuade the people in the Eastern States to become Spanish subjects, and to give to his undertaking as much eclat as possible. Gov. Mero issued his proclamation; but finally the attempt failed of success because of the stubborn nature of republican education, which forbids commixture with despotic habits.

The General Assembly of North Carolina, at their session which began in Fayetteville on the 2d of December, 1788, and concluded on the 22d of December of that year, ordered the sale of the salt licks and springs and of the adjoining lands. The County Courts of Sumner, Davidson, and Tennessee were enjoined, at the April term of their courts, in the year 1790, to make a list, to be signed by the chairmen, of all licks fit for the manufacture of salt, including Eaton's Lick, Denton's Lick, Neely's Lick, Kasper's Lick, Madison's Lick, Drake's Lick, Stoner's Lick, and Bledsoe's Lick, which were to be sold. All other salt licks and springs, not deemed by those courts fit for manufacturing salt, were declared to be vacant lands, as were also the lands adjoining them, and were made liable to be located and entered. Commissioners were to cause to be surveyed, where not already done, the several licks and springs fit for the manufacturing of salt, with six hundred and forty acres of the adjoin-

ing lands; they were to advertise the same for sale, and to make sale of them within twelve months. Two of the reserved licks, with the adjoining land, were to be retained for the use of the Davidson Academy, for which commissioners were ordered to execute a deed to the trustees. The moneys were appropriated to the use of the District of Mero, as might thereafter be by law appointed. Grants were to be made to the purchasers, and certain leased salt licks were provided for. They established at the same session a tobacco inspection at Clarksville and a provision store on the frontier of Hawkins County, at the house of John Adair, for the reception of corn, flour, pork, and beef, for the sole use of the Cumberland guard when called on to escort and to conduct families and emigrants through the wilderness to the Cumberland settlements. John Adair was appointed commissioner to purchase provisions, who was to give certificates which should be received by the different sheriffs in the District of Washington in part payment of the public tax in the counties of that district, and from them by the public treasurer. They made provision, also, by an act of the Legislature, for persons wounded in the District of Mero. The County Courts of Davidson, Sumner, and Tennessee were authorized, whenever it appeared to their satisfaction that any person wounded by the Indians was not able to defray the expense of his treatment and cure, to pass the accounts of the physician, surgeon, and nurse, and those for the necessary medicines, provision, and attendance, the same being properly attested and approved on oath. These accounts, so passed, were to be received in payment of any of the public taxes by the collectors, sheriffs, and other officers in the district. Accounts for provisions furnished the Indians within the District of Mero, by any of the inhabitants thereof, and being duly proved upon oath, and being exhibited in the court of the county where the claimant resided, the court was authorized to allow and pass and to fix the price of such provisions. Accounts thus passed were made receivable in payment of any of the public taxes of the district, and they exempted from militia duty all surgeons and physicians in the district. They enlarged the powers and salary of the Judge of the Superior Court for the District of Mero, giving to him an equity jurisdiction.

CHAPTER VIII.

Congress Regulates the Ceded Territory—Officers Appointed—Governor Proceeds to Tennessee; Causes the Oath of Office to Be Administered—A Treaty Proposed to the Cherokees—Circumstances of the Territory—Occupants South of the French Broad and the Holston—Tennessee Company—Spanish Jealousies; Their Attempts to Defeat the Western Settlements; During the Negotiations with Them the Western Settlers Restrained from Offensive Operations against the Indians, Their Allies—Sevier Made Brigadier-general—Cox and His Party Arrested—Indians Had Driven Them Off—Purchasers from Cox—Population of the Territory—Reports Circulated to Deter the Cherokee Chiefs from Meeting the Governor—Treaty with Them—Persons Killed or Wounded and Depredations of the Indians, 1791—Bowles Prevents the Execution of the Creek Treaty—Printing-press at Rogersville—Indians to Be Induced to Join the United States—Treaty to Be Held at Nashville—Report upon the Displeasure of the Indians—Five Lower Towns of the Cherokees Hostile—Scalp Dance—Eagle Tail Dance—Creek Prisoners—Troops Raised—Spanish Instigation—Mutual Hatred of the Whites and Cherokees—Thefts—Indians Killed—Bowles Taken into Custody by the Spaniards—Devastations of the Indians in Kentucky—The Governor Visited Cayette; Received by the Indians with Great Respect—Persons Killed by the Indians in 1782—Counties of Knox and Jefferson—Creeks Kill White Men in the Cherokee Nation—Spaniards Incite the Indians; Their Violences; Rout Henly's Company and Take Him Prisoner—Gov. Blount's Speech to the Indians—Militia Raised under Sevier, 1792—People Averse from the Service against the Insurgents—Indifference of the General Government to the Sufferings of the Western People—Fort Erected at West Point by Gen. Sevier—Why Chosen—Indian Depredations—Cherokees Obtained a Junction with the Whites Again at the Northwards—Causes of Indian Hostilities Explained—Henderson Purchased the Cherokee Claim—Chickasaw Claim—Donalson and Martin—Their Treaty with the Indians, 1783—Claim and Cession of the Six Nations—Virginia Boundary—Correspondence between the Governor of Virginia and Gov. Blount—Documents Concerning the Boundary—Gen. Sevier's Instructions to Col. Christian—Watts Wished for Peace—Sevier with His Army Ordered to Knoxville—Troops Discharged—Property Stolen—Persons Killed and Wounded, 1793—Spaniards Incite the Indians to War—The People Enbody to Take Satisfaction of the Indians—Dispersed by the Governor's Proclamation—Creeks Bent on War—Perplexing Occurrences—Troops Ordered—Instructions to the Officers How to Act—Creek Army—Douglass Killed—Exhortations to Peace—Scouting Parties—Spaniards—Panton—Morris, the Chickasaw, Killed—General Government Censured by the People—Killed and Wounded, 1793—Indians Killed at Hanging Maws by Beard's Party—Militia Ordered to Be in Readiness—Ordered to March to Knoxville—Invasion of the Creeks and Cherokees Appre-

hended—Horses Stolen by the Indians—Action between a Party of Indians and Whites—Indians on Their Way Home with Scalps and Horses—Indians at Doherty's Mill—Pursued and Some Killed—Nine White Men Wounded—Fifteen More Indians Killed—Indian Depredations—Persons Killed or Wounded—Indians Killed—Houses Burned by the Indians—The Whites Emboldened without Orders—Others Emboldened at Another Place and March against the Indians, Though Forbidden to Do So—Sevier Directed to Raise Men and Reconnoiter the Country—Indians Killed—Indians Killed in Their Towns, and Others Made Prisoners—Persons Killed or Wounded by the Indians on the Frontiers—Gen. Sevier Called on by the People—Indians Emboldened—Assault Henry's Station—Persons Killed by Them—Gen. Sevier's Letter to the Indians—Militia Ordered to Be in Readiness—Measures to Repress the Incursions of the Indians—Persons Killed by the Indians—A Thousand Indians Invade the District of Hamilton; Assaulted Cavet's Station; Took It, and Killed His Whole Family, Thirteen in Number—Pursued by Gen. Sevier—Marched to the Indian Towns—A Pattle at the Forks of Coosa and Hightower; Indians Routed; Their Towns Burned; Women and Children Suffered to Escape—The Spaniards Supplied the Indians with Powder and Ball for This Expedition—Remarks on the Conduct of the Baron de Carondelet—Persons Killed by the Indians—Grand Jury of Hamilton Complain of the Federal Government; Called for Protection; Requested to Have a Legislature of Their Own—Indians Killed—Whites Killed—Remarks on the Conduct of the Spaniards—Numbers in the Territory Entitled Them to Legislature—Election of Members Authorized—Assembly Called by Proclamation; Met at Knoxville; Their Proceedings; Their Address to Congress—Indians Pursued and Routed by Capt. Evans—Persons Killed or Wounded by Them in 1794—Indians Pursued and Killed by Capt. Ore—Spanish Incitations Began to Decline—Report of a Committee in Congress on the Memorial of the Legislature; Recommend Calling Out the Militia—Persons Killed or Wounded in 1794—Cherokees Took a Boat Descending the River, Killed the Whites Who Were in It, Took the Negroes, and Plundered the Boat—Persons Killed or Wounded—Creeks Pursued and One Taken; Court of Oyer and Terminer Called to Try Him; Tried, Condemned, and Executed—Creek Parties Out for War; Pursued by the Cherokees; Overtaken and Routed and Some Killed—Death-song—Scalp Dance—Bull Run Block-house Attacked—Another Party Overtaken by Capt. Evans; Routed and Some Killed—Lieut. McClellan Attacked and Routed by the Creeks—Persons Killed and Taken—Gov. Blount's Endeavors to Procure Peace—His Arguments to the Creeks—Shows They Had No Claim to the Lands on the Cumberland—Creeks Inform Parker of Their Unwillingness to Join the Spaniards against the Expedition Expected from Kentucky—Persons Killed—Goods of the United States Intended for the Indians Destroyed—Cherokee Council Refuses to Give Up the Property Taken by the Cherokees—Large Body of Creeks March through the Cherokee Nation toward the Frontier—The Occurrence of Events Favorable to Peace—Northern Indians Defeated by Gen. Wayne—Cherokees Send to Gov. Blount Soliciting Peace—Report of an Expedition against the Cherokees Intended by Gov. Logan—Gov. Blount Writes to Him by Express—Conferences at Tellico—White Beads Presented by the Governor—Smoked the Pipe of Peace—Cherokee Chiefs

Pressed by the Governor to Bring Forward Their Prisoners—Exchange of Prisoners—The Governor's Remarks to the Cherokees in Favor of Peace—Gov. Blount Wished to Break Up the Creek Nation as the Only Means of Safety to the People of the South-western Territory—McGillevray's Death—The Legislature Again Meets—The Council Chosen—The Proceedings of the Legislature—Sevier County and Knoxville Established—Transmit a List of Those Who Were Killed Since Their Last Meeting to Congress, with an Address—The People Directed to Vote For or Against a Convention to Erect the Territory Into a State—Gen. Knox's Report on the Means of Preserving Peace with the Indians.

ON the 25th of May, 1790, Congress passed a law for the government of the country south-west of the river Ohio. They declared that for the purposes of temporary government it should be one district, the inhabitants of which should enjoy all the privileges, benefits, and advantages set forth in the ordinance of the late Congress, made in July, 1787, for the government of the territory of the United States north-west of the river Ohio, except so far as otherwise provided for in the conditions expressed in the act of Congress of the present session for accepting the cession made by North Carolina. One of these conditions, as will be seen by recourse to the act, was that no regulations made or to be made by Congress shall tend to emancipate slaves.

To know precisely what this government was which was now extended over the whole of the ceded territory since called the State of Tennessee, recourse must be had to the ordinance itself, and to an act of Congress, amendatory of the ordinance, passed the 7th of August, 1789, which ordinance and act of Congress, together with the cession act of North Carolina, are inserted in the "Appendix."

These preparations being duly made, President Washington proceeded to the nomination of proper officers to exercise the territorial government as directed by the ordinance and its associate laws. William Blount, of North Carolina, was appointed Governor of the Territory, and David Campbell and Joseph Anderson, judges. Gov. Blount received his commission on the 7th of August, 1790, and arrived in the Territory South of the River Ohio, the name then given to the ceded territory, on the 10th of October, 1790; and took up his residence at the house of Mr. Cobb, in the fork between the Holston and French Broad Rivers, and near Washington Court-house. He appointed and commissioned the officers, both civil and military, for the coun-

ties of Washington, Sullivan, Greene, and Hawkins, which formed the District of Washington, and had caused the necessary oaths to be administered to them by Judge Campbell in his presence. On the 27th of November, 1790, he set off for the District of Mero, which was then composed of the counties of Davidson, Sumner, and Tennessee, to appoint and commission the necessary officers there, and to cause the proper oaths to be administered to them. He could not appoint brigadier-generals, but recommended Col. Sevier for Washington, and Col. James Robertson for Mero. He had gone, by the 11th of February, 1791, through all the counties, and had made many inquiries as to matters which it was proper for him to be acquainted with. He had sent Maj. King to the Cherokees with proposals to hold a treaty in the ensuing May, to make peace if possible, as the Creeks had done at New York on the 7th of August, 1790. The Cherokees were then divided into Northern and Southern. Hanging Maw was the leader of the North, and Little Turkey of the South. Maj. King reported that they manifested a great disposition for peace.

In order to understand perfectly the motives which governed the conduct of Gov. Blount and of the government of the United States, under whose direction he acted, as well as that of the Creeks and Cherokees toward the people of the Territory during the time of his administration, which is to be detailed in the sequel of this story, it will be proper to take a view of the circumstances in which Gov. Blount found the Territory, of the opinions which were entertained, and of the politics which were embraced at this time by our neighbors, the Spaniards.

Three millions of acres of land had been sold in John Armstrong's office, and south and west of the line described as the line of allotment in the fourth article of the treaty of Hopewell. Nine-tenths of Greene and six-tenths of Hawkins had been entered in this office, and were part of the three millions mentioned. In Greene County were eleven hundred militia-men, and in Hawkins five hundred. The settlements extended to the Clinch River, and some of the settlers had gone over the Clinch, and had seated themselves between that river and the Cumberland Mountains. All these were on the lands allotted to the Indians by the treaty of Hopewell. There were also other settlers south of the French Broad. They were there in violation of the

law of North Carolina, passed in April, 1783, which made a part of the lands reserved for the Cherokee hunting-grounds to be bounded by a line running up the Tennessee and Holston, to the middle of the French Broad; thence up the middle of the French Broad River, which lines are not to include any island or islands in said river, to the mouth of Big Pigeon Creek; thence up the same to the head thereof; thence along the dividing ridge between the waters of the Pigeon and Tuckasejah Rivers, to the southern boundary of this State. They were there, also, against the treaty of Hopewell. Their numbers amounted to twelve hundred militia-men, and they were extended over the ridge that divides the waters of Little River from those that flow into the Tennessee, down as low as Nine Mile Creek, a branch of the Tennessee, within five miles of Chota. The settlers of Greene and Hawkins Counties were on lands allotted by treaty to the Cherokees, which they had settled under the laws of North Carolina. The people south of the French Broad had settled in opposition to these laws, nor would the Assembly of North Carolina ever form them into a county, though often solicited by petitions to do so. They first commenced their settlements under the assumed authority of the State of Frankland. The lands occupied by these settlers were very valuable, and amounted to at least five hundred thousand acres, no part of which had been granted by the State of North Carolina, and would, upon the extinction of the Indian claim, be at the disposal of Congress. The settlers expected the right of preemption to be granted to them. The Assembly of North Carolina had provided in the cession act that the people then residing south of the French Broad, between the rivers Tennessee and Big Pigeon, should not be precluded by that act from entering their preemptions in that tract of country, should an office be opened for that purpose under an act of that Legislature. The Cherokees had not delivered the negroes and horses taken by them in the last war, as stipulated by the first article of the treaty of Hopewell; but, on the contrary, the Cherokees and Creeks had taken horses in great numbers since the treaty of Hopewell, and chiefly from the quiet and orderly people of the District of Mero. They had taken from them since the treaty of Hopewell upwards of one thousand horses; they had taken ninety-three from the two Col. Robertsons, and seventy-two from

five other persons. The Creeks had no claims to any lands north of the Tennessee. The Indians had then lately killed a number of persons in the Territory. North Carolina and Frankland had paid no regard to treaties, and the Cherokees followed their example. The Cherokees exacted pay for all the property they restored to their former owners. They had lately fired on Maj. Doherty's boat. It had not been ascertained on the 11th of February, 1781, whether the Indians would agree to the establishment of a post at the mouth of Bear Creek or not.

Of the Tennessee company there were in the Territory on the arrival of Gov. Blount, Williams, Strother, and Gardner—all moneyless—who talked of raising a party, to go from the confluence of the Holston and French Broad, on the 10th of January, to the Muscle Shoals, there to form a settlement. They were not attended to, being supposed not able to effect any of their purposes; but about the 10th of January, Cox, another of the company, came over, and with him twenty-five or thirty men, who began to prepare in earnest to go down the river. The governor, on the receipt of a letter of the 13th of January, from the Secretary of War, dispatched Maj. White, of Hawkins County, to make known to them the President's proclamation, and to inform them that if they went to the Muscle Shoals the Indians would be immediately notified of it, and be at liberty to act toward them as they might think proper, without offense to the government of the United States; and to inform them that if the Indians would permit them to settle at the Muscle Shoals, the government of the United States would not. They were intimidated by this communication, and began to doubt whether they should proceed or not; but it was expected that in the course of February three hundred men from Kentucky would proceed with a determination to settle the Yazoo. Such was the state of affairs at the time Gov. Blount arrived in the Territory.

Spain for several years past, and indeed ever since the conclusion of the American war, had viewed with jealousy the extension of our settlements toward the West and the diffusion of our political principles toward their own settlements on the Mississippi and in the Floridas. It became a settled object of policy with them to break up these settlements, if possible, or to withdraw them from their union with the Atlantic States. The first

they thought to effect by their influence with the Southern Indians, with whom they began to tamper as early as 1784; and to give themselves some color for interfering in their affairs they pretended a claim to part of the country of the United States far to the north of the 31st degree of north latitude. This pretense they absurdly founded upon the capture by their forces in the time of the war with Great Britain of some places within our bounds, which, as allies of the United States, they occupied for some time. They endeavored to effect the second object by denying our right to navigate the Mississippi, even down to the 31st degree of north latitude, to which we owned all the territory on the east side of the river. They unequivocally denied the right as to all parts of the river below the 31st degree of north latitude to the ocean, though the British were entitled to navigate the whole river by their treaty of 1763, and passed that right to us by the treaty of 1783, after which the British ceded to them the Floridas and the French Louisiana, subject inevitably to the right of navigation, derived to us long anterior to their claims to the adjoining counties. They hoped by rendering the production of the western country of no value, for want of a market, to make the settlers remove into their territories, or otherwise to make it to their interest to separate from the Atlantic States, and to enter into arrangements with Spain suitable to her views, or to become her tributaries or dependents. America had been separated from England, and the latter proportionately disabled. The western part of America was now to be separated from the eastern part of it, to reduce her to so much imbecility as to free the Spanish possessions in America from danger. These were objects of no small moment. The Spanish government never lost sight of them till placed in circumstances which demonstrated the impossibility of her ever succeeding. The entertainment by her of this policy will serve to explain every part of her conduct which shall be narrated in this history. At some periods when she had hopes of effecting a separation, her officers paid the most flattering attention to our leading men, and granted commercial privileges which none but themselves could grant. At other times, when that hope faltered, hosts of savages were sent upon our frontiers, supplied with all munitions of war. When afraid of the rumored invasion of the western people, they recommended to the Indians

peace with their neighbors, the Americans; and as soon as difficulties began to appear less formidable again excited them to war and mischief. Sometimes the leaders of our unprotected settlers, pretending esteem for their officers and a wish to be under their government, would procure an abatement of the horrors of war. But liberty to those settlers was of more value than all the benefits they had it in their power to bestow, and might have taught them, if the servants of despotism had known how to calculate, that however our leaders might in calamitous circumstances think proper to temporize, they never could entertain the serious wish to coalesce with them; and they might have understood that with the great body of the western people all the wealth of the Spaniards could not bear a comparison with this single article. During the whole time that the American negotiations were pending with Spain, from 1785 to 1795, orders were constantly repeated to our military officers on the frontier to behave toward the Spaniards with the utmost politeness, and to act only on the defensive against the Indians, for fear of offending the Spaniards, who had unjustifiably taken them under their protection. The government itself submitted patiently to the Spanish establishment of posts on the Walnut Hills and two hundred miles above, in 1791, judging it best to give a fair chance to the pending negotiation, and not to make any innovations in the state of things till it was over. At the same time, by military force, the American government prevented the Yazoo company from settling themselves at the Walnut Hills. The American government was the more cautious in her expressions of dissatisfaction at Spanish interference with the Indians in the territory of the United States, because it was clearly perceived that the Spaniards had made them, in their policy, a barrier against our settlements, and for that reason were sensitive in an extraordinary degree upon any subject connected with either their or our behavior toward their Indian allies. In these negotiations the United States suffered much for patience's sake, and made it plain to the world that a true diplomatic politician must be deeply versed in the book of Job.

The Spaniards even went so far as to be displeased because in the treaty of Hopewell the United States had taken the Creeks under their protection, so far as they were within their limits, that being incompatible with a former treaty of 1784, which they

had made with the same people. What right had they to intermeddle with inhabitants who lived in the United States' territory? But the Americans forbore to ask the question. The Creeks fell upon them in 1792, after coming directly from the Spaniards at Pensacola. They then complained that the United States had stirred up the Chickasaws to war against their allies. The Spaniards by indulgence had become childish, and did not perceive that the United States could ask the question: "What right had *you* to meddle either with the Creeks or Chickasaws? From our long forbearance they had conceived the extravagant notion that we were not to make opposition in any event. By this brief statement we shall be the better able to trace to its proper source the greater part of those facts which are about to be unfolded.

On the 23d of February, 1791, the President signed a commission appointing Col. Sevier to be a brigadier-general of the militia of Washington District, in the Territory of the United States South of the River Ohio.

On the 28th of April Gen. Sevier informed the Secretary of War that the recruits called for should be raised and sent forward by the 1st of June.

Before the month of June, in the year 1791, Zachariah Cox, with his brother William Cox, James Hubbard, Peter Bryant, John Ruddle, and several others, went down to the Muscle Shoals, and returned on the 2d of June to Knoxville. - They were immediately arrested, by warrant from Judge Campbell, to answer for the offense. A short history of their transactions is this: Gilbert Strother & Co. proceeded down the Tennessee to an island in that part called the Muscle Shoals, on which they landed, built a block-house, and erected other works of defense. Shortly afterward appeared Glass, with about sixty Indians, and informed them that if they did not depart in peace the Indians would put them to death. After some conversation upon the subject, it was agreed that the company would and might move off in peace and without injury, and they accordingly did so. The Indians burned the works. But Cox and his party were still determined to make another attempt to form a settlement at the same place in the ensuing autumn.

At the next term of the Superior Court for the District of Washington a bill of indictment was twice sent to the grand

jury against Cox and his associates, and was returned at both times not a true bill. Cox and twenty young men from Georgia seemed on this event to triumph over the government, and were encouraged to persevere in the prospect of settling the Muscle Shoals. They immediately found purchasers for many thousands of acres of land, and made public declarations of their intentions to make another attempt, and that they would do so in great force, to be drawn from Maryland, Virginia, North Carolina, South Carolina, and Georgia; and that they would make the attempt in November, 1791, as soon as their forces could be collected, or as soon afterward as might be. Many of the grand jurors, it was supposed, had been themselves trespassers on the Cherokee lands, under grants from North Carolina. Strother went to the Chickasaws, and they at the block-house assured him of their friendship; but he did not mention to them that he intended to settle in the country, and when truly informed of his objects they very strongly objected to them.

Gov. Blount, by the 1st of July, had ascertained the whole population of the Territory. It amounted to 36,043, including 3,417 slaves. The whole population of Cumberland was 7,042. He repealed by proclamation the licenses of several Indian traders, for transgressing the regulations made for the government of trade.

A report was in circulation in the Cherokee Nation that it was the intention of Gov. Blount to draw them to the treaty ground and cut them all off. In consequence of it, many of them had made up their minds not to come to the treaty at all. Gen. Robertson, being informed, went into the Nation about the 8th of June, 1791, and undeceived them, and revived their confidence in the United States. He completely effaced all the unfavorable impressions which had been made upon them. According to the invitation of Gov. Blount, the Cherokee chiefs met him at the treaty ground on the bank of the Holston, near the mouth of the French Broad River, the place where Knoxville now stands; and on the 2d of July, 1791, they concluded a treaty of peace and perpetual friendship.

On the 11th of November, 1791, it was ratified by the President and Senate, and the President issued his proclamation, commanding its observance.

The hostility of the Indians was very distressing through a

great part of 1791. In the month of May of the same year John Farris and his brother, of Lincoln County, about three miles from home, were fired upon by a party of Indians, who wounded Farris in the shoulder and broke his arm. Also, in the same month, in Nelson County, Ky., from the Rolling Fork, a number of horses were taken. One Miller and his family, five in number, were killed, and his house robbed. This party was followed southwardly. One Indian was killed when they were overtaken, and one wounded. On Tuesday, the 23d of August, 1791, near Mockason Gap, in Russell County, Va., Mrs. McDowell, wife of William McDowell, and Frances Pendleton, daughter of Benjamin Pendleton, aged about seventeen years, were killed and scalped. Mrs. Pendleton and a boy eight years of age were carried into captivity. At the same place, on Friday, the 26th of August, 1791, at 8 o'clock in the morning, seven Indians came to the plantation of Elisha Farris, killed and scalped Mrs. Farris, Mrs. Livingston, and a child of Mrs. Livingston, about three years of age; and wounded Mr. Farris, so that he died at about 2 o'clock. They carried off Nancy Farris, aged about nineteen years. The Indians stripped those they had killed on both days, and laid the women on their backs extended at full length.

A short time before the 14th of June, 1791, several white men were killed in Powell's Valley, in Russell County, Va.; and shortly before the 15th of July, 1791, a party of Creeks were seen on the Lookout Mountain, of the Cherokees, with three scalps, which they acknowledged they had taken from Cumberland. On the Wednesday preceding the 5th of September, 1791, a party of Indians killed James Patrick in Poor Valley, about seventeen miles from Hawkins Court-house and three miles from the main Kentucky road. He had gone out to drive up his cattle, and was not more than four hundred yards from the house when the Indians fired upon him. They instantly made off without attempting to scalp him. About the 10th of November a company going through the wilderness were met in the road by a party of Indians. Upon the first sight their men, being seven in number, rode off with the utmost precipitation, and left the women, four in number, who were so terrified that they were unable to proceed. The Indians came up, shook hands with them, and told them they should not be hurt; made a fire for them, and caught a horse which one of the company had jumped from,

which they tied to a tree; they went after a small boy who was attempting to escape, and brought him back to the women. Four of the fugitives did not stop till they reached the settlement; the other three, after some time, returned to the women.

Gov. Blount recommended to Gen. Robertson, in the most earnest terms, to preserve the treaty of the Holston inviolate, and to punish the infractors of it, if any such should be found. He enjoined it upon the general to maintain a friendly demeanor toward the Indians, and to furnish such of them as applied with small presents—such as provisions, powder and ball—and to keep an account of the supplies to be paid by the United States.

Bowles, a man of some consideration among the Creeks, had gone in the year 1790, with several Indians of the Southern tribes, to England, where to a certain degree they had received countenance and support. During the summer of 1791 he sailed from England, enriched with presents, for the Bahama Islands. After arriving at the Bahamas, he sailed for Indian River, in East Florida; and thence proceeded to that part of the Creek country which was inhabited by the Seminoles, where he arrived in September, 1791.

The Creeks were then preparing to execute the treaty made between them and the United States at New York, in August, 1790. They had chosen the chiefs to attend at the Rock Landing, on the 1st of October, the time stated for running the boundary line agreed upon in the treaty, White Bird, king of the Cussetahs, being of the commission. Bowles appeared at this juncture. The presents he brought with him and his bold assertions caused great agitation and hesitancy amongst the ignorant part, and of course amongst the mass of the Creeks. Although a considerable part of the Upper Creeks, and indeed of all the respectable chiefs, were for running the line, he pretended that he had powers from the British Government to conclude a treaty with the Creeks, the basis of which should be a revocation on their parts of the treaty with the United States, and a guarantee of their lands. He declared that he would write to Georgia, and prevent the running of the lines; and he accordingly wrote to the commissioners who were waiting at the Rock Landing expecting the Creek chiefs, by a letter dated the 26th of October, at Usuchees, and signed "GEN. WILLIAM A. BOWLES, *Director of*

the Affairs of the Creek Nation." He asserted that Alexander McGillivray had deceived the Indians in the treaty made at New York, but that he was willing to form a treaty with the United States in behalf of the Creek Nation, and declared that the former treaty should not be executed. The Indians, distracted by his artifices, entreated of the United States to wait till spring before they should mark the boundary, saying that if Bowles should then turn out to be an impostor they would attend and run the dividing lines without further difficulty.

A considerable detachment of the troops of the United States and Mr. Ellicutt, the surveyor, and three respectable commissioners from the State of Georgia, were assembled punctually at the Rock Landing, on the Oconee, the 1st of October; and they waited for the Creek chiefs till the 1st of November, when, despairing of effecting the business they came upon that season, they returned home.

Gov. Blount, attending to every improvement which the necessities of his new government required, in order to give information to the people and to be able to communicate quickly whatever intelligence he wished to spread amongst them, procured Mr. Roulstone, a printer, to come with his printing-press to Rogersville. On the 5th of November, 1791, the first printing-press ever introduced into the Territory was set up by Mr. Roulstone, at Rogersville; and on that day issued the first number of the *Knoxville Gazette*, though Knoxville was not laid off till February, 1792. It was then laid off upon the ground on which the treaty had been held and made with the Cherokees, on the 2d of July, 1791.

To prevent the coalition of the southern with the northern Indians, who had defeated Gen. St. Clair on the 4th of November of this year, the President had devised the plan of inducing the former, if possible, to join the United States in their war against the northern tribes. This would create a misunderstanding that would for a long time to come prove an effectual bar to the coalescence of their forces. Gov. Blount was earnestly solicited to hold a treaty at Nashville in the ensuing summer, to which he should invite the Choctaws, Chickasaws, and Cherokees, and to make the proposal to them. Gen. Pickens was requested, by a letter from the Secretary of State, to attend, and to use his influence for the promotion of these designs.

It was to be expected, after the end of the Revolutionary War in 1783, when the Indians were no longer urged on by British incitements, nor backed by their resources, that their propensities for war with the United States would naturally have died away, and would have been replaced by amicable dispositions. The experience of eight years had proved the contrary, and that the disinclination of the savages toward the United States was now as excessive as ever. As the new Constitution had devolved upon the government of the Union the power to make treaties and to carry on war, it of course fell to the lot of the President to investigate the causes of their dissatisfaction, in order to learn what remedy could be most properly applied to the disorder. On the 16th of January, 1792, he referred it to the Secretary of War, to report to him the causes of the inveterate and deep-rooted enmity of the Indians. On the 26th of the same month the report was made and submitted to public examination.

This report afforded the melancholy foreboding that humane expedients for the maintenance of peace would have but very transient effects; and that, like nocturnal moonlights breaking through the clouds and falling in parcels upon the marginal forest, the fragments of hostility would still break upon the frontier settlements through every opportunity that offered. Notwithstanding the treaty of Holston, the Cherokee towns of Running Water, Nickajack, Long Island Villages, Crow Town, and Lookout Mountain gave strong indications, early in the year 1792, of hostile intentions. The four towns first named lay on the south bank of the Tennessee, and were the common crossing-places of the Creeks and northern tribes, as they passed, which they frequently did, from one nation to the other. The fifth was situated on a creek of the same name, about twelve miles south of the other four. They were all quite detached from the other towns of the Cherokees, divided therefrom by the Chatauga Mountains. In the early part of March, 1792, the five lower towns had a scalp dance, also the eagle tail dance—the forerunners of war. All declared themselves for war against the United States, and for joining the Shawnees. On the 22d of March, 1792, “The Glass,” of Lookout Mountain, and “The Turtle,” the head men of “The Running Water,” arrived at their respective towns, “The Glass” having a white girl, aged about

eight years, a prisoner, and two scalps. The girl said the party of which she was consisted of her father and two other men, her mother, and several children, on their way from Natchez to Nashville, and that her mother and one child were killed and scalped. The men of the party escaped. The account of the girl accorded with that of the Indians themselves. Little Turkey, the principal chief of the Cherokees, was so incensed at the conduct of the five towns that he forbade in positive terms, in a general talk addressed to his nation, all intercourse and society with them.

Appearances were so threatening as made it proper to guard the frontiers. Gov. Blount, on the 1st of April, 1792, authorized Gen. Robertson to call into active service one hundred and fifty-two militia-men, and informed the general at the same time that he would send Capt. Cooper with his company into the Cumberland settlements; and at the expiration of their term of service, which was three months, he caused their places to be supplied by new levies. Gen. Robertson, in his letter, attributed the war of the Indians to Spanish instigation.

On the 6th of April, 1792, a party of Indians, five or six in number, went to the house of Harper Ratcliff, in Stanley Valley, about twenty miles from Hawkins Court-house, and killed his wife and three children, plundered the house, and instantly made off. They left behind them three war clubs, a bow, and sheaf of arrows, to signify that war was declared. Upon this event, the company under the command of Capt. James Cooper, which was ordered to proceed to Mero District, received orders to range on the frontiers of Hawkins County. They were ordered to range from the Virginia line to the Powder Spring Gap, on Clinch Mountain, and from the Powder Spring Gap to the river Holston.

About the beginning of April, in the year 1792, a party of Indians, at the foot of the Cumberland Mountains, were fired on by the white people. The head man of the Hiwassee was killed, and their camp plundered. On the same day a woman and children were killed, on their own plantation, near the Clinch, just below the Virginia line. Such was the irreconcilable hatred which the Indians and whites had contracted for each other, by a long-continued course of aggression and sufferings, that it was almost as impossible for the government of the United States to restrain

some of her citizens from acts of enmity as it was for the Indian chiefs to restrain and keep within bounds all those who were of their nation.

On the 5th of April, 1792, as a Cherokee with four squaws was passing peaceably near the house of James Hubbard, on the French Broad River, two guns were discharged at him. One ball grazed his cheek; another passed through his side, giving him a slight wound. Hubbard was one of those who went down the Tennessee in the spring of the year 1791, to attempt a settlement at the Muscle Shoals, and suspicion fell on his two sons, who lived with him, as having fired the guns at this Indian. The frontier settlers, so far from approving, held this act in great abhorrence. They were satisfied with the treaty of the Holston, and were resolved to preserve it inviolate if they could.

On the 5th of April, 1792, a party of Indians, supposed to be Cherokees, stole a number of horses from Cox's settlement and the neighborhood of Powell's Valley, in Virginia. They took the Kentucky trace through the Cumberland Mountain to Yellow Creek, to which place they were followed by two men, who returned without overtaking them. Col. Cox then set out with a party of men down Powell's Valley, to a gap in the Cumberland Mountain, where he was persuaded they must pass in recrossing the mountain to reach their towns, if Cherokees. On his way down, about 2 o'clock in the morning of the 6th, near the Indian old towns, on the land known by Henderson's survey, he fell in with an Indian camp; which he fired into, and killed a Cherokee chief named Hootaquah, or Big Aron, and wounded two others, who made their escape. Amongst the articles found in this camp were a number of halters, some children's apparel, and some cotton on quills. It was soon ascertained that the party of Indians who had killed Mrs. Ratcliff was headed by one Bench, a Cherokee by birth, who for some time past had resided amongst the northern Indians, and who may be considered as belonging to the latter nation.

The Creeks about this time expelled Bowles from their nation, and again re-instated McGillevray in his office; who immediately requested the Governor of Georgia to make provision for two thousand men, who would be present at running the lines agreed on by the Creek treaty of August, 1790. Bowles, with a

party of Indians, had lately robbed a Spanish store, for which the Spaniards took him into custody.

About the 1st of May, 1792, six hundred Indians invaded the county of Fayette, in Kentucky, burned Frankfort, and killed fifty persons.

About the last of April three Indians stole horses from Crooked Creek, in Kentucky. They were pursued and overtaken. At the Big Tellico the white people were joined by some Indians, who were active in the pursuit and recovery of the horses.

On Sunday, the 17th of May, Gov. Blount visited the Indian town of Cayette, and was received with tokens of highest respect and affection. He staid there till Thursday, holding public and private discourses with the chiefs, many of whom were from the lower towns, and unanimously expressed their contrition for the depredations committed since the treaty of Holston, and their firm determination to prevent them for the future. But if these chiefs were really in earnest, they had not the means of compelling the observance of the treaty; for on the 10th of May, as two sons of Mr. Wells, in Hindes's Valley, within twelve miles of Knoxville, were picking strawberries, six Indians came up, tomahawked and scalped them in his view, and went off without making further attempts on his family. Suspicion attached to the Creeks and Cherokees. Early in the morning of the 17th Judge Campbell and his party, on their return from Cumberland, four miles east of Emery's River, were attacked by a party of Indians, who fired on them in front and killed William Clack, the only person in the company who had a gun.

About the last of May a party of Indians fired upon a man who was hunting horses, between German and Flat Creeks, near the end of the Clinch Mountain. Four balls passed through his clothes and shattered his powder-horn, without grazing his skin. The same Indians, early in June, stole a number of horses from German Creek.

In the month of June of this year the Governor established two new counties, Knox and Jefferson.

On Saturday, the 11th of August, 1792, a party of Indians attacked a house at New Garden, Russell County, Va., killed sixteen persons, and took a woman and her children prisoners. A company of horsemen followed them and retook the prisoners.

On the 24th of August the Creeks killed and scalped Mr. Ramsey, an old resident among the Cherokees, and a person recently arrived from Charleston, at the beloved town of Estanaula, among the Cherokees in open day. They declared it was their orders and determination to kill the Virginians wherever they could find them, for thus they called all the citizens of the United States. This outrage gave offense to the Cherokees. The Creeks, also, about the same time, committed similar outrages upon the whites resident in the Choctaw and Chickasaw Nations, killing all of them they could find, calling them Virginians, and proclaiming that they would kill them wherever they could find them.

On the 6th of September, 1782, John Cochrane, as he was returning home to his father's house on Little River, was fired on by three Indians. Two balls passed through his clothes, without doing him any further injury.

On the 3d of October, 1792, Black's block-house, on the head of Crooked Creek, a branch of Little River, at which there was a sergeant's command, was attacked by surprise, an hour and a half in the night, by a party commanded by a Cherokee of Wills' Town, called "The Tail," a brother of "The Bench" and Tolotiskee, consisting of three other Cherokees and five Creeks. James Paul was killed in the house, and George Morse and Robert Sharp at a fire on the outside, and John Shackland wounded. Three horses were killed and seven taken. Five of the Chota Indians and eight of the Chilhowee were with Tolotiskee when, in November, 1792, they killed several white men on the Kentucky River.

Early in October, 1792, young Gillespie was conducted in safety to Nine Mile Creek, Craig's Station, by John Christian and two young Cherokees—the warrior's son and Kulsatahee—from Estanaula, where he was purchased from the eight Creeks who took him, by James Carey, with the assistance and interposition of Chunelah and other chiefs of the Upper Cherokees, for two hundred and fifty pounds of leather, equal to \$83.30, and a horse estimated at £15. The Creeks value a white prisoner and a negro at the same price, and treat them equally as slaves. Young Gillespie was taken from his father's house, within twenty miles of Knoxville, on the 12th of September. His elder brother was killed and scalped by the same party. Many of the

chiefs were now in openly professed hostility, who as late as July in this year gave the most unequivocal proofs of attachment to the United States. This sudden change of conduct was at the time attributed to the Spanish government.

On Saturday, the 6th of October, 1792, a company of travelers, on their way from Kentucky through the Territory, were fired upon in the wilderness, and two men were killed, and one said to be mortally wounded. The party who attacked this company consisted of sixty warriors, and were headed by the noted Cherokee chief, Tolotiskee, a signer of the treaty of the Holston, and one who accompanied John Watts on his visit to Gov. Oneal in July and August, 1792. Inspired with the spirit of war by the persuasions of Gov. Oneal, as the people of the Territory believed, he painted himself black before he left Pensacola, declared himself for war, and with that appearance and spirit he passed through the Creek Nation. While he was at Pensacola Gov. Oneal showed him five magazines. "This," said he, "is for the Cherokees, that for the Creeks, these two for the Choc-taws and Chickasaws, and this for ourselves, to assist you if necessary."

The Cherokees, some time in the month of October, 1792, agreed with the Creeks to erect three strong stockade forts, with block-houses—one at the confluence of the Tennessee and Clinch Rivers; the second in the Running Water Town, on the Tennessee; and the third at the Creek's crossing-place, near the Muscle Shoals—by which means they expected to be able conveniently to continue occasionally their hostile depredations on any part of our south-western territory. Every thing wore the appearance of war; but Hanging Maw desired to be at peace and not to be disturbed, as he would remain at home.

On the night of the 5th of November, 1792, five Creeks, headed by young Lashley, the son of a Scotchman in the Creek Nation, the same that headed the party who killed and captured Gillespy's sons on the 12th of September, came in upon the waters of the Little River, about twenty miles from Knoxville, and stole and took off eight horses. They were tracked toward Chilhowee, the nearest Cherokee town. This gave reason to suspect the Chilhowee Indians of the theft, whereupon as many as fifty-two of the neighboring people, including the sufferers, assembled together in arms, and resolv'd to go and destroy Chil-

howee and Talassee, a little adjacent town; and actually did march, but Gen. Sevier, receiving information of their intentions, dispatched orders to them to disperse and return home, which they did. As young Lashley passed the Cherokees he assured them that the Spaniards had ordered the Creeks to go to war against the United States, and had supplied them with arms and ammunitions for the purpose; and as an evidence of the truth of what he said, he called their attention to four of his party having new guns, which they were going to use as the Spaniards had directed.

In the latter part of October sixteen Indians, with arms, passed from the north to the south of the Ohio. Their trail was discovered where they crossed the trace between the Cumberland and the Kentucky, and it was believed that they crossed the trace which leads from Knoxville to Nashville, and fired the woods to prevent the discovery of their trail. These were supposed to be Cherokees, called home on the declaration of war; or Shawnees, coming to the aid of the Cherokees; or a mixture of both.

On Monday, the 12th of November, 1792, a party of fifteen Cherokees attacked the house of Mr. Ebenezer Byron, in Grassy Valley, about eight miles from Knoxville, in which were only two men with their families. The Indians had surrounded the house before they were discovered, and forced open a window and pointed their guns into it, when by a timely and well-directed fire from the two men two of the Indians were wounded, and the rest put to flight without firing a gun, leaving one of the wounded behind, who was shot through the head by a second fire from the house. From the quantity and pieces of bone which were found upon the trace, a small distance from the house, it was presumed that the other Indian had received a mortal wound. The irruptions of the Indians became so frequent and destructive as to call for the interposition of an armed force. Gen. Sevier was ordered into service, and with his main force was stationed at South-west Point, thirty-nine miles from Knoxville. This point is formed by the junction of the Clinch and Tennessee Rivers. The other part of his brigade was posted in the different points of the frontiers for the protection of the frontier inhabitants.

On Friday, the 22d of November, Capt. Samuel Henley, of

Washington County, marched from South-west Point (Gen. Sevier's camp), with forty men, for the District of Mero, there to perform a three months' tour for the protection of the district. Early on Sunday morning he was fired upon by a party of Indians, who had formed an ambuscade upon a well-chosen piece of ground, near the Flat Rock in the Cumberland Mountains. Thirty-two of his party returned to Gen. Sevier's camp, and reported the number of Indians at from one hundred and sixty to two hundred and fifty. They saw Henley taken by the Indians. There were eight others missing, supposed to be killed. The Indians discovered that Henley had passed on the road near about the Crab Orchard, and pursued him the distance of twenty-five miles, passing him on Saturday night about three miles. The names of the men who were missing were: Capt. Henley, Lewis Carr, Armstead Morgan, Samuel Leiper, Edward Burke, John Primer, William Harrison, Charles Hays, and James Martin.

Three parties of Cherokees and Creeks, in the latter part of November, 1792, went from their towns upon some enterprise against the white settlements. Col. Watts headed one party of twenty men. The other two parties consisted one of thirty, the other of fifty men.

Early in the same month three Creeks—two fellows and a squaw—who had gone into the settlements of Tugulo, in Georgia, on friendly purposes, were fired on by a party of neighboring white people, at or near the house of Bryan Wood. The two former were killed and the latter wounded, but she escaped to her nation and friends. It seemed as if the government of the white people was as equally incapable of restraining the whites from excesses as was the government of the Indians in restraining them, and that a state of war was inevitable.

On the 5th of November a marauding party from Elliot County, in the State of Georgia, destroyed the Cherokee town Estotee by fire, and killed two of the inhabitants—a fellow and a squaw.

It was now ascertained who was the Indian killed at Byron's. He was "The Blackfish," of Chota, a fellow who had long lived in the most intimate habits of friendship with the white people. The one wounded, it was also learned, was "The Forked-horn-buck," of Sitico, a town not far distant from the frontiers of

North Carolina. The remainder of the party consisted mostly of warriors from the lower towns.

On the 6th of November, 1792, a detachment of the Kentucky militia, under the command of Maj. Adair, were attacked by a party of Indians, near Fort St. Clair, and after a short engagement were forced to retreat. The Indians took off one hundred and forty pack-horses.

On Saturday, the 22d of December, 1792, a party of Indians went to the house of Mr. Richardson, in Jefferson County, on the Little Pigeon, twenty-five miles from Knoxville, and killed Mrs. Richardson, Mrs. Foster, Miss Schull, and two children with tomahawks and a war club, the latter of which they left in the house. They robbed the house and went off. They had laid in wait upon a hill which overlooked Richardson's door many hours, and took the opportunity of his absence only half an hour to massacre his family.

On Monday, the 31st of December, the Indians drove eighteen head of horses from the Big Pigeon, in Jefferson County, near where Richardson's family were killed, and wantonly killed several cattle and hogs. These Indians were from Nickajack. On the next Sunday John Bartram, in the same neighborhood, in search of his horses, saw two Indians attempting to catch them, upon which he fired at one, who dropped his arms; but it was feared that he did not kill him.

Mrs. Crockett and eight children were killed in December, 1792, on the frontier of Georgia by the Creeks. The white people now learned that Capt. Henley was a prisoner at Wills Town, in the Cherokee Nation.

On the 25th of December, in the year 1792, messengers from Watts arrived at Gov. Blount's house with what they called peace talks for him. The distressed people, and particularly those of the frontiers, were pleased with the intelligence. They did not reflect that preceding treaties had only thrown the white people off their guard, and caused them to be more exposed than otherwise they would have been.

Let us now turn back to the beginning of May, in this year, and explore the sources of the disorders into which the Indian nations were thrown soon afterward, and of those acts of hostility which they committed upon our people with such fatal frequency in the course of this year; for on the 20th of May, 1792,

when the goods were to be divided amongst the Cherokees, which were delivered to them pursuant to the treaty of 1791, Gov. Blount, at the pressing invitation of the chiefs, went to Coyatee, where he was received by the chiefs and two thousand Cherokees with all the tokens of respect and joy that it was possible to manifest. The chiefs and warriors of the lower towns arrived at Coyatee a few days before. They marched in, painted black, sprinkled over with flour, to signify that they had been at war, but were then for peace. They were received by the other chiefs under the standard of the United States. In the address of Gov. Blount to them he mentioned the massacres which had been lately committed, and the horses which had been stolen, and said that it was with much difficulty he had been able to restrain the sufferers from taking satisfaction. He specified the instances and the number of horses and prisoners which had been taken; and he stated to them that it was necessary that there should be not only a disposition in the chiefs to keep the treaty unbroken, but a restraint of their people also from the commission of offenses. The President, he said, loved the red men, but could not suffer their people to kill the white people, and yet continue in peace with them; their young men must be restrained. He had ordered, he said, a part of the militia upon the frontiers from the Holston to the Clinch, and up the Clinch, and upon the frontiers to the Cumberland; but they were not ordered into the Indian country, the only object in calling them out being to prevent the bad Cherokees from coming to the settlements of the white people. Their people, in coming to visit him, he said, must come to Craig's Station. No one had been killed in that neighborhood, and the people were not so much irritated as in other places; and he informed them that the prisoners must be delivered at the ensuing council at Estanaula. "The Breath," of Nickajack, promised a return of the prisoners, and to find out who had done the mischiefs complained of; and to state their names at the meeting of the council of Estanaula, and he delivered to the Governor a string of white beads, the usual token of peace.

"The Hanging Maw" gave public notice that the great council was to meet at Estanaula on the 23d of June, to hear the report of Gen. Eskaqua and of the other agents, and desired that all the chiefs might be present.

At this time it is a fact which ought to be particularly noticed that Gen. Eskaqua and John Watts were so forward in promoting the plans of peace, and seemed to be so greatly pleased at the peaceable appearances held by the chiefs of the lower towns, that they were considered and called by the Governor the champions of peace. We shall soon see John Watts a leader in the attack on John Buchanon's Station.

We are to search for the powerful influence which transformed his sentiments in the conferences which they soon after held at Pensacola, preparatory to the attack on Buchanon's Station.

Gov. Blount, no longer able to be a tame spectator of the numberless injuries inflicted upon his country, nor to view the sufferings of the unoffending inhabitants with the cold indifference which is said to have marked the conduct of the government of the Union at this time, ordered Gen. Sevier into service with a part of his brigade. The main force was stationed, in November, 1792, at South-west Point, and small detachments at different stations on the frontiers, which proved exceedingly useful for securing the District of Washington against the assaults of the Indians. To alleviate the censure which the impatience of the western people, exasperated with suffering, began to utter, it is to be remembered that the Indian war to the north and the western insurrection gave full employment to all the faculties of the government, and left no time for the prosecution of others. The proportion of the new levies called forth to suppress the insurrection was demanded from the Territory; but such was the tardiness of the inhabitants and their disinclination to the service that the requisition was never completely complied with. The people murmured, and said it was peculiarly hard that the South-western Territory should be called upon for three hundred men, when they were every day harassed with Indian massacres and robberies, without any aid from the government to shield them from their outrages. Probably the truth is that a considerable portion of the people who lived in the Territory at that time were averse to the exhibition of governmental energies, and secretly dreaded the extent of their consequences. The uninstructed rambler, who has for some time traversed the wilderness and tyrannized over its inhabitants, free as the air he breathes, will never fail to view the first precedent that shall be set for forcing a compliance with regulations as the beginning of tyr-

anny over himself, and, though willing to be lord of the creation, he contemplates with the utmost aversion the exercise of lordly power over himself.

The Indians, though they rioted in the excess of cruelty against the people of Cumberland and the Holston, and were preparing to bring fresh and multiplied misfortunes upon them, were viewed by the government of the Union with indifference, and not even with displeasure. The people of the United States turned a deaf ear to the tale of suffering anguish which the western people never ceased to utter. They were unwilling to incur the expenses of more Indian wars, and they held all that could be said upon the subject as a threadbare story, which they had no longer any patience to hear. And notwithstanding the great danger to which the people were hourly exposed, the government was inclined to disband the militia which was stationed on the frontiers for their protection.

Gen. Sevier fixed his encampment, and determined to erect a fort at a spring a small distance above the confluence of the rivers Tennessee and Clinch. The situation was not altogether so commanding and elegant as at the extreme point of the peninsula, where there is no water except that of the river, which is six hundred perpendicular feet, at least, below the surface of the ground above, and in the fork, suitable for a garrison. At this place it was very unlikely that water could be got by digging; the prospect at the spring was extensive and handsome, the water pleasant and conducive to health. At this place both rivers were sufficiently under the command of the garrison, and accessible on either side. In addition to these advantages was the spring, which would be under the walls, or within them if necessary. The possession of this place would effectually prevent the intercourse between the upper and lower Cherokees, together with that of the small tribes of Northwards settled on the Tennessee; which communication extended at least three hundred miles up and down the river, and up the river Clinch, which takes its rise in the vicinity of the Ohio and the Cole and Sandy, two branches of the latter, by which advantages they had but a small passage by land, from either of these rivers into the Clinch, which communicates with the Tennessee. It would also obstruct the passage of the Indians up and down the Clinch River, which the Creeks and Cherokees used in going and returning on their

incursive expeditions up this river. The northern and southern tribes often passed in canoes one hundred and fifty miles, up and down, to its junction with the Tennessee, and then up or down this latter river into any part of the Cherokee country. A garrison fixed at the situation before mentioned would not only destroy the water communication, but, being directly on the road between the southern and northern tribes, would obstruct their passage by land.

The only two practicable fords on the Tennessee were both within five miles of this place; the same number on the Clinch, which were only eight miles from the same place; and the main gap in the Cumberland Mountain, not more than ten. The whole would be under the eye of a garrison at the spring, and their marauding gangs would be constantly exposed to the pursuits and chastisements of the scouting parties from the fort, which at this spot would be at the center of their intercourse and nation, in the way to their hunting-ground, and so near to the body of the nation as would enable the troops at all times to fall suddenly upon them, and to expel them from the country if necessary. In thirty hours from this place by water any of the towns might be attacked, or in forty-eight by land. All necessary stores could be exported by water from any part of the District of Washington to this place. These reasons determined the general to make selection of this place. The Governor approved of them. The place was called South-west Point by Gen. Sevier. Block-houses and a stockade fort were built near the spring. The time of the six weeks men being about to expire, they were ordered to be detained till the arrival of the new levies, which were raised to supply their places, and the general received special directions to maintain in all events the position he occupied. About this time the Indians made an attack upon Byron's house. The flames of war began to spring up in all parts of the frontiers to which the savages dared to venture. And Capt. Childress's company of six weeks men applied to the general for their discharge.

Gov. Blount, in the course of his correspondence with the Cherokee chiefs and others, had got into the full possession of one fact: that whenever it was proposed to the Cherokees to join the United States against the Shawnees, they manifested the utmost indignation at it. They had some intimation, in the spring

of 1792, of the proposal intended to be made at the treaty, which was to be held at Nashville in the summer, and received it with so much disgust that "The Bloody Fellow," who had lately returned from visiting the President at Philadelphia, and was there made Gen. Eskaqua, was afraid for the future to disclose his wishes on that head. "For," said Gov. Blount in his letter to the Secretary of War, "he has consequence as a leader no longer than whilst he follows the wishes of the young warriors, and either indulges, abets, or heads them, in the execution of their wishes, or proposes only what is acceptable to them."

In the month of November, 1792, Gov. Blount explained to the Secretary of War the causes of the unceasing hostilities of the Indian. He remarked that the evils inflicted upon the settlers before the Spanish Conferences at Pensacola and Natchez, which he referred to, could not be charged on the Spaniards, as very few of them had happened since Watts returned from Pensacola; but may be accounted for from Indian education, that all national honors were acquired amongst them by the shedding of blood. Consequently all who wished for national honor would shed the blood of the white people, as Indians no longer killed Indians, the ancient practice when the principle was established. Another reason for these depredations was the white people—the greatest of all rascals—and the half-breeds, who are numerous, living among the Creeks and Cherokees. The greater part of them were traders, and encouraged the Indians to steal horses from the citizens of the United States, to the end that they might purchase them. If they took horses and were pursued, they killed in their own defense. As soon as the Indians returned into the Nation with their horses, those who encouraged the stealing of them became the purchasers; and shortly afterward, knowing the quarter whence they were taken, carried them out of the Nation in a different direction, and sold them with great profit. The want of government, both in the Creeks and Cherokees, was such that all the chiefs in either nation could neither restrain nor punish the most worthless fellow in it for a violation of existing treaties, let the enormity of it be ever so great or evident; nor, if demanded by the United States, dare they deliver him up to be punished. The Indians were divided into clans or families, and it was a law among them that each clan should protect and take satisfaction for all injuries offered to the

person of each individual of it, whatever had been his offense, except that of killing an Indian of another clan; and then if the injured clan or any of its members took satisfaction it was well, and the matter ended. The better to explain how this clannish law operated, the following facts may be resorted to: The brother of the chief called "The Bloody Fellow" had killed a white man. Cameron, the British Superintendent, demanded him, and upon his being delivered, had him put to death. In a short time afterward "The Bloody Fellow" put to death the Indian who delivered or caused his brother to be delivered to Cameron.

The massacres and depredations of the Indians were not chargeable, said Gov. Blount, to encroachments on their hunting-grounds.

Their deputies, when they visited the President, made no complaint respecting the line as established by the treaty of the Holston, except that they wished the ridge between the Tennessee and the Little River to be the line, in preference to a straight line from the place where the ridge struck the Holston. The settlers south of the ridge did not suffer by the Indians after the treaty of Holston, except Mr. Gillespy, who on the 12th of September had been killed, and another made prisoner by the Creeks, who never claimed a foot of land on the north side of the Tennessee. The depredations before the declaration of war, and the attack after, were on the people of Mero District. The conduct of the Creeks must have been occasioned by other motives than those resulting from a claim of boundary. If the Cherokees ever had a claim, it was extinguished by two treaties—those of Hopewell and of the Holston—at the last of which a valuable consideration was paid in hand; and since that time the first annual payment has been made and principally received by the inhabitants of the five lower towns who have declared war against the United States. The claims of the Cherokees to the lands lying on the Cumberland was recent. Richard Henderson and company purchased from them their claim to these lands, as well as nearly all those included within the present limits of Kentucky; and they told Henderson positively that they did not sell him any right, for they had none; but only their claim. At the Conference with the Choctaws and Chickasaws at Nashville, in August, 1792, the latter claimed in strong terms all the lands north of the Tennessee, and below the Old Field, where a part of

their nation formerly lived, and eastwardly as far as the head waters of the Duck and Elk, and to the ridge that divides the Cumberland and Duck. And James Carey, the interpreter, said that upon the return of the Cherokees, who were at that Conference and who had a literal copy of the minutes, they caused it to be read and explained to the chiefs at Estanaula, and they confessed that the Chickasaw claim was just. The Chickasaws averred that they, and not the Cherokees, ceded to the United States the lands lying south of the ridge which divides the waters of the Cumberland and Duck Rivers—that is, the lands lying on the waters of the Cumberland River—and so they did by a treaty held at Nashville, in the year 1783, by Cols. Donalson and Martin, commissioners from the State of Virginia, two years prior to the treaty of Hopewell, by which the Cherokees ceded them. This treaty was probably never reported to Congress. If the Cherokees ever had any well-founded claims to the lands on the Cumberland, they did by two treaties cede them to the United States; and had been once paid for them by an individual (Col. Henderson), by whom if he could not acquire title to his own use, the right of the Cherokees was nevertheless divested for the use of the public. The first settlers on the Cumberland River came thither under Henderson's purchase, by virtue of the Cherokee deeds made to him and his associates.

The numerous depredations committed in this year, he thought, showed clearly that more Indians than the lower Cherokee towns were engaged in them, and the necessity of building fortifications on the frontiers. He informed the Secretary of War that the Indians had failed to send their commissioners, in October, 1792, to run the boundary line agreed on by the treaty of Holston. The commissioners of the United States ran the line from the Clinch to the Chilhowee, which left out eight or nine plantations on Nine Mile Creek, unless made to strike near the mouth of the Clinch. These settlements were made before the treaty of Holston, which, however, he said, was now dissolved by the war which they had declared. He proposed to the Secretary to send Carey into the Creek Nation, in the disguise of a friend, to discover what they intended. It is not improper here to adduce a fact respecting the claims of the Cherokees, which probably Gov. Blount had not acquired the knowledge of at the time that he made this communication to the Secretary of War.

Col. Croghan, in October, 1781, had resided among the Indians in the character of Deputy Superintendent, and seems to have possessed more general knowledge of the state of their claims and the history of their wars than any other who has been drawn into public observation. In this year (1781) it became important to ascertain the true boundaries of the Six Nations, and Col. Croghan was applied to as being the person best qualified to give the necessary information. He made a deposition, by which it appears that the Six Nations claimed all the land on the south-east side of the Ohio, down to the Cherokee River, which they ceded at the treaty of Fort Stanwix, held by commissioners on the part of his Britannic Majesty with them, in 1768. An incident which took place at the treaty affords concurring evidence of the sense entertained by the Cherokees of that claim, which the Six Nations were then about to surrender. Some visiting Cherokees to that treaty had on their road killed game for their support; and on their arrival at Fort Stanwix they immediately tendered the skins to the Indians of the Six Nations, saying: "They are yours; we killed them after we passed the Big River." The Cherokees have always designated the Tennessee by this name. The treaty of Fort Stanwix passed away from the Six Nations, the sole sovereigns of the soil, all their rights south-east of the Ohio and down to the Cherokee River, which they say in the treaty is their just right, and vested the soil and sovereignty in the British king. This title was relinquished to the United States by the treaty of 1783, and indeed became vested in the respective States where it lay by the declaration of independence on the 4th of July, 1776; for that act, having been eventually supported, is a valid one, and was effectual from the day of its transaction. The claim of the Six Nations is founded, as their traditional history says, upon the conquest of the country from the first possessors, or sovereigns of the soil.

As if Gov. Blount was lying on a bed of roses, and had more leisure on his hands than could be employed in recreation, the Governor of Virginia began to make him uneasy. Gov. Blount had directed the officers of the Territory to exercise jurisdiction as far as Henderson's line. The Governor of Virginia issued a proclamation in opposition to the fact which the instructions maintained. The act of Virginia for extending her jurisdiction,

meaning no doubt the act of the 7th of December, 1791, was founded, as Gov. Blount alleged, on a resolution of the Assembly of North Carolina, passed long after the acceptance of the cession by Congress, and many months after the organization of the territorial government; and could only have meant to establish Walker's line as far west as the claim of North Carolina extended at the time of passing the resolution. For the information of the people, and in support of the arguments he urged, Gov. Blount procured and published a copy of these proceedings of the North Carolina Legislature. His opponents were not convinced, and this dispute remained one cause of the many cares which kept his mind disturbed during the whole time of his gubernatorial office.

On the 22d of November, 1792, Gov. Blount wrote to Gov. Lee, of Virginia, on the subject on the jurisdictional line. He stated that there could be no doubt but that the act of Virginia and the resolution of North Carolina had fixed the boundary line between those two States; but that North Carolina, after the acceptance of the cession act by Congress, had no power to fix the line between Tennessee and Virginia, and that the resolution was several months after that period. North Carolina, he alleged, had exercised jurisdiction without any objection on the part of Virginia to the date of the cession act, and the Federal Government since—a space of ten years. He considered it his duty to extend the territorial jurisdiction to that line, the law of Virginia and the proclamation of his Excellency notwithstanding, and should continue to exercise it until he should receive instructions from the Federal Government.

It may not be improper to remark that the resolution of North Carolina was made at the same cession in which was passed the act for ceding the Territory to Congress, which session commenced on the 2d of November, 1792, and ended on the 22d of December, 1792. At that time, and long afterward in North Carolina, and until an alteration was made by an act of the Legislature, all the acts of the Legislature related, as in England, to the first day of the session; and consequently the first resolution preceded the deed made to Congress on the 20th of February, 1790. Both of these resolutions intended the completion of their object by a statute to be passed by the Legislature. Whether either of them could be legally considered as

an agreement obligatory upon North Carolina, when afterward accorded to by Virginia, is a point to be discussed in the first place before it can be assented to. The objection is not so properly for want of power in the Legislature at the date of the first resolution, as it is for want of the statute which the resolution of 1789 recommended. The State of Virginia soon after, when she agreed to a divisional line half-way between Walker's and Henderson's line, undoubtedly considered that the North Carolina resolution was incompetent to the purpose.

Gen. Sevier endeavored with the greatest anxiety, while stationed at South-west Point, to obviate all just grounds of complaint on the part of the friendly Indians. Hearing by a report circulated in camp that a party from it had surprised an Indian camp, killed a fellow and wounded another, and one squaw Indian who was with them, either on the 11th of November or on the morning of the 12th; and hearing by the same report that ensign Inman had the command of the party which committed the outrage, he ordered Col. Carter to make strict inquiry into the circumstances, and to report them all to him. When about to leave the camp for a short time, on the 18th of November, one part of the orders left with Col. Christian was not to suffer any party in his absence to carry on expeditions against the Indian towns, nor to cross the Tennessee, except a single person or two to reconnoiter the country and to make discovery whether or not any party of the enemy was lurking in the neighborhood. He was to send parties of horse at different times to reconnoiter the woods as low down as the Crab Orchard, and on the Cumberland line; and as high up as the Papaw town, on the north side of the Clinch River; and to repel and defeat, if in their power, any hostile parties that might appear on the north side of the Tennessee River; and the works which were incomplete were to be carried on with indefatigable assiduity.

The Southern Indians exulted at the misfortunes of the Northern army, and the Spaniards were blamed for their unfriendly disposition toward the United States. The general commended Col. Watts for his returning desire for peace, thanked him for the attention paid to his prisoner, Capt. Hensley, and wished that he might be restored to his connections and countrymen. In his address to the Secretary of War he undisguisedly declared himself an advocate for war against the

hostile part of the Creeks and Cherokees, and employed some strong arguments to convince the Secretary of the correctness of his own opinion. We shall soon see the little effect which these arguments produced, and the fatal consequences of disregarding them. He proved from late events opposed to the communication of Mr. Seagrove that five hundred Creeks and a large body of Cherokees were actually embodied for the purpose of invasion when Mr. Seagrove assured the government of the pacific dispositions of these nations.

On the 27th of November, 1792, the Indians were in such force as to raise the expectation that they would shortly make an attack on Gen. Sevier's army; but on the 29th the Governor was compelled, by the orders of his superiors, to give it in command to the general to march all the troops of his brigade, except two companies, to Knoxville.

The discharge of the troops from service which were under the command of Gen. Sevier took place about the 8th of January, 1793, and we shall soon see the unexpected consequences of that step. In the first week in January, 1793, twenty horses were carried off from the Rolling Fork of Salt River by the Cherokees.

On the 10th of January, 1793, a party of Indians stole thirty horses from a settlement on Russell's Creek, in Kentucky. They were pursued by the inhabitants, who overtook them on the south side of the Cumberland River, and killed one Indian and regained the horses. When the pursuers, in returning, were recrossing the Cumberland River, the last raft was fired on and two men were wounded by a number of Indians who had embodied and pursued them. The Indians followed them to the settlements, and after the inhabitants retired to their homes again stole twenty of the same horses.

On the 12th of January, 1793, Capt. Henley returned from captivity. The party which defeated and captured him consisted of sixty Creeks. They held a council whether to put him to death or not, and, having determined to save him, they afterward treated him kindly.

A negro woman and three children were carried into the lower towns of the Cherokees early in January, 1792. The wench said she was from Kentucky, and that she belonged to Gen. Logan.

On Tuesday, the 22d of January, 1793, John Pates was killed by the Indians on Crooked Creek, about sixteen miles from Knoxville, and four scalps were taken from him.

On the 29th of January, 1793, three horses were stolen from William Davidson, at Gamble's Station, on Little River, by the Cherokees.

On the 26th of February the Indians stole ten horses from Cosby's Creek, in Jefferson County, the property of William McKossach and Peter Every.

On the 6th of March, 1793, on the road near the Hazel Patch, several men and a woman and a child were fired upon by a party of Indians, supposed to be Cherokees. The child was taken prisoner, and two men were wounded, who got back to the station.

On Saturday, the 9th of March, James Nelson and Thomas Nelson, two brothers, were killed and scalped by Indians on the Little Pigeon, about twenty-five miles from Knoxville. The Indians had formed an ambuscade on a path near Mr. Nelson's house. These young men were stricken by eight balls, from which it was conjectured there was that number of Indians. They were headed by a fellow called Towakka, who also headed the party that formerly killed Richardson.

On the 16th of March, 1793, fourteen head of horses were stolen from the settlement on Flat Creek, sixteen miles from Knoxville.

On the 21st of March Thomas Ross, post-rider, and two other men, on their way from Hawkins Court-house, in the Territory, to Kentucky, were fired on near Laurel River by a party of Indians and a white man. Ross was killed. The other two men were wounded, but made their escape.

On Saturday, the 26th of March, 1793, nine men and ten women and children were attacked near the Hazel Patch by a party of Indians, consisting of about eighteen, and a white man, who appeared to be the leader. On sight of the Indians the travelers dismounted, and an action ensued which lasted near half an hour, when both parties retreated, each regarding the other as conquerors. Only four men of the company reached Kentucky, three of whom were wounded. On Thursday following Gen. Logan, with seventy men, went in search of the rest of the company. On the ground where the engagement had taken

place they found a little girl who had been taken prisoner a few weeks before, and who, during the engagement, made her escape and hid herself. They also found a child of one of the company some distance from the place of action, nearly exhausted, but who finally recovered. They were led to this discovery by the barking of a dog, which had remained with the child from the time its parents had forsaken it. The Indians had several wounded, and their leader, the white man, killed, whom they carried some distance and buried. Mr. McFarland, one of the company, wounded several of the Indians and killed their leader, and was the last person who left the ground. He escaped unhurt, having his charger shot from his belt.

On Monday, the 18th of March, 1793, two young men by the name of Clements were killed and scalped about sixteen miles below Knoxville.

On Wednesday, the 20th of March, 1793, on the Pigeon, in Jefferson County, a man by the name of Taylor was fired on by the Indians, who had formed an ambuscade on the path he traveled near a station. The number of guns fired induced the belief that the party of Indians was numerous.

On Sunday, the 20th of March, a party of seven or eight Indians killed and scalped William Massey and Adam Greene, at the gap of Powell's Mountain, on the Clinch, about twenty miles from Hawkins Court-house.

On Monday, the 8th of April, 1793, a party of Creeks, headed by young Lashley, the person who had lately committed so many acts of rapine and slaughter on the frontier inhabitants of Hamilton District, burned a house belonging to James Gallaher, on the south side of the Holston, twenty miles from Knoxville. Returning from the frontier, they called on "The Hanging Maw," and asked for provisions, which he refused them, upon which they shot his dog and went off. A detachment of mounted infantry followed them over the Tennessee, without being able to overtake them. The waters having risen suddenly, the company were obliged to swim their horses in recrossing the Tennessee, in attempting which a young man, John McCullough, was drowned.

On Thursday, the 11th of April, the house of Mr. Blackburn, on the north side of the Holston, fourteen miles from Knoxville, was burned by Indians, generally supposed to be Creeks.

On the 15th of April a party of Lieut. Tedford's Rangers, on the south side of the Holston, in the dusk of the evening, diligently in pursuit of some Creeks who were on the frontiers under the command of Lashley, fell in with two Indians on horseback, on whom they fired and killed one, who proved to be "The Noon Day," a Cherokee of Toquo.

The Creeks had broken out into open hostilities, when the Cherokees offered to be at peace. About the 1st of April, some Indians, whom the white people were ready to suppose to be Creeks, killed a man near Tugulo, and stole about thirty horses near the residence of Col. Cleveland. The white people there resolved to pursue and kill them, and to retake the horses. They came up with the Indians near Chota, in the Cherokee Territory. The whites found where they had killed a horse, and a bell which was known. They fired upon and killed two of these Indians, and wounded one. The Cherokees were informed of this by the white people, by a communication which implied friendship for them and disgust at the conduct of the Creeks, who by returning through their country had endeavored to fix on the Cherokees the imputation that they were the perpetrators of those enormities.

The white people established stations at the Oconee Mountains and other places on the frontiers, leaving open only one path by which the Cherokees were to come to the white settlements, which was the old trading-path by the Oconee Mountain. The Cherokees were desired not to go to the Spaniards for goods, as the people of Georgia had more goods than the Spaniards, and could supply them on better terms; and it was said that they would have furnished the Creeks with ammunition, had they applied to the people of Georgia, and not to the Spaniards, whose interference in these matters seemed to be particularly displeasing.

Daily accounts received at this period imputed to the Spaniards unremitting exertions to induce the Creeks and Cherokees to continue to make war upon the United States, and the people had for some time complained that they were not protected and held out the idea that they ought to protect themselves. They had appointed a place of meeting, where it was proposed they should pass into the Cherokee Nation and destroy the towns. They began to assemble accordingly at Gamble's Station, and

had been with great difficulty made to disperse by the Governor's proclamation, which he sent to them by Col. White, and by his ordering out the militia to suppress them, in case of perseverance in their designs after the proclamation should have been made known to them.

The Governor did not hear from Cumberland as soon as he expected, his messenger having been detained by high waters, which in the month of March, 1793, were nine feet higher than they had ever been known to be before. He received intelligence that between the 29th of March and 5th of April, 1793, six hundred and twelve Creeks had passed the Tennessee in several parties, for war against the United States, but principally against the Cumberland settlements, and that the whole nation of Creeks were bent on war. He was informed that Gen. Logan, of Kentucky, was preparing an expedition against the Cherokees at the very time when the Governor and those Indians were concerting measures for peace; and when to that end under the instructions of the President, he was inviting a full representation of the chiefs to visit the President in Philadelphia, on the 17th of April. He was informed, also, that the Indians had killed several of the citizens of the Territory. Such a combination of perplexing circumstances required great fortitude and an uncommon degree of resignation to the dispensations of adversity. He calmly provided for every exigence. He ordered a company of rangers to be embodied to scour the woods in advance of the frontier settlements of Cumberland; authorized Gen. Robertson to raise another, if necessary, for the same purpose, and promised him from one hundred and sixty to five hundred men, to aid him in defense of the Cumberland settlements. He ordered Maj. Beard to march without delay with the troops under his command, by the way of West Point and the upper waters of the Caney Fork, to the paths which the Creeks generally passed to war against the District of Mero, and to the woods in which they generally formed their camps, and from which they annoyed the inhabitants of Cumberland in small parties. On his arrival at any such paths in the woods, he was instructed to consider all the Indians he should see there as enemies, and in all the woods upon the Cumberland waters, and as low down as the mouth of the Red River. But should he come upon Chickasaws, Choctaws, or Cherokees, and know them as such,

he was to consider them as friends, unless they gave proof to the contrary; in that event, he was to treat them as enemies. He was not to go to the westward of Nashville, unless ordered by Gen. Robertson, nor was he to go to the south of the Cumberland waters, unless in pursuit of a flying enemy. In that case, if he judged it prudent, he might pursue them as far as the Tennessee.

About the 20th of April, 1793, Gov. Blount received undoubted information that upward of six hundred Creeks a short time before that had crossed through the lower towns for war against the United States. The Cherokee chiefs, however, pretended an earnest wish for peace, and John Watts on his late visit to Gov. Blount gave the most explicit assurances on that head. Douglass, the Scotchman, who was sent as a spy to Pensacola, was mistaken, in the Chickasaw Nation, for a horse thief who had been there some time before, and was killed by them under that mistake, on his return to Gov. Blount.

On the 18th of April, 1793, on the east fork of the Little Pigeon in Jefferson County, thirty miles from Knoxville, Joshua Tipton was killed by the Indians, and also a man of the name of Matthews, and another of the name of Shields was wounded.

A station was attacked in Kentucky by the Indians, in the month of April, 1793, who killed three of the inhabitants and made eighteen prisoners, whom they carried into the woods and killed.

On Monday, the 13th, which was shortly afterward, they attacked another station, and they had set fire to the houses at Rock Castle and consumed them.

Gov. Blount at this time, by presents, by friendly letters, by special messengers exhorting to peace and friendship, and by every persuasive topic which could be resorted to, endeavored to retain the Cherokees in a state of peace, and to induce a full representation of them to go with him to Philadelphia on a visit to the President, where all matters of controversy might be adjusted and all uneasiness removed. But he could only prevail so far as to obtain a promise that the proposal should be laid before the great council of the nation, who would report their answer. But they artfully kept up the belief that the proposal would be embraced till he left the Territory on the 7th of June, 1793.

On the 28th of March, 1793, to obviate the designs expected from the great number of Creeks who had lately passed the lower towns to fall on the frontiers of Cumberland, he had directed a full company of mounted infantry to be ordered into actual service from the militia of Mero District, to consist of eighty men, exclusive of officers, to waylay the Indian paths leading to the settlements, and to explore the woods where their principal camps might probably be found, within the limits of fifty miles from the settlements; and to treat as enemies such Indians as they might find within those limits, excepting women and children, and to go well armed, each man with a good firelock, and such other arms as he should think proper. They were to be discharged on the 14th of May, unless the danger should continue; in which case Gen. Robertson was at liberty to keep them for two months, or discharge them and order out another; and these companies were authorized to follow incursive parties to the Tennessee. The Spaniards began to advise the Indians against war with the United States, and Gov. Gayoso wrote in very friendly terms to Gov. Blount, disavowing any share or part in inciting the Indians to war. Panton was a refugee tory, and it was considered by the Governor as a ground of complaint that he should be entertained by the Spaniards, with the mischievous inclinations toward the United States which he was known to possess. Small parties of Creeks now passed and repassed through the lower towns every day. They carried with them the scalps of the people killed on the Cumberland; and small parties of Cherokees were equally engaged in the same practices.

About the 2d of May, 1793, three white men who could never be discovered came to and fired upon three Indians—two Chickasaws and one Cherokee—who were on a visit to Gov. Blount, and had gone to see their horses in the woods, six hundred yards from his house. They wounded one of the Chickasaws of the name of Morris, who died in a few hours. The Cherokee was supposed to be the object, but he escaped. Morris was honored with a pompous funeral, by way of soothing the anguish of the Chickasaws.

The people had so long suffered the unceasing cruelties of the Indians that they were now almost ready to throw off the restraints which government imposed upon them, and at all haz-

ards to provide for their own security. The supineness of the government was universally clamored against, and the confidence of the people in its measures was visibly abating. It was bitterly complained of that six hundred Creeks should be on their march to attack the people of the Cumberland, and that no force should be ordered to oppose them; that the citizens should suffer innumerable injuries from the savages, and that no plan should be formed for their relief. Gen. Sevier informed the Governor, though he was sorry to do so, that the warm friends of the then present government were getting tired of it; that clamors against it were loud in all parts of the district; that the dissatisfaction of the people was extreme; and that those who by arguments attempted to defend the measures of the government were treated with rudeness. As soon as it was known that Gillam and his son were killed, Capt. Beard was ordered to pursue with fifty mounted infantry, and to scour the Cumberland Mountains. The people were now in the daily habit of saying that their rulers were not to be relied on for protection, and that their sufferings were not to end but in their death or removal from the country.

On Saturday, the 1st of June, 1793, a party of ten Indians attacked Holmack's Station, on Bull Run, near where Thomas and James Gillam were killed; but relief was given by a party of Capt. Beard's mounted infantry.

On the 6th of June a party of Indians came to the plantation of Mr. Woods, and stole six horses. Capt. Cox raised a party of men, and pursued them.

A few days after Gov. Blount's departure for Philadelphia, which was on the 7th of June, 1793, Capt. Beard's men, whom he collected to follow the Indians who killed Gillam and his son, to the number of fifty-six, came with him, on the morning of the 12th of June, about the break of day, and made an attack on "The Hanging Maw's" family and other Indians who were invited there by the orders of government. Maj. King and Daniel Carmichael, frequently employed in the service of the United States to transact business with the Indians, were there. Beard's party killed Scantee, Fool Charly (one of the chiefs of Hightower), Betty (the daughter of Kittakiska), and several others, among them a white man named William Rosberry. "The Hanging Maw" and his wife were both wounded; and Betty,

the daughter of Nancy Ward. King and Carmichael escaped, with the risk of their lives, through the fire of these infuriated white men. At the particular entreaty of King and Carmichael, they spared the rest of "The Hanging Maw's" family, and abstained from burning his house. Gov. Blount had ordered Beard not to cross the Tennessee, and to confine his pursuit to that party of Indians who had lately killed Gillam and his son, or to a horse stealing party in the same neighborhood. A court-martial was called to try Beard for his malconduct and breach of orders; but, as might easily have been foreseen from the state of public feeling and sentiment, he was without difficulty acquitted of the charges brought against him. Secretary Smith desired the Indians not to take satisfaction, but to wait for the redress which the President would offer. From that moment he deemed a general war of the whole Cherokee Nation inevitable, and on the 12th of June he gave orders to Gen. Sevier to hold one-third of his men in readiness.

On the 5th of June, Gov. Blount, before his departure for Philadelphia, gave orders to hold a part of the militia in readiness. This order was now, on the 12th of June, repeated and pressed by the Secretary, who acted as Governor during his absence. Orders were immediately issued to the colonels of counties to hold one-third of their troops in readiness to march; drafts were made; the men who were to perform the service were designated, as also were the officers to command them; and all were pressed to march at a moment's warning.

On the 17th of June the troops were ordered to march to Knoxville with a third part of the militia, a powerful invasion of Creeks and Cherokees being expected at that place.

On the 13th of June the Indians stole horses on the Little River. Their trail led to the Chilhowee. They stole two more from the same place, leaving a neat bow and arrow a quarter of a mile from the station. Some of the white men pursued until they could see the town of Chilhowee from the point of a mountain on the north side of the Tennessee, which they could not cross, as it was contrary to the orders of government, but they lay and viewed it.

Eight men who went from Powell's Valley prior to the 15th of June, on the scout of Indians beyond the Cumberland Mountain, discovered a large camp of them, around which they lay all

night. The Indians had discovered the appearance of the white men unknown to the latter, and on the morning an action ensued. The white men, being too weak, were obliged to retreat, having two men killed and a third wounded. They knew not the damage of the Indians.

In June many Creeks repassed the Tennessee at the lower Cherokee towns, on their way home from Kentucky and Cumberland, with many scalps and valuable horses.

On the 19th of June a large party of Indians came to Doherty's Mill, in Weir's Cove, on the Little Pigeon, cut down a quarter of an acre of corn, killed one horse, stole ten others, and broke to pieces such parts of the mill as they could easily break. Lieut. Henderson began to pursue them on the 21st. The repeated acts of hostility committed on the frontiers had driven the people almost to madness, and they seemed about this time as if they had lost all command of themselves and all respect for the government. Henderson overtook the Indians he was in pursuit of from Weir's Cove, and gave them a well-directed and unexpected fire, and killed two and wounded others. The Indians ran off a little distance, leaving the horses tied, but on seeing there were so few of the whites, made a stand. The whites cut loose the horses and rode off with them, all except one, which was shot down by the enemy. Nine of the white men were wounded.

About the same time Samuel Weir raised a party of volunteers. Lieut. Henderson joined them, and thoughtlessly suffered Mr. Weir to take the command of the party, about sixty in number. They pursued the main body of the Indians to the town of Talassee, on the north bank of the Tennessee, where they killed fifteen men and one woman, and brought in four women prisoners.

On the 19th and 21st of June the Indians stole horses from Gamble's Station, Craig's Station, and Bird's Station.

On the 29th of June a small party of Indians came to one Loyd's house, more than sixty miles above Knoxville and about eleven miles from Greene Court-house, on the south side of the Nolichucky River. They killed his wife and two children, wounded a third badly, and plundered the house of every thing valuable. Col. McNabb immediately pursued them with ninety men, and followed their trail to a small Indian village, sup-

posed to be on the Tuckasejah River. They killed two Indians—one a woman; fell out among themselves, and returned home.

On the 30th of June, after sunset, as four of Lieut. Tedford's party of horse were returning from reconnoitering the woods in search of Indians, they were fired upon near Well's Station by a party of ten Indians. They wounded John McAllister with a ball through the flesh of the back, and James Gillespy through the foot. The wounds were not dangerous. They also shot down Gillespy's horse, which died in a few moments; and they made their escape under cover of the night.

On Monday, the 1st of July, the Indians burned two houses on the plantation of Mr. Hogan, on Baker's Creek, twenty-four miles from Knoxville, in which all his household furniture and a quantity of flax were consumed. On the same night they destroyed a quantity of corn belonging to a Mr. Logan.

On the 2d of July the Indians fired upon a man on Pistol Creek, and burned the house of a Mr. Hogan, on Nine Mile Creek, with his crop of flax and part of his crop of corn.

Shortly afterward they stole seven horses from Bird's Station, twelve miles below Knoxville, and the clothes of four families which were in the wash.

On the night of the 2d of July, at Kelly's Station, eleven miles from Knoxville, the Indians cut up a plow belonging to Mr. Conner, and carried off the irons.

On Wednesday, the 3d of July, Ensign Joel Wallace was fired upon by six Indians, at the head of Pistol Creek, fifteen miles from Knoxville. One ball struck a large knife that was fastened to the belt of his shot-bag, and shattered the handle to pieces, some of which cut his breast. He escaped without receiving any further injury.

On Tuesday, the 9th of July, three horses were stolen from Capt. Manifee's station, eight miles from Knoxville, by the Indians.

On the 12th of July, hearing of a large body of men in the upper counties, who were making ready to rendezvous at Knoxville on the 1st of August, for the purpose of going against the lower towns of the Cherokees, the Secretary apprised the general of this information, whom he advised to consider these men as making ready under the general's orders, founded on those of

the Governor of the 12th of June; and at the same time addressing himself to these volunteers, if that be a proper name for them, he applauded the alacrity with which they had got ready to march against the hostile Indians; and, as it was probable that in the course of three weeks they would be called upon to meet together at Knoxville, he hoped their ardor would not cool nor that spirit abate which is so necessary to enable them to render protection to the country whenever the government shall require them.

On the 16th of July a large party of men had agreed to assemble at Campbell's Station, fifteen miles below Knoxville, for the purpose of going thence into the Cherokee Nation and doing them all the harm they could. The Secretary went thither, and found that they were assembled at Blackburn's, in the neighborhood; and he persuaded such of them as he saw, with great earnestness, not to proceed, but could make no impression on them. He wrote orders to Beard to desist, but equally in vain. On the 17th of July they moved off for South-west Point, consisting of one hundred and thirty or one hundred and forty men. Another party had determined to set off on the 1st of August, and no orders of government could restrain them. They had long demanded and threatened, and were now actually proceeding to take the defense of themselves into their own hands. Gen. Sevier desired to head a party of one hundred or a hundred and fifty mounted infantry, to explore the country on the north side of the Tennessee as low down as the lower Cherokee towns. The Secretary agreed to that proposition, and the men were called into service. Beard's party returned on the 17th of July, having killed eight or ten Indians. The Indians fired on them from some strong houses on the Hiwassee, killed one man, and wounded another; the rest came off in confusion. Beard, with his company, was soon afterward sent to the defense of Mero District. The company consisted of one hundred and forty men, and were ordered to scour the woods to the south for fifty miles from the Cumberland settlements. Col. Doherty was positively ordered to desist from marching against the Indians. He did not obey the orders, but marched into the Indian country with one hundred and eighty or one hundred and ninety men. He returned on the 13th of August. They killed ten Indian men, nine of whom they scalped; two squaws, who were

mistaken for men; and took sixteen women and children prisoners, nine of whom they dismissed, and brought home the others. Before this campaign of Doherty's the Indians had stolen many horses along the frontier, and had fired upon Lieut. Tedford's men, as before stated. Whilst he was out horse stealing went on as usual, and they killed one Cunningham and Black on the southern frontier, and to the eastward on Muddy Creek, above the Little Pigeon; and one Walker, on the Little Pigeon. When Cunningham was killed, three men who were within hearing of the guns hastened to the place, near which they met two Indians, one of whom they killed. He belonged to the town of Chilhowee, and was known to several persons by the name of "Chilhowee Jim."

On Sunday, the 11th of August, the Indians fired upon a Mr. Black and another man belonging to Lieut. Tedford's men as they were returning from a corn-field at Wells's Station.

On the 20th of August, at night, the Indians burned James Tedford's house, all his flax, and some other property; cut down about an acre of Capt. Joseph Tedford's corn, killed some hogs, and threw down the fences. The tracks which they made indicated a large party. It was believed that they were then embodying, and would shortly fall upon the settlements. The people called earnestly on Gen. Sevier to come to their protection. The principal men in Jefferson County, alarmed at the impending storm, and sensible that it would shortly burst upon some part of the frontiers, presented their sentiments in a memorial to the general, and wished him to use the most efficient measures for their defense.

After the return of Doherty, and before the 22d of August, the Indians killed Abraham Wells near his house, and burned three dwelling-houses which had been deserted. The Indians taken by Doherty all agreed that, except a small party of Cherokees who had gone to Swannanoe, all the rest of the nation were assembling at Estanaula, where John Watts was, in order to proceed to war against the Territory. Universally, throughout the whole Territory, a powerful invasion of the Cherokees was every day expected. It was supposed that they would aim at Knoxville, because of the goods and ammunition deposited there. The people everywhere asked, "Is not the country to be

defended?" Gen. Sevier was advised to call out one-third of the militia of the three upper counties and a troop of horse. They were accordingly ordered out, but they could not be expected at Knoxville before the 1st of September. All personal communications with the Indians were now at an end; the letters addressed to them were fastened to posts on the banks of the river.

At the appearance of daylight, on the 29th of August, a numerous party of Indians made an attack on Henry's Station. They were estimated at one hundred, and thence to three hundred. Lieut. Tedford and another man had gone to a corn-field when the firing commenced, and then they attempted to run to the station, but got amongst the Indians unexpectedly. The lieutenant was taken prisoner, carried about one hundred and fifty yards, and put to death. The other man (Jackson) fortunately made his escape, ran to Craig's Station, and spread the alarm to all the adjacent frontiers. A man of the name of Henderson they also killed. Gen. Sevier was invited down to take command of the few militia at Knoxville. At all events, he was expected down with one-third of the militia from the three upper counties, in a few days from the 1st of August. Gen. Sevier wrote to the Cherokees; reproached them for their restless temper and thirst for human blood; stated to them the advantages of peace, and the danger the whole nation would incur by going to war with the whites; the unwillingness of the President that they should be made to suffer any injustice, and recommended to them to look to the general government particularly for the redress of injuries. Such like speeches were made upon every disturbance between the whites and the Indians, but their inefficiency and perfect inutility were demonstrated by the fact that in no single instance had any good resulted from them. The troops were ordered to hold themselves in readiness, and the general wished to fall upon some means of delaying the intended blow till some better preparations could be made to receive it.

The unfortunate Indians were precisely in the situation which admitted of no remedy that could save them from destruction. Every individual, for want of a superior to restrain him, could by his misdeeds draw the injured white people upon the whole nation; continually the whole suffered from the misdoings of a

few. The constant operation of this evil cannot fail to bring on, eventually, the extinction of the whole nation. At this time there were many men in Tennessee who, seeing the pernicious consequences of such liberty in the Cherokees, could not yet see that a similar behavior in the white people would unavoidably plunge them into the same difficulties. But let it be remembered that such a principle, admitted in the smallest degree, is of itself sufficient to overturn any government in the world. It was now in contemplation to establish a station or fort at or toward the mouth of the Tellico, and thence to send out rangers every day to Chilhowee and Talassee—a measure well calculated to repress the advances of the Indians into the settlements on the south side of the Holston.

On Friday, the 30th of August, two Indians went to the house of Sebastian Holly, on the south side of the Nolichucky, in Washington County, fifteen miles from Jonesborough, wounded and scalped his wife, and killed his daughter, thirteen years old, cut off her head, carried it some distance, and skinned it.

On the 3d of September a party of about fifteen Indians attacked the house of Zephaniah Woolsey, on the south side of Nolichucky River, ten miles from Greene Court-house, shot his wife through the head, and wounded a young woman through the thigh. They caught a small girl in the yard, and scalped her. Mr. Woolsey, though shot through the breast and head, recovered. The Indians again stole horses from Gamble's Station.

The Cherokees made the expected incursion into Hamilton District on Wednesday the 25th of September, in a body consisting of at least one thousand men. In many places they marched twenty-eight files abreast, each supposed to consist of forty men. They had also about one hundred horses. They crossed the Tennessee below the mouth of Holston on Tuesday evening, marched all night toward Knoxville, and about sunrise or a little after, attacked and carried the house of Alexander Cavit, seven miles below Knoxville, and killed his whole family, thirteen in number. They treated the poor women and children with the utmost indelicacy. When the Indians attacked the house, there were only three gunmen in it, who defended it till they had killed one Creek and one Cherokee, and wounded three more. The Indians then offered terms if they would sur-

render—that their lives should be spared, and that they should be immediately exchanged for the Indian prisoners amongst the whites—which were accepted. But as soon as they left the house Doublehead and his party fell upon them and put them to death, with the incidents before alluded to, except one son saved by John Watts. The terms were offered on the part of the Indians by Bob Benge, a half-breed who spoke English and who exerted himself to save the unhappy victims from the murderous hands of Doublehead and his party. There were seven hundred Creeks and two hundred Cherokees who invested the fort. Gen. Sevier lay at this time on the lower frontier, on the south bank of Holston, about eight miles from the Tennessee, at one Ish's, with about four hundred men. He had arrived there but a few days before. His forces were ordered to be augmented, that he might pursue and chastise the enemy, who crossed the Clinch the same night. He received orders to this effect. Lieut. McClelland was in their rear to reconnoiter their movements. Gen. Sevier marched into the Cherokee Nation in pursuit of the late invaders. The spirit of the people would no longer bear inaction. He collected an army of eleven hundred and twenty-three privates, with a proportional number of field and other officers, in all two hundred and sixty-five, and at the head of these he marched. For the safety of the army he crossed at one of the upper fords on Tennessee below the mountains. He there bent his course for Hiwassee, with an intention of striking the trail of the retreating army of Indians, which on the 25th of September had killed Cavit's family. Before reaching Hiwassee he discovered four large trails making directly into the mountains. The army then crossed the Hiwassee and directed its course for Estanaula, on the Coosa River, where it arrived on the 24th of October, having discovered on the way several other trails leading to the aforesaid place. They there made some Cherokees prisoners, who gave information that John Watts was the person who headed the army which took Cavit's Station, and that it was composed of Cherokees from every town in the Nation; that from the Turkey's Town, Sullyquoah, Coosawatee, and several other principal towns almost every man was out; that they were joined by a large number of the Upper Creeks who had passed Estanaula on their return only a few days before the arrival of Gen. Sevier's army, and

made for a town at the mouth of Hightower River. The army, after refreshing itself, set out for that place, taking the path that leads to it along which the Creeks had marched in four large trails.

On the 17th of October, in the afternoon, the army arrived at the fork of Coosa and Hightower Rivers. Col. Kelly was directed, with part of the Knox regiment, to make an attempt to cross the river. The Creeks and a number of Cherokees had fortified themselves to obstruct the passage. Col. Kelly and his party went down the river half a mile below the ford and began to cross at a private place where there was no ford. Himself and a few others swam the river. Discovering this movement, the enemy immediately left their intrenchments and began to run down the river to oppose the passage, expecting that the whole army intended crossing at the lower point. Observing this oversight of the enemy, Capt. Evans immediately set off with his corps of mounted infantry in full speed up the river to the ford and began to cross. Very few had reached the south bank before the Indians, who had discovered their mistake, returned and gave them a furious reception on rising the bank. A very warm engagement instantly ensued. The number of the Indians compared to those of Capt. Evans were as four to one, beside other advantages; but notwithstanding this difference, in a short time he and his company put them to flight, leaving three men dead on the ground. They were seen to carry off others, both on foot and horseback, and trails of blood from the wounded were observed in every direction. Their encampment fell into the hands of Gen. Sevier's army, with a number of guns of Spanish fabrication, with their budgets, blankets, match-coats, and some horses. Capt. Evans lost three men in this engagement, which was all the injury sustained in this expedition, though it had been four times attacked. After the last engagement the army of Gen. Sevier crossed the main Coosa at a place where the Indians had thrown up some works, which they abandoned on the approach of the army, and suffered it to pass unmolested. The army then proceeded down the main river to the Turn-up Mountain, destroying as it marched several Creek and Cherokee towns, which they had settled together on each side of the river, and which they had precipitately deserted, leaving almost every thing behind them. Nor did they after the battle of

Hightower attempt to interrupt the march of the army. Their ardor and spirits were broken. The party which was routed at Hightower consisted of those who had been out with Watts. The general had also three men wounded. The army took and destroyed nearly three hundred beeves. Many women and children might have been taken, but from motives of humanity the general did not encourage it. Some who were taken were suffered to escape. "You know," said he to the Governor, "the dispositions of many of those who are out, and can readily account for this conduct."

Jaudenes, a Spanish agent in the Cherokee Nation, on the 12th of September, 1793, wrote by "The Little Turkey" to Gov. White, at Pensacola, to supply him with seven hundred pounds of powder and fourteen hundred pounds of ball for the Cherokees, then embodied to the number of seven hundred, to take satisfaction for the death of those Indians who had been lately killed by Beard and his party at "The Hanging Maw's." This was done by the directions of the Baron de Carondelet, who in June complained so heavily of the supplies of corn and one swivel sent to the Chickasaws. How he could make himself think that what was so unlawful in Gen. Robertson, according to his estimation, was proper in himself, and that, too, for the purpose of invasion and butchery of those who were in nowise parties in the offensive deed, nor approved of it, but on the contrary, gave it their open and unreserved condemnation, is for the refinements of subtlety to determine. The reason which the baron gave for this conduct was that otherwise he should lose the confidence and good opinion of the Cherokees, with which he had inspired them toward the King of Spain. We shall presently see that the Spanish negotiators endeavored to give a more justifiable reason, well knowing that some more plausible one must be at least attempted.

Not long after Gen. Sevier's expedition, Capt. Harrison in a scouting excursion took two Cherokees, a fellow and a squaw, who gave information to the people of Knoxville, whither he brought them, that the town on the other side of Hightower River, where a part of Gen. Sevier's army had the late engagement, is the principal place of rendezvous for the Creeks and Cherokees, previous to their coming in upon the frontiers. This town was principally inhabited by Creeks, and was governed by a Creek chief called the Buffalo Horn.

After Gen. Sevier's expedition the Indians did less mischief on the frontier than they had usually done for some time before. They however continued to steal cattle and horses, and their trails were seen in different places.

On the 2d of October Polly Lewis and her brother, a little boy, were killed on the south side of French Broad, passing along a public road near Danbridge, in Jefferson County. She was a young lady eighteen years of age.

On the 3d of October a party of thirty Indians plundered the house of Mr. Copeland, on the south bank of French Broad, he and his family having a few moments before crossed the river. They were eye-witnesses of the number of Indians and their acts.

On Sunday, the 13th of October, a party of Indians consisting of twenty-eight killed Mrs. Lewis and five children, and burned their dwellings and other houses in Greasy Cove, on the frontiers of Washington County, twenty miles from the path that leads across the Bald Mountain to North Carolina.

On the 17th of October the grand jury for the District of Hamilton presented an address to the Governor. They complained in strong and plain terms of the forbearing system of the federal government toward the Indians, and of the monstrous enormities which they daily committed. They represented themselves and the country to be in the deepest distress, the public indignation roused, and the ardor of the people for vengeance as greatly excited, and that it was only restrained by respect for the laws, and for want of a constitutional channel through which it could flow. They hoped their situation would be faithfully represented, and that Congress would no longer remain regardless of the calls of justice, and deaf to the voice of humanity. The Territory was a part of the united government, and had a right to expect protection. They called upon him to exercise whatever powers he had for their protection, and to secure them against the immediate outrages of savage barbarity. They reminded him of the ordinance of Congress of 1787, and of the right the people had under it to a Legislature, as soon as their number amounted to five thousand free male inhabitants. They stated that the period had arrived when they could claim the right, and they felt confident that he would concur with them in opinion.

On Sunday, the 27th of October, an Indian was killed in a field in Jones's Cove, on the east fork of Little Pigeon, by a party of Capt. Job's company, who were on duty for the protection of Jefferson. On the evening of the next day another Indian was wounded near the same place by another party of Capt. Job's command. The same day several houses and stacks of grain were burned, and ten horses stolen by Indians in that neighborhood.

On Monday, the 28th of October, a party of Indians consisting of twenty ambuscaded McGahey's Station, fifteen miles from Knoxville, fired on and wounded William Cunningham as he was riding on the road near a station. The people of the station gave immediate pursuit, but could not come up with the Indians. They took eight blankets and match-coats, four pair of moccasins, one gun and shot-pouch, three hatchets, and eight bags of parched meal, which the Indians in their hasty retreat had left behind them.

On Monday, the 23d of December, Roger Oats and Nicholas Ball were killed by Indians near Wells's Station, twenty miles from Knoxville, as they were transporting a load of corn to the block-houses for the support of their families. This party consisted of ten at least, as that number of guns was fired. They took four horses from the wagon, and a mulatto boy fourteen years of age, and left by the body of Mr. Oats a speckled stock trading gun, which they broke to pieces over his head, of the kind with which Paton and the Spaniards have supplied many of the Creeks. After the time they were killed, several small parties of Indians were discovered on the boundaries of Knox County, supposed to be spies from a larger body to examine the state of defense kept up on the frontiers. A number of the frontier inhabitants of the neighborhood where Oats and Ball were killed on the 23d of December collected and pursued the murderers, and were led by the trail to "The Hanging Maw's" camp, where they killed three men, and alas! how shall the fact be concealed from public notoriety? seven squaws also.

After the 22d of April, 1793, when the proclamation of neutrality was issued by the President, the Spaniards affected to recommend to the Indians to be at peace with the United States, and seemed to have relaxed their ardor for stirring them up; at least such indications were given by their professions, although

they did not forbear to supply the Indians with necessaries in September for the prosecution of their expedition against Knoxville. Their very dissimulation is a proof of self-condemnation for the steps they had taken already, and it was a pledge that their conduct would shortly be changed in reality. The cause of those changes are now manifest, and we can see at this time, whilst the United States were in negotiation with Spain for the free navigation of the Mississippi, that the attainment of the objects in view might have been defeated by offensive conduct toward that power, which a war with the Creeks and Cherokees, their allies, whom they had taken under their protection, might have been considered. The neutral station which the United States had assumed being once ascertained, it became the duty and interest of their Spanish neighbors to be upon good terms with them, and not to provoke them by an offensive behavior to relinquish the attitude they had taken. Hence their peace talks to the Indians in the spring and summer of this year, and the public letters of Gov. Gayoso disclaiming all agency in the promotion of misunderstandings between the Indians and the people of the south-western territory, and of the conciliating and polite letter of the Baron de Carondelet himself, to which we shall by and by have occasion to advert.

The number of inhabitants in the Territory had now so far augmented as to entitle them to a territorial assembly and legislative council, according to the provision of the ordinance of 1787. Gov. Blount on the 19th of October made an ordinance, in which he stated that proof had been made to him of their being in the territory five thousand free males and upward, and therefore he authorized the election of persons to represent the people in general assembly on the third Friday and Saturday in December, 1793, by such electors as were specified in the ordinance of Congress of the 13th of July, 1787. Two from each of the counties of Washington, Hawkins, Jefferson, and Knox; and one from each of the counties of Sullivan, Greene, Tennessee, Davidson, and Sumner. The elections to be conducted under the regulations prescribed by the election laws of North Carolina; and the returning officers were directed to certify the names of the elected to the Secretary's office at Knoxville as soon as might be. On the 22d and 23d of December elections were held accordingly in all the counties of the Territory, and

the people elected Alexander Kelly and John Baird for the county of Knox, George Doherty and Samuel Weir for Jefferson, Joseph Harding for Greene, Leeroy Taylor and John Tipton for Washington, George Rutledge for Sullivan, William Cocke and Joseph McMinn for Hawkins, James White for Davidson, David Wilson for Sumner, and James Ford for Tennessee.

Gov. Blount had studied from the days of his infancy in the school of the world, and by a long course of critical examinations had discovered the most elastic springs of human action. He had been particularly conversant with the political branch of mankind, and had learned with accuracy which were the applications most likely to gain them. He was perfectly convinced that the remonstrances of the south-western people, when made by an assembled body of the people's representatives, would have much greater effect than when made by individuals not clothed with the representative character. He labored, therefore, indefatigably to procure for them that indispensable organ. No sooner were the elections over than, by a proclamation issued on the 1st of January, 1794, he appointed the Assembly to meet at Knoxville on the fourth Monday of February, 1794. The Assembly, on the day appointed, convened at Knoxville, and appointed David Wilson, Esq., their Speaker, and Hopkins Lacy, Esq., their Clerk. And it is to be considered as an auspicious omen of the future prosperity of their young empire that they laid its foundations in piety to God. On the next day the members, preceded by the Governor and the Speaker, went in procession to the place of worship, where the Rev. Mr. Carrick, after offering up an appropriate prayer, preached to them from these words in the Epistle of Paul to Titus: "In hope of eternal life, which God, that cannot lie, promised before the world began; but hath in due time manifested his word through preaching, which is committed unto me according to the commandment of God our Saviour."

They elected ten persons, out of whom five were to be chosen by Congress as the Legislative Council. They appointed a committee to draft an address to the Governor, which was drawn accordingly and approved of, in which they strongly recommended some offensive measures, could they be resorted to; otherwise, that defensive ones might at least be adopted, and block-houses

erected on the frontiers at all proper places, many of which they named. And they stated that until the frontier people should be better protected, it would be impossible for them to raise their crops, and that they would be forced to evacuate their plantations, and to leave others in the same desolate circumstances. They recommended a guard for the protection of the Cumberland members on their return, adverting to the recent fact of an express having been severely wounded in the wilderness, as he came from Nashville to Knoxville.

The committee also, who were appointed for the purpose (Messrs. White, Cocke, Kelly, Weir, and Taylor), drew an address to Congress, which was approved of by the House and was signed by the Speaker. In it they demanded a declaration of war against the Creeks and Cherokees, and stated that since the treaty of the Holston they had killed in a most barbarous and inhuman manner upward of two hundred citizens of the United States, residents in this Territory, without regard to age or sex, and carried others into captivity and slavery; they had robbed the citizens of their slaves, stolen at least two thousand horses, which, at a moderate calculation, were worth \$100,000; destroyed their cattle and hogs, burned their houses and grain, and laid waste their plantations; and yet continued the commission of the atrocious violation of the laws of humanity and existing treaties with impunity. "While the citizens of the Territory, lovers of peace and adhering to the treaties, have done them no injuries except in defense of their persons or property, or in immediate retaliation, they have compelled," said the address, "a large proportion of your citizens to assemble together, at different stations on the frontiers, for the common defense, consisting of from twenty-five to three hundred at a station, miserably crowded together in small huts, where they have remained from September, 1792, anxiously expecting peace or a legally authorized war, of which a permanent and speedy peace would be the certain result. Besides the just causes of war daily given by these two faithless nations, we conceive it essential to call to your recollection their two powerful invasions of this country—the first in September, 1792, consisting of one thousand Creeks and Cherokees, who on the 30th of that month attacked Buchanon's Station, within five miles of Nashville, and were repulsed; the second in September, 1793,

consisting of nine hundred, who on the 25th of that month attacked Cavet's Station, within eight miles of Knoxville, and in a manner too shocking to relate murdered Cavet and his family, thirteen in number." They returned thanks for that share of defensive protection which had been extended to the country, but lamented that it was of too little avail, and must continue to be so upon so extended and exposed a frontier—a frontier of upward of four hundred miles, surrounded with mountains or covered with heavy timber, or a rich, thick growth of cane, affording enemies an opportunity to approach the plantations undiscovered; and after committing murder or theft, to retreat with safety and to evade the most diligent pursuit. "Scarcely," they said, "is there a man of this body but can recount a dear wife or child, an aged parent or near relation, besides friends, massacred by the hands of these blood-thirsty nations, in their houses or fields; nor are our neighbors and friends less miserable. They too can enumerate the suffering of equal calamities. Such have been," they say, "the sufferings of your fellow-citizens resident in this Territory, more than ought to be imposed on men who by their joint exertions with the citizens of the United States at large have acquired freedom and independence.

"We love peace, admire and revere our excellent form of government, and are afraid of war in no shape except that which the first law of nature and self-defense may enforce upon us unauthorized by your declaration, which heaven avert! But should the first law, in which all nature agrees, compel such a measure, we trust those who are obliged to submit to it will not be held chargeable with the consequences."

They rejoiced in the vigorous measures which Congress was about to take against the rapacious and enslaving Algerines, and concluded with reminding Congress that the citizens who live in poverty on the extreme frontiers were as much entitled to be protected in their lives, their families, and little property as those who were in luxury, ease, and affluence in the great and opulent Atlantic cities. The Governor then prorogued the Assembly to the fourth Monday in August. This address contained a most accurate statement of the public sufferings, feelings, and opinions; and gave one instance, among many others, of the exact estimate which can be made of the people by the representation they have in the legislative body. If brave and

virtuous, lovers of truth, of honesty, and of order, so in general are also their members of the Legislature; if immoral, intriguing, and faithless, their representation is of the same stamp.

On the 10th of January, 1794, Capt. Evans, of the Knox County Cavalry, in execution of an order to patrol in advance of the settlements from the Eagle Ford, on the Clinch, to the Chilhowee, on the Tennessee, for the protection of the frontiers, fell in with a trail of shod horses, which he supposed to be those taken when Oats and Ball were killed. Pursuing it, he was led through the Tellico Plains to an Indian camp in a thick laurel patch, on the ascent of a mountain. The Indians received information of his approach before he could surround the camp, and betook themselves to flight, but from the dexterity of his men—as experienced riflemen as any in the world—one was killed and several wounded, as appeared by the blood, and a boy and girl were made prisoners. At the camp was found the scalp of Mr. Oats, known by his bald head, together with several others, and a horse stolen from the French Broad. The mulatto boy supposed to have been made prisoner when Oats and Ball were killed was soon afterward found dead.

On the 23d of January a party of Indians, supposed to be twenty, fired upon a man of the name of Jones, on the Clinch River, and pursued him upward of a mile. Seven balls passed through his clothes, none of which touched his skin.

On the 4th of February, 1794, James Russell, Robert Shannon, and William Con, on their way from Nashville to Knoxville, were ambuscaded in the Cumberland Mountains, eighteen miles from South-west Point, by a party of Indians consisting of about twenty-five, who fired on them and wounded Russell in the body and arm. Russell and Shannon were coming from Gen. Robertson to Gov. Blount with public dispatches. That these men were not killed may be counted amongst miracles. The facts are these: As they passed Obed's River the preceding day they discovered a fire, which induced them to push forward about fourteen miles, when they turned off the road and lay all night without a fire, judging that they would be followed by the Indians. The next morning they kept the woods four miles before they struck the road, and, finding no signs of Indians, they pursued their route in confidence that they had not been discovered.

But they had not proceeded above half a mile when they found themselves in a well-chosen spot for an ambuscade, surrounded by Indians, the most distant of whom was within thirty feet. They all fired, and many of them threw their tomahawks, without doing any injury except to Russell. The ball which struck him was turned in its direction by a large metal button, or it would have passed through the most vital part of his body. He got to the block-house at West Point, and there was put under the care of a surgeon.

On Friday, the 7th of February, 1794, Peter Bowerman, a soldier in Capt. Singleton's company of militia, was fired on by three Indians, four miles above Wells's Station. One ball struck his hunting-shirt. About the same time they stole the horses of Elijah Chissum and others, near Pevehouse's Station. On the same day a party of the Hawkins County militia, from German Creek, consisting of James Ore, Thomas Mitchell, Edward Mitchell, and others, to the number of twenty-one, went in pursuit of the Indians who stole Chissum's horses, and after following them eighty miles came up with them on the north bank of the Cumberland River, near the mouth of Richland Creek. Two of them were killed and scalped, and the horses were retaken. At the camp were found several articles of clothing belonging to white people—particularly a hunting-shirt which had two bullet-holes in it—proofs that these Indians had killed several white persons.

On Sunday, the 10th of March, 1794, Samuel Martin was killed by Indians near Henry's Station, on the path to his father's house; and about sunset on the same day James Ferguson, his sister, and David Craig's son were fired upon by Indians from an ambuscade, between David Craig's and John Craig's Stations. They killed Ferguson. The other two fortunately escaped to John Craig's Station.

Information arrived about this time from Seneca, of the date of the 20th of February, which assured the people of Holston that the chiefs of the valley towns of the Cherokees would maintain a state of peace toward the United States; that the lower Cherokees still persevered in their choice of war; that Doublehead, of the lower Cherokees, with his usual activity, had been there lately recruiting a party to waylay the Cumberland and Kentucky roads, and to harass the frontiers of Mero District.

On the 12th of March the post rider from Kentucky to Hawkins Court-house, and twelve travelers who were in company with him, were fired upon by Indians from an ambuscade by the roadside, near Middleton's Station, and four men were killed, three of whom were preachers—two of the Baptist Society, Mr. Haggard and Mr. Shelton. These Indians were supposed to be Creeks and Cherokees, and to be headed by Doublehead, *alias* Tucalatague, who with his own hands since the treaty of the Holston, to which he was a signer, had shed as much human blood as any man of his age in America.

Early in the morning of Sunday, the 10th of March, 1794, a party of Indians who lay in ambush near the path leading to the house of William Russell, on Beaver Dam Creek, fired upon John and Robert Wood, shot both their horses, and wounded the former through the body and leg. On the 19th a party of Indians was discovered near the Bull Run block-house, but made no attempt on it. On the same evening several Indians ascended the logs of David McBride's dwelling; but finding themselves discovered, leaped down and ran off. From the Beaver Dam settlements they took sixteen horses, killed all the cattle they could find and left them to spoil, and also took two horses from Wilson, on the Pigeon.

James Ore, with a party of the Hawkins militia and a detachment of Capt. Lewis's company of Virginia troops, commanded by Ensign Calvin—seventeen in all—pursued more than one hundred miles those Indians who waylaid, killed, and robbed the travelers in the Kentucky road, on the 11th of March; and they returned to Knoxville on the 30th. The party of Indians which he followed, as appeared by their marks and figures inscribed on trees, were twenty-five in number, and had taken four scalps, one of them from the beard of a Dunkard preacher. They had sixteen stolen horses. The difference of numbers would not have induced Mr. Ore to turn back; but it was discovered that their numbers were increasing from camps in the mountains, and not making for their towns, but probably to form a large camp and make another stroke upon the Cumberland or Kentucky road, or some of the frontiers, before they should return home.

On Tuesday, the 1st of April, a party of Indians, supposed to consist of from thirty to forty, ambuscaded a path near Cal-

vin's block-house, on Crooked Creek, a branch of the Little River, fourteen miles from Knoxville, and fired upon Samuel Wear, his two sons, and William McMurray, as they were going from the block-house to work on their farms. One ball passed through the clothes of McMurray. On their retreat to the station another party of Indians, who had also waylaid the path, fired upon them, but did no injury.

On the same day a party of Indians consisting of from forty to fifty ambuscaded the road near the Crab Orchard, leading from Knoxville to Nashville, and fired upon a company of travelers consisting of five persons; killed Thomas Sharp Spencer, wounded James Walker, killed two horses and wounded a third. Hence the name of Spencer's Hill. Spencer had with him about one thousand dollars in gold and many valuable articles, which fell into their hands. These travelers left the block-house at South-west Point in the morning, and the survivors returned to it in the night of the same day.

On the night of the 2d of April a party of Indians consisting of twenty-five secreted themselves near the block-house at the mouth of Town Creek, commanded by Sergt. Herrod, of the 12th company of the third sub-legion of the United States, and early the next morning fired upon and killed William Green, a soldier, attempted to gain the door of the block-house and were repulsed, leaving behind them a rifle-gun, a scalping-knife, one blanket, one French *chapeau*, eight ramrods, and eight gun-lock covers. An Indian in attempting to scalp Green was shot through the hand, which obliged him to drop his rifle and scalping-knife. Three other Indians were wounded, one of them within one hundred paces of the block-house. He bled considerably, but was carried off. They stole about this time twenty-seven horses from Knox County and four from Hawkins.

On the 6th Mrs. Livingston, the mother of Peter and Henry Livingston, and two children were killed and scalped near Mockason Gap, in Virginia, and the wives of Peter and Henry Livingston and three children were made prisoners. A party of the neighboring militia, commanded by Vincent Hibbs, gave immediate pursuit, killed two of the Indians, and regained the two women and two of the negroes. One of the Indians killed was supposed to be Bench, the noted Cherokee chief who for a

long time, by his repeated butcheries, had been the terror of the frontiers.

On the 13th sixteen horses were stolen from the settlements on Beaver Dam Creek, and many more from the frontiers of Jefferson County.

On the 14th a party of Indians pursued Moses Stegall on the north side of the Copper Ridge so closely that he was forced to abandon his horse to effect his escape, and on the same day nine horses were stolen from that neighborhood.

On the 15th they stole ten horses from Mr. Gibbs, making in the course of a few days upward of fifty horses taken from the frontier inhabitants within the compass of ten miles. Some of the inhabitants were left without a horse to draw the plow.

On the 22d William Casteel, his wife, and five children were killed on the south side of the French Broad, eight miles from Knoxville. Several guns were heard about day-break near the same place. At the same time the Creeks and Cherokees gave repeated and solemn assurances to Mr. Seagrove, the Agent of the United States for Indian Affairs, of their determination to desist from war and be at peace with the United States. The frontiers in the anguish of alarm called aloud for Gen. Sevier from all quarters, who, having been confined for some time by indisposition, was unable to appear amongst them. But when at length he did appear, their fears subsided and the storm of inquietude was hushed. Posts were established at different points, and new arrangements were made as best suited the protection they were intended to give.

On the 13th of May fresh recruits were ordered to be raised and stationed at different points on the frontiers to save the inhabitants against the attempts of the Indians upon their lives or properties, and they were placed at Houghs, the burned canebrake, at the Painted Rock, and at the Warm Springs, with orders from thence to range and reconnoiter, as the several commanding officers should think most advisable from time to time. The Indians about this time began to make repeated professions of a sincere desire for peace, and Gov. Blount believed them. He also believed that peace would shortly be restored to the Territory.

On the 14th of May Joseph Evans, Thomas Sellers, Samuel Sellers, and James Hubbard, Jr., set out in pursuit of a party

of Indians who had killed Piercyfield, to take satisfaction. But not falling upon their trail, they made toward the Big Tellico towns, where they discovered a large encampment of Indian warriors. In the night they went into their camp and killed four fellows asleep on the ground, and immediately retreated and got safe into the settlement. Evans and his party were dressed and painted like Indians.

“The Hanging Maw” in his letter to the Governor imputes to the Spaniards that they had been always persuading the Cherokees to go to war, “but that,” said he, “is now over, and we are determined not to take their talks. We listened to the Spanish talk a good while, but we have found them to be liars, and we are now determined to take the United States by the hand. The young fellows in the lower town were seduced first and took the Spanish talks, but now their minds are changed.” He assured the Governor that Watts was for peace, and “The Turkey” also; the lower towns as well as the upper. These declarations may be considered as evidences of a change of Spanish conduct toward the United States, and the inclinations of the Cherokees at that time to be on good terms with the United States as one of the fruits of that change, and of the advice which they had lately received from the Creek Nation. These were favorable indications, which afforded grounds to hope that a few more incentives to peace would actually produce it. Could the United States become well-seated in the good-will of the Spanish court, this, with a few correctives well-timed and well-administered to the Indians themselves, both northern and southern, with some notice taken by Congress of the suffering inhabitants of the south-western territory, would in all likelihood render a desire for peace no longer a mere topic for conversation, but an object really attainable.

On the 25th of June Stephen Jones was killed by Indians on the east fork of Little Pigeon; and in the same month a boat called “Scott’s Boat” left Knoxville for Natchez, on board of which were William Scott, John Pettegrew, William Pettegrew, Mr. Tate, Mr. Young, John Harkins, three women, four children, and twenty negroes. The boat was laden with several tons of pots, kettles, cast-iron ware, and other valuable property. As this boat passed down the Tennessee it was fired upon by the lower Cherokees of the Running Water, and at the

Long Island village without receiving an injury. On the other hand the fire was returned, and two Indians were wounded. A large party of a hundred and fifty Indians then collected, headed by Unacala, the same who was wounded at the attack upon Buchanon's Station in September, 1792, and they pursued the boat to Muscle Shoals, where they overtook it. They killed all the white people who were in it, made prisoners of the negroes, and plundered the boat of its lading. The white people, in making resistance, killed three Indians and wounded a fourth. It is here to be remembered that the free and unmolested navigation of the Tennessee River by the citizens of the United States was secured to them by the treaty of Holston.

On the 24th of July a party of Indians killed John Ish at his plow in his field, within one hundred and eighty yards of his own block-house, and scalped him. Ish lived eighteen miles below Knoxville. He left a wife and eleven children, the eldest not more than eleven years of age. Maj. King and Lieut. Cunningham, with John Boggs and ten other Cherokees, sent by "The Hanging Maw" in pursuit of the offenders, returned a few days afterward with a Creek, whom "The Hanging Maw" wished to scalp, but was dissuaded from his purpose and took only the war lock, with which they danced the scalp-dance all night. But the Cherokees apprehended for this act the resentment of the Creek Nation. Maj. King, in the pursuit, came upon the trail of the murderers leading into the path that was traveled from Coyatee to Hiwassee, which he kept to a point within two miles of Hiwassee. He there received information that those he was in pursuit of passed with a fresh scalp about the middle of the afternoon, and would, it was supposed, tarry all night at Wococee, eight miles ahead. The pursuers went to Wococee, and finding the murderers still ahead, they continued the pursuit till they were overtaken by a runner from Hiwassee with information that one of Ish's murderers was behind, stopped at a little village two miles from Hiwassee. Despairing to overtake the main body, they turned back and found the Creek as the runner had reported, in the house of a Cherokee. After some consultation as to whether the Cherokees or white people should kill or take him, "The Maw's" son, Willioe, with three others, seized and tied him. Having tied him, four warriors took him in charge, who were particularly careful that he should not escape

until he was delivered, confined in cords, to the Agent of the United States, Mr. McKee, at the Tellico block-house, on the evening of the 28th of July. The Governor issued a commission of oyer and terminer for the trial of this Indian, pursuant to the stipulations contained in the treaty of New York. A court was held by Judge Anderson, an indictment was found by the grand jury against Obongpohego, of Toocaucaugee, on Oakfuskee. When charged, he confessed the fact. He said the upper towns had thrown away the peace talks made in pursuance of the treaty of New York, and had taken up the hatchet, and justified the fact charged to him. But the court permitted him to withdraw his plea and to plead not guilty, which being done, the trial proceeded and the petit jury found him guilty of the murder of John Ish, as charged in the bill of indictment. Being asked what he had to say why the sentence of the law should not be pronounced, he replied that he had not any thing to say; that he came out with an intention of killing and stealing or of being killed; that he had killed the man for which he had been tried, and that it had been his misfortune to fall into the hands of the whites; that he should have escaped from them had it not been for the Cherokees; and that should he now be put to death, there were enough of his nation remaining to revenge his death. He was sentenced and executed on the 4th of August—whether lawfully or not depends more upon the decision of the jurist, who is versed in the law of nations, than of the casuist, and much perhaps upon the figurative allegation made by the prisoner that his nation had taken up the hatchet; For, by the general understanding of all mankind, the intervention of war suspends all prior treaties so long as it shall continue.

Two days afterward eight Creeks were seen twenty-five miles below Hiwassee, on their way to the settlements south of the French Broad; nine of them soon afterward crossed Hiwassee below Chestuee, and inquired whether the Cherokees who took the Creek warrior that killed Ish were at home; and about the same time another party of Creeks, a hundred in number, crossed the Tennessee near the mouth of the Chiccamauga, intending to fall on the north-western parts of Knox or Hawkins Counties. The war-whoop was raised at the camp of "The Hanging Maw," and twelve of the Cherokees turned out to pursue them, headed by "The Maw's" son, Willioe, and with them five of the Federal

troops; these were shortly afterward followed by other Cherokees and another Federal soldier. Amongst them was "The Middle Striker" and Sergt. Townsly. The pursuing party, arriving at the Tennessee, where the Creeks crossed, consisted of fifty-three Cherokees, commanded by "The Middle Striker" and Willioe, and several of the Federal troops, commanded by Sergt. Townsly. Pursuing the Creek trail, which made directly for the settlements, they came up with the Creeks about 1 o'clock in the afternoon of the 10th of August, in sight of Maj. Craig's Station, killed and scalped one of them and wounded another; took two guns, one hatchet, one pistol, several bridles and slave-strings, blankets, match-coats, and provisions. The Creeks gave the first fire, and one Cherokee was slightly wounded. The return of the party was announced by the death-song and the firing of guns; joy and triumph were depicted in the face of each warrior; the night was spent in dancing the scalp-dance, according to the custom of warriors after a victory over their enemies, in which the white and red people heartily joined. The Upper Cherokees had now stepped too far to go back, and their professions of friendship were now no longer to be questioned.

On the 12th, about 10 o'clock at night, a party of Indians consisting of fifteen attacked the Bullrun block-house, sixteen miles north of Knoxville, at which a non-commissioned officer and ten privates were stationed for the defense of the frontiers, and continued around it until the arrival of Capt. Baird with a party of the neighboring militia to its relief. The Federal troops received no injury, and the fire was warmly returned. On the same day Capt. Evans, with the part of his company which was under his immediate command, Lieut. McClelland having been detached with another part, fell on the trail of Indians who had stolen horses from Hinds's field on the 10th, and pursuing the trail to Cumberland Mountain, overtook them, killed one, and regained the horses.

On the 13th Lieut. McClelland, who had with him thirty-seven of Capt. Evans's company, was attacked on the Cumberland path, near the Crab Orchard, eighteen miles from Southwest Point, by a body of Creeks consisting of upward of one hundred warriors. He made a brave and soldierly defense, twice repelling the Creeks, but was finally compelled to retreat, with the loss of four men killed, one wounded, four missing, thirty-

one horse, thirty-eight saddles and bridles, blankets, great-coats, and provisions. On the side of the Creeks the loss was not ascertained, but from the obstinacy and bravery of the defense and the report of Lieut. McClelland and others there was reason to believe they lost from twelve to sixteen. The Creek commander was conspicuously bold, and was numbered amongst the slain. The white men who were killed were Paul Cunningham, Daniel Hitchcock, William Flennehan, and Stephen Renfroe. Abraham Byrd was wounded. The four men who were missing from the detachment after the action afterward reached South-west Point. William Lea, one of that number, arrived on the 18th, and reported that he had been made prisoner by the Indians, and had escaped from them. When he made his escape they were two hundred in number, and their main camp was within eighteen miles of South-west Point block-house.

On the 14th, in the evening, the Indians fired on William Blackburn and David F. Dearmon, the former a Federal and the latter a militia soldier on duty at Fort Grainger, twenty-two miles below Knoxville. In September and October, and before the middle of November, the misfortunes of the frontier settlers began to be alleviated, but were not wholly terminated. Nevertheless, on the 18th of September, a man of the name of Walker was captured by the Indians on the frontiers of Hawkins County, as he passed from his own house to that of a neighbor; and on the 13th of November Peter Greaves was killed by the Indians within a quarter of a mile of Sharp's Station, near the south bank of the Clinch River, twenty miles north of Knoxville. The Indians who killed him had waylaid the path, and fired at so short a distance that he was powder-burned. On being wounded, he ran, was pursued, and much hacked with a sword; and from the force of the blows about six inches of the point of the blade were broken off. Two scalps were taken from his head.

On the 20th of December a party of Indians, about two hours after dark, secreted themselves within twenty feet of the door of Thomas Cowan, and fired upon his wife and son as they stepped into the yard, and pierced the clothes of the latter with eight balls; but he escaped under cover of the night into the woods, and Mrs. Cowan returned into the house unhurt. The firing alarmed the neighborhood, and Capt. Baird was at Cowan's with

twenty men within an hour and a half, and patrolled the woods the whole night in search of the Indians, hoping they would strike up a fire by which he could discover them. On the next day, by order of Gov. Blount, he went in pursuit of them. The child of Mrs. Caffrey was brought by the Creeks on the 14th, and delivered into the possession of Mr. Spann, on the Oconee River, in Montgomery County, in the State of Georgia. He had been separated from his mother, who had been delivered to Mr. Seagrove, and publication was now made by Mr. Spann, that she might know where to apply for him. During the whole of this year, while the offensive operations of the Indians were in progression, Gov. Blount industriously applied himself to the employment of every expedient which could by possibility smooth the way to a pacification of the Indians. He even made an appeal to the Creek sense of justice, and requested of the leaders to be informed why their nation for the last ten years and more had killed the people of this Territory without regard to age or sex, and had taken away more than one thousand horses. "In the original division of land," said he, "amongst the red people, it is well known that the Creek lands were bounded on the north by the ridge which divides the waters of the Mobile and the Tennessee. It is true, since the people of Georgia have driven your hunters from the sea-shore, that many of them had gone to Cumberland in pursuit of game, and that of late years your nation has put a claim to Cumberland; but McGillivray, when at New York, ceded that claim. The Cumberland country, many years past, was claimed by the northern Indians; they sold it, and were paid for it. It was then claimed by the Chickasaws, and they have sold it and been paid for it. Last of all, the Creeks claimed it, and their claim has been ceded by the United States. When Gen. Oglethorpe first landed in Georgia, the Creeks generally hunted down to the sea, and did not turn their attention toward the Cumberland. By the treaty of New York the Creeks gave up all the land north of the thirty-four degrees forty-seven minutes of north latitude." But it was in vain to open to them the book of morality, for other lessons than that could teach were necessary to make them understand the duties which they owed to the people of the south-western territory. But as little desirous as they were for a long time that peace should be re-established, yet on all occasions they were profuse in their wishes

for peace. The Creek nation some time in March, at a general meeting, authorized a talk to be sent to Panton, stating their satisfaction at the communications made to them by Mr. Seagrove and their rejection of the Spanish proposals to join in war against the French and Americans who might be coming down the Mississippi to attack the Spanish territories; and that they were unwilling to hear of any such like proposals for the future; they distracted their people, disturbed their peace and hunting, and they informed Mr. Panton that his talks have been injurious to their peace and true interests, and that they were determined to hear no more of his advice. They advised him to mind his trade and not to trouble himself about their public concerns.

"The Hanging Maw" in May declared his people (the Cherokees) would no longer listen to the Spaniards, who were continually instigating them to war; that their young men had been seduced by them, but were now entirely alienated from them; that Watts and "The Turkey," as also the lower towns as well as the upper, were all for peace. With respect to a part of each nation, these professions were real, when, with respect to other parts, they were wholly illusory. A comparison of dates will show that almost simultaneously with every declaration in favor of peace some of the inhabitants were slain or plundered, as if the declaration were made to lull them into security. It was on the 15th of June, 1794, whilst Mr. McKee held conferences with the Cherokees for the re-establishment of peace, that the Indians killed Casteel and family. At this treacherous behavior the frontier people became ungovernably exasperated, and, in the absence of Gov. Blount, a party of them rose and destroyed the goods of the United States, which had been sent to the block-house to be disposed of as presents to the Cherokees. The doers of this deed were soon convinced of its impolicy, as well as temerity, repented of their misbehavior, and it was passed over in silence. In the latter part of the same month the Governor communicated to the chiefs of the Cherokees the intelligence he had received, that Talotiskee was out to take satisfaction for the death of "The Bench," who had killed at different times forty or fifty persons. He demanded of them if this was not true, and, moreover, whether he was not pursued and killed for having massacred an old woman. In the face of all the pretenses which they made, their sincerity was put to an infallible test. Their

council, on the 13th of July, answered Gov. Blount that it was impossible to give up the property they had captured and had in possession, it having been taken in war. Lives and property, they observed, were taken on both sides. Peace would be given to the United States, if they were willing to accept of it, by letting every thing past be done away with and forgotten. They were willing on their part to forget them. They could not interfere, they said, to prevent the Creeks from passing through their country; they imposed upon them, they said, as well as the United States. From these answers it is easy to see how little the Cherokees were inclined to peace. Like the courtiers of more enlightened nations, they had learned the cant phrases professive of attachment to the duties of humanity and the peace of mankind, and, as they do, used them as the formulas of civility. The terms, too, in which their resolutions were conveyed were humiliating and provoking; and so far was the majority of the nation from opposing any obstacle to the passage of the Creeks through their Nation, that on the 27th of July a large party of Creeks, nearly one thousand, marched through their country toward the white settlement. Col. White was ordered to draw out one-half of the Knox County militia to oppose them. The Cherokee women and children passed over to the north side of the Tennessee and placed themselves under the block-house; the upper Cherokees promised to co-operate with Col. White. This formidable party of Indians stopped at Will's Town and demanded "The Middle Striker" and Willioe to be delivered to them in satisfaction of the Creek whom they had apprehended, and who was tried and executed at Knoxville. But insincere as the Indians were in all the assurances they gave of a desire for peace, many efficient circumstances were preparing to be combined for the production of different sentiments; and, as if by predestinated appointment, began nearly at the same time to advance into prospect.

A committee of Congress reported on the memorial presented by the House of Representatives at Knoxville, in February, that the residents of the western frontier had experienced, and still continued to suffer, the most cruel and inhuman aggressions from large bodies of savages of the Creek and Cherokee nations; that they, notwithstanding their solemn engagements to the contrary, and the most express stipulations in the treaties of Hol-

ston and New York, had continued to invade the settlements on that frontier, and to commit thefts and murders unparalleled but by people of the like savage and ferocious natures. And, amongst other things, they gave it as their opinion that the situation of the south-western territory in general, and of Mero District in particular, called for the most energetic measures on the part of the government. They recommended calling out the militia for offensive operations; and that authority be given to the Governor of the Territory, when he apprehended invasion, to order out such part of the territorial militia as he should judge proper to repel, annoy, and pursue such invading party of Indians; and to give information to the President by express of the existing circumstances; and to continue it in the field until the cause ceased, or until further or other orders should be received from the President. The House of Representatives considered and approved of this report, and ordered a bill to be prepared accordingly. It finally miscarried. But proceeding to such lengths showed that a great part of the United States were indignant at their behavior, and in a little time would probably have recourse to very coercive expedients. Another of those efficient circumstances came into existence in August. On the 20th of this month, one hundred and forty-six miles in front of Greeneville, the advance-guard of Gen. Wayne's army, consisting of two companies, was attacked by eleven hundred Indians and Canadian militia. The advance-guard fell back on the main body and threw it into confusion, which occasioned a retreat of a hundred paces, where it again formed. After two fires, they charged the enemy, upon which the latter immediately gave ground. The United States troops rushing forward with irresistible impetuosity, the enemy were dislodged from all their coverts, and the cavalry pursued their flying troops two miles, when they dispersed. The action continued one hour and a quarter. Thirty men killed were lost by the United States army, and eighty wounded, some of them valuable officers. One hundred and twenty-seven scalps were taken, and a number killed in the river that were not scalped. The army remained three days on the ground, which was on the banks of the Miami, in the vicinity of the British post and garrison at the foot of the rapids, and then returned to Fort Defiance, at the mouth of the Auglaize. The action happened within sight

of a strong British fort, regularly built, and garrisoned with three hundred men, forty or fifty miles below Fort Defiance, on the Miami of the Lakes. On the bottoms of this river the Indians had five thousand acres of land in corn, a great part of which the Federal army destroyed. The northern Indians were dispirited, and soon after sued for peace. The southern tribes began to view it as a possible if not a probable contingency that the arms of these victorious troops might be ere long turned against themselves, and react the same scenes in their country as they had on the Miami of the Lakes on the 20th of August. The Nickajack expedition soon followed the intelligence they received of the disastrous fate of the northern Indians. Appalled by so many threatening aspects, their spirits sunk, and by adversity they learned the folly of duplicity.

On the 29th of October Doublehead, a principal chief of the lower Cherokees, sent to Gov. Blount a peace talk. His Indian name was Tucalatague. He was a signer of the treaty of Holston, and he was one of the nineteen deputies who were appointed to visit the President for the restoration of peace. He was the first person who violated the treaty of Holston by killing the two nephews of Gen. Sevier shortly after it was made. And he had continued from that time to kill and plunder until the murder of Thomas Sharp Spencer, at the Crab Orchard in April, a few days before his departure for Philadelphia. In his peace talk to the Governor were contained assurances of a sincere desire on the part of the Cherokees to observe a peaceable conduct toward the United States, as had been agreed upon, he said, in the late conferences with the President and Secretary of War. Some of the chiefs, he said, were backward in coming to the late meeting of chiefs at the Oconee to devise the measures to be pursued for the attainment and maintenance of peace; because of the late expedition into their country and killing some of their people. But the Creeks being pointed out to them as the authors of this misfortune, they had become satisfied. The Governor, in his answer, wished for peace, "by which," said he, "you are to understand that not one more white man is to be killed." The supplicatory style used by Doublehead, and his readiness to exclude from complaint that which had so lately happened at Nickajack, together with the substitution on the part of the Governor of positive injunction in place of the ex-

postulations hitherto employed, afford high evidence that in the opinion of both parties their circumstances had been greatly altered by recent events, of which, perhaps, the affair of Nickajack is not to be considered one of the most inoperative. Their conclusions in favor of peace were hastened by a report, which had acquired general circulation, and was believed by the Governor as well as the Indians, which was that Gen. Logan, of Kentucky, had marched in considerable force to attack the Cherokees, and was to be joined by Col. Whitley. The Governor, on the entreaties of Watts, made through the mediation of "The Hanging Maw," had appointed a conference at Tellico on the 7th and 8th of November, and he was fearful that these arrangements might be defeated by an untimely irruption into the Cherokee country. He immediately dispatched an express to Col. Whitley, with copies of the correspondence which had lately taken place between him and Doublehead, and required of him in positive terms, together with the men who were under his command, to desist from the further prosecution of their design; and that they should not enter with a hostile purpose the country or lands guaranteed to the Cherokee nation by the treaty of Holston. On the same day he dispatched a letter to the Cherokee chiefs to apprise them of the information which he had received, and with the steps he had taken by way of prevention. Upon the receipt of these letters, Gen. Logan, if he had ever entertained the design imputed to him, desisted from it. Indeed, the Governor of Kentucky asserted that no such design had ever been conceived. At the appointed time conferences were held at Tellico. Col. Watts declared his contrition for not adhering to the recommendations of "The Hanging Maw" to the people of the lower towns to be at peace; that just before the destruction of the Running Water and Nickajack he had gone to them himself, as well as to the Lookout Mountain town, and used his exertions for the restoration of peace; and he verily believed that they had determined to be at peace. He would not say that Nickajack and the Running Water did not deserve the chastisement they received, nevertheless it so exasperated those who escaped from the ruins that for a time he was forced to be silent himself. But "The Glass," he said, went to the Running Water people, and they told him, notwithstanding the injury they had sustained, they had not forgotten

Watts's peaceable recommendations, and desired that the latter might take measures for the recovery of their people who had been made prisoners. He had a confirmation of their sincerity through "The Bloody Fellow," who had been sent by him to ascertain it, and therefore he presented to the Governor a string of white beads as a true talk and public talk from the lower towns to his Excellency. He applied to "The Hanging Maw," or Scolacutta, then sitting by his side, as he remarked, for a witness of the fact, that the lower towns had instructed him (Col. Watts) to request Scolacutta not to throw them away, but to go with them to the Governor to present to him this talk on their behalf. By a prisoner whom Maj. Ore had taken, and who was sent back by Gen. Robertson, he said the general had requested him by letter to deliver up a white prisoner and a certain number of negroes, and that the prisoners taken by Maj. Ore should be restored to their nation. In this letter, said he, the general invited him to come with a flag; but as the woman who was the bearer of this letter was pursued by some bad people, and was obliged to quit her horse to save herself in the cane, although he knew Gen. Robertson to be a good man, he deemed it imprudent to go to him. He said there were no prisoners in Wills Town, the place of his residence; and he remarked that the people of his town once took a man of great worth, Capt. Henly, and restored him without price. "The Hanging Maw" said the lower towns were once governed by him, but for some time had disregarded his admonitions till after the attack made upon them by Maj. Ore, and then they sent him to make peace for them. He imputed the calamities which had befallen them to their own misconduct, yet he solicited peace for them, and hoped they had seen their folly. Gov. Blount accepted of the proposed friendship, and mentioned the 18th of December as the time for a general exchange of prisoners and of all the property taken in war. He advised them to go out of the way should Gen. Logan enter their country. He desired that they would not let the Creeks pass through their country, and told them of his expectation that if the Creeks should not refrain from further destruction of the people of the United States and their property the government next spring would send a powerful army into their country. Watts said the Creeks were powerful, and that the lower

towns dare not refuse them a passage, nor resent the injuries which they daily sustained in shooting down their hogs and cattle and stealing their horses. They all three smoked the pipe of peace with tobacco sent as a present by "The Long Warrior."

Gov. Blount offered to detail to Watts the particulars of Gen. Wayne's late victory, if he wished to be informed of them. Watts said he did not wish it, for some of his own people had been in the action, and had already informed him.

Some time after the conferences, and about the 3d of December, the Governor stated to "The Little Turkey" that with difficulty Gen. Logan had been stopped; that he was very angry, and threatened the destruction of the lower towns if any more blood should be spilled; had he not been stopped, that his army, which consisted of two thousand well armed and mounted men, would have marched into their country with good pilots, well acquainted with it; but that he had no designs against the upper towns.

About the same time the Governor wrote to the chiefs of the Cherokees, and pressed them to come forward with their prisoners to be exchanged at Tellico, and described to them what peace was and what it was not. "For one part of the nation to cry out 'It is peace!' and to send peace talks, while the young warriors are killing and stealing," said he, "is the most destructive, oppressive, and distressing of all wars. Peace consists in one and all ceasing to kill the citizens of the United States, and ceasing to steal their horses." Though formerly the Governor dissembled a great deal of what he knew, he now unveiled himself, spoke plainly, and kept back nothing. Conceiving himself able to enforce what he recommended, he convinced both himself and them that he must be obeyed. This was a far better ground on which to found his expectations of success than he had ever stood on since he came to the Territory in a public character. His possession of it was unquestionably a consequence of the orders which Gen. Robertson had given for the late expedition against the lower towns, although not authorized by any higher power. For the love of his country he staked his reputation and his rank; but as fortune favors those who bravely dare, in the cause of virtue and of their country, so it favored him in this trial, completed the high opinion the people

entertained of his judgment and patriotism, gave peace to his exhausted country, and closed her bleeding veins. On the last of December a partial exchange of prisoners was made on both sides, and a future day was appointed for the completion of it. Such at this time were the appearances and evidences of sincerity, that for once peace was believed to exist between the Cherokees and white people. Gov. Blount requested of the Cherokees that the Chickasaws might be included in the peace. The Cherokee whom they killed, said he, was slain under the belief that the Cherokees had killed Piomingo. He insisted that the Creeks should not be permitted to pass through their country. "They must be stopped by force," said he, "if otherwise they cannot be prevented." He repeated that they must be at peace with the Chickasaws, and must forgive the offenses which they had committed. He stated to them that the people who destroyed Nickajack followed a trail into it, from a part of Cumberland where recent hostilities had been enacted, and that two fresh scalps were found in the town. The people of Cumberland, he informed them, were a part of the United States. The Governor detailed to them the situation of their people. Your nation is small, extended over a large tract of country—at least two hundred and fifty miles up and down the Tennessee, and upwards of one hundred miles to the south, to the waters of the Mobile, surrounded on all sides except one by the United States, and on that by the Creeks. The United States wish peace. You had better fight the Creeks than us, if war is indispensable; they have killed your cattle and your hogs before your faces, and stolen your horses, which you dared not to resent. They have killed and robbed the citizens of the United States resident on the Cumberland, without the least provocation or justification, for many years, and returned through your lower towns with scalps and horses; and in these enormities have been aided by the young warriors of the Cherokee nation. If the foolish young men of the Cherokees will continue to do so, they must expect to take the fate of the Creeks. He advised them to contract their settlements, by which the chiefs would the more easily govern the refractory part of the nation. Those who remained behind might be considered as enemies, and might be abandoned to destruction.

With respect to the Creeks, the tokens of peace were but lit-

tle, if at all, discernible. The Governor's opinion, as late as the 10th of November, was that they would never cease to invade the Cumberland settlements "*till they shall have been destroyed.*" Subsequent experience has shown that this sentiment was founded on the strictest accuracy. He said further that if he could have permission to do so, he would, with the Cherokees, Chickasaws, and Choctaws, break them up. "If the United States do not destroy the Creeks," said he, "they will continue to kill the citizens of the United States;" and at another time he said: "The Creeks must be destroyed by the arms of the United States, before they will desist from killing the people." And, indeed, when the motives of the Creeks for the war which they had now so long waged shall be considered, it will readily appear that no end was ever to be expected till the Creeks themselves were exterminated. The government of the United States, convinced of this fact, would have been justified in visiting them with all the scourges of war.

The opinion had prevailed that McGillevray was a partner with Panton in trade, and had kept the Indians in a perpetual state of hostility to monopolize their custom, and in the course of this year this suspicion was greatly strengthened. McGillevray died, and Panton swept off all his property and carried it to Pensacola, to the exclusion of his friends and relations, who considered it a piece of injustice, and as countenanced by the Spanish government. The relations were incensed both against Panton and the Spaniards. The situation of McGillevray, however, was not the prime but secondary immediate cause employed by Spain to promote the more important purposes which she wished to accomplish. It made Panton and McGillevray faithful agents in the business committed to their charge, but the origin lay upon much deeper foundations.

The internal legislation of the south-western territory was in this year in a state of progressive preparation, and at length commenced their operations. The representatives in Congress had nominated five out of ten of those persons who had been selected by the Territorial House of Representatives at their late meeting, as those out of whom the Legislative Council should be taken; and the President, pursuant to that nomination, had appointed them: Gen. Griffith Rutherford, Gen. John Sevier, Col. James Winchester, Col. Stokely Donalson, and Capt. Parmenas Taylor.

On Monday, the 25th of August, 1794, the General Assembly of the Territory commenced their session at Knoxville. Gen. Rutherford was appointed President of the Legislative Council. On Monday, the 3d of September, the Legislative Council and members of the House of Representatives convened, and elected James White, Esq., of Davidson County, to represent the Territory in the Congress of the United States. They passed a law for the regulation of courts and law proceedings, and one for erecting the county of Sevier, by division of the county of Jefferson. They passed a law for the establishment of the town of Knoxville, which had been laid off by Col. James White in the year 1791. They declared the county of Sevier to be part of the District of Hamilton, and established two colleges—one in the vicinity of Knoxville, and one other in Greene County. They authorized the raising of money by lottery to discharge the cost of cutting and clearing a wagon road from South-west Point to the settlements on the Cumberland River, in the District of Mero. They passed laws, making many other useful public provisions; nor did they forget again to lay their complaints against the Indians at the feet of Congress. They informed the Congress that since the 26th of February—the date of their last address—the Creeks and Cherokees had not abstained from the destruction of the lives and property of their citizens; and, in order to verify the assertion, they accompanied the memorial with a list of the names of citizens killed and wounded in the Territory since that time, amounting in number to one hundred and nine. Their names have been already mentioned in this work. The Legislature further represented in their memorial that presents made to the Indians are viewed by them as evidences of fear on the part of the givers, or as a tribute paid to their superior prowess in war; and that such presents encourage them to further slaughter of the exposed citizens of the frontiers. “Fear,” they said, “and not love, is the only means by which Indians can be governed; and until they are made to feel the horrors of war they will not know the value of peace or observe the treaties they have made with the United States.”

The General Assembly, by a resolution of both branches, requested that a new census of the people should be made on the last Saturday of the month of July, in the year 1795; and that at the taking of the census the sense of the people should be

ascertained upon the subject of their wish for admission into the Union as a State.

The year 1794 closed upon the inhabitants of the Territory with a deep conviction that they enjoyed a less degree of protection than the government ought to supply, and with a solemn murmur of discontent at the great losses they had sustained without compensation made by the government, and without liberty allowed them to procure compensation by the exertion of their own physical powers. But considering the feverish state of the world, the differences of the United States with Great Britain, their pending regulations with Spain, their war with the Algerines, and the great struggle the government had to maintain for the preservation of its neutral attitude, together with the insubordination and resistance to the government of some of the counties of Pennsylvania, the south-western people still judged it the wisest course to confide in the government and in the illustrious Chief Magistrate at the head of it, whose prudence and just discernment had now become throughout the world the theme of admiration and eulogy.

Gen. Knox, previous to the resignation of his office as Secretary of War, delivered a report; on the 28th of December, upon the means of preserving peace with the Indians. It was laid by the President before Congress, with a hope that some means might be devised to preserve treaties and to afford protection to the frontiers.

CHAPTER IX.

The Federal Constitution—The State Constitution—Persons Killed by the Indians, 1790, 1791, 1792—The Desire of Plunder the Cause of the Creek War—Surveys Could Not Be Made—The Consequences Thereof—North Carolina Legislature Respecting the Vacant Lands of Tennessee—Their Laws Conformed to—The Governor Invites the Choctaws and Chickasaws to Meet Him at Nashville in August—Spaniards Prevented Some of the Choctaws from Coming—Conferences at Nashville—Doublehead and His Party Complained of to the Chickasaws—The Chickasaw Boundaries—Post at Bear Creek Disrelished by the Chickasaws—The Spanish Conduct with the Creeks—Some Chiefs of the Cherokees Complain to the Baron de Carondelet—Wish the Settlers Removed from Cumberland—The Treaties Made by the Americans Not Fairly Explained to Them—The Spaniards Get a Report of the Conferences at Nashville—The Partiality of the Americans for the French Displeasing to the Spaniards—Encouraged the Hostility of the Indians—John Watts Went to See Panton in the Cherokee Nation; and Thence to Pensacola—Panton and Partner Authorized by Spain to Trade with the Indians; Hence His Desire that the Indians Should Be at War with the United States—Their Letters to the Spanish Governor—The Cherokees Claim an Enlargement of Their Boundaries—Spanish Agent Arrives in the Creek Nation; Assumes the Direction of the Indians; Advised Them to Turn Out against the Americans—Intercourse between the Creeks and Spaniards at New Orleans—The Spaniards Recognize Them as Allies—Treated Bowles Kindly—The Sincerity of McGillivray Suspected—Spaniards Incited the Indians to War, and Supplied Them with Articles to Carry It On—Promised Them Assistance—Watts Returned from Pensacola—Stirs Up the Indians to War—Delivered Black Beads to Them—The Cherokees Assembled to Hear His Report—Green Corn Dance—Powder, Ball, and Arms Promised by the Spaniards—The Conversation of Gov. O'Neil—Supplies of Arms Promised, and of Ammunition—Watts Recommended the Spanish Proposals, and War with the Americans—The Bloody Fellow Opposes It—Debates of the Chiefs in Council on the War Proposed—Rendezvous Appointed by Watts—War Determined on—War Dance—Plan of Conducting the War—Orders Given to Prepare for Marching—Arrival of Whisky Delayed Their Operations—Spies Sent to Cumberland—Agreed in the Council That False Information Should Be Given to Gov. Blount—Watts Appointed to the Command of the Creeks and Cherokees—The Governor Could Not Draw from the Indian Chiefs the Proceedings at Pensacola—He Obtained Information That the Five Lower Towns Were for War, and Had Been Supplied with Ammunition by the Spaniards—The Governor Sent an Express to Gen. Robertson—Information Given by the Indian Spies—The Militia Raised by Gen. Robertson—Letters to the Governor from "The Bloody Fellow" and Glass to Deceive Him—Ordered the Troops to Be Disbanded—Hanging Maw's Letter Undeceived Him—Recalled the Militia to Arms—The Troops Disbanded by Gen. Robertson before the

Countermanding Orders Were Received--The Indians Were on Their March; Arrived at Buchanan's Station; Attacked It and Were Defeated--Retreated; Pursued by Gen. Robertson--The Governor Reminds the Indians of the Spanish Cruelties in Mexico--Wished to Be Informed of the Spanish Conferences at Pensacola--Received no Satisfaction--Watts Meditates Another Invasion, but after Some Time Is for Peace--The Spaniards Recommend Peace to the Cherokees--Watts Sent Intercessors to the Governor--The Great Sufferings of the Western People--Gov. Blount Vindicates Them--His History of the Cherokees--The Lands in Cumberland Never Belonged to Them--Their Cessions in 1782 and in 1785--The Creeks Have no Claim to the Cumberland Lands--The Exposed Situation of Mero District--The Measures of Defense Lately Taken Were Necessary--Gayoso Obtained Cessions, Held Treaties, and Got Permission to Build Forts, and the Cession of a Large Tract of Country--Gov. Blount Watched the Spaniards--Sent Douglass to Get Information--Corn Sent to the Chickasaws by Gen. Robertson--Expenses Complained of by the General Government--Conference with the Cherokees--Gen. Sevier's Brigade Disbanded--Indians Kill the Inhabitants Near Nashville, and Rob Them and Steal Their Horses--Troops Ordered into Service--Others to Be Sent from Hamilton District--Bledsoe and Others Killed, and Other Outrages--Public Discontents--A Chickasaw Killed by Mistake--Rains and Johnson Scour the Woods, and Beard Came by the Heads of the Rivers toward the South; Fell in with Some Small Parties and Killed Some of Them--Persons Killed and Wounded between May and August, 1793--Castleman's Daring Attack--Indians Pursued and Killed by Rains and Gordon--Indian Depredations, and Punishment of Them--Persons Killed by Them--Snoddy Defeats a Large Party; and in the Morning Was Attacked, and Defeated Them Again--Persons Wounded and Killed--The Indians Made Slaves of Their Captives--An Expedition Planned against the Five Lower Towns of the Cherokees--Chickasaws Quarrel with the Creeks, and Kill Some of Them--Address Gen. Robertson--Piomingo Visits Gov. Blount--Corn Sent to Them by Gen. Robertson--Complained of by the Baron de Carondelet--Piomingo Visits the President--Claim of the Chickasaws to Lands in South Carolina--Reasons for Acting with Mildness toward the Spaniards and Their Connections--Offense Taken by Gayoso at Expressions Said to Be Used by Gen. Robertson--Creeks Displeased with the Spaniards--Genet's Arrival; His Conduct Alarmed the Spaniards--They Applied to the Indians for Aid--War Determined on by the Chickasaws against the Creeks--Spirited Representation Made to the Ministers of Spain--The Spaniards Supplied the Cherokees in 1793 with Powder and Lead to Make a Descent upon Knoxville--The Spaniards Begin to Be Reconciled--Persons Wounded or Killed by the Indians--Troops Raised for the Protection of Mero District--The People Complained for Want of Protection--An Expedition Planned against Nickajack--Troops Assembled; Marched; and Killed Many of the Creek Warriors at Nickajack--The General Government Displeased at It--Indian Outrages--Troops Raised in 1794 for the Protection of Mero--Persons Wounded and Killed--Guarantees of Lands Remonstrate against the Cession Made to the Indians by the Treaty of Hopewell--Negotiations with Spain--Commissions Issued by Genet--The Spaniards Alarmed--The Intentions of Making a Descent upon the Spanish Possessions Defeated--Chicka-

saws Attended to—Visit the President—Proclamation in Their Favor—Treated with Kindness—Persons Killed and Wounded in 1795—The Baron de Carondelet's Letter to "The Mad Dog"—Remarks On It—Gayoso Builds a Fort on the Chickasaw Bluffs—Gov. Blount's Letter to Him on the Subject—Col. Innis Sent to Kentucky to Explain the Steps Taken by the Government to Secure the Navigation of the Mississippi—Very Satisfactory to the Western People—Treaty with Spain—Chickasaws Attacked by the Creeks—Beat Them in Two Battles—The Creeks Make Peace with Them.

THE year 1790 with the people of Cumberland was the epoch of much expectation, apprehension, and hope. The new Federal government was about to be extended over their country. From its energies much was hoped and much was dreaded, and great was the attention bestowed on its primordial acts. At the same time a new territorial government was arising from the divested sovereignty of North Carolina, and how it was to affect the people or be relished by them was wholly problematical. These were important novelties which do not occur but in the lapse of many ages, and which were to have a lasting influence upon the condition of the people. A degree of anxiety was excited suitable to their magnitude, and in presence of these all other objects were of inferior moment. The Indians dealt out blows and death, but hope and fear on tiptoe turned from them to that grand exhibition which, riding on the billows of time, had just heaved into view. The savages themselves seemed not to be exempt from the general feelings, and to have stopped for a moment to catch the results of these modern experiments. Their operations were not as destructive in this year as formerly. They killed Alexander Neely near Greenfield, at the fort where Anthony Bledsoe had lived; also a young woman of the name of Norris, on Brown's Fork of Red River, and wounded Blair and another. They killed at Mayfield's Station John Glen, who had married the widow Mayfield, and they killed three persons at Brown's Station, a few miles from Nashville. They wounded John McRory, and caught and scalped three of Everett's children and killed John Everett. Hagne erected a cotton-machine on Mill Creek, at which some persons were killed whose names are forgotten. Francis Armstrong fell upon a party of Indians near Gantt's Station. They fled, and he regained five horses, and Col. Weakly killed one of the Indians who had come into the settlements to kill and plunder. They sometimes met with the fate which they deserved, but more frequently escaped unhurt with their booty.

In April, 1791, a negro man of Capt. Caffrey's was killed at work in the field. A great number of horses were now taken from the settlements, and particularly from Station Camp Creek, in Sumner County; some from the neighborhood of Nashville in May, and some again in June, as likewise from Red River and Sumner County in the same month. In May they killed John Farris and his brother, of Lincoln County, Ky.; on the 3d of May George Wilson, a young man in Sumner County, six miles from the court-house, on the public road to Nashville.

On the 2d of June, 1791, they killed John Thompson in his own corn-field, within five miles of Nashville. On the 14th of June they killed John Gibson and wounded McMoon, in Gibson's field, within eight miles of Nashville. They killed Benjamin Kirkendall in his own house, within two miles of Col. Winchester's, in Sumner County, and plundered his house of every thing that Indians could use. In June three travelers from Natchez to Nashville were found dead on the trace near the mouth of Duck River. There were eight in company, and only two came in. On the 3d of July Thomas Fletcher and two other men were killed on the north side of Cumberland, near the mouth of Red River. Their heads were entirely skinned. In the same month a man was killed within a hundred and fifty yards of Maj. Wilson's, on the public road, as he was riding up to the house. On the 12th Thomas White was killed on the Cumberland Mountain and on the Cumberland trace. The Creeks a few days afterward rode his horse through the Cherokee Nation. On the 31st John Dixon was killed within a mile and a half of Col. Winchester's.

On Monday, the 19th of January, 1792, the Indians killed Robert Sevier and William Sevier, sons of Valentine Sevier, who lived at the mouth of Red River, near the present site of Clarksville. They had gone to the relief of the distressed families on the Cumberland River who had sent by express for assistance. The officers of Tennessee County could give none. A part of the crew was on shore getting provisions to be carried in boats to the sufferers. The boats were ahead of them when these young men discovered the enemy, whom they mistook for their own party, the Indians having been seen late in the evening a considerable distance from that place. Robert Sevier hailed them, who answered they were friends, with which an-

swer being satisfied, he sailed on, and the Indians carelessly began to chop with their hatchets till the young men in the boats got very near them. Robert said to the man who was with him in the boats: "These are not our friends; steer off." The Indians then fired upon them. The man leaped out of the boat and left them in it about three rods distant from the shore. Before the 25th William was found and buried, but Robert met a party of twelve white men; pursued, but did not overtake the Indians. On the 16th of the same month Valentine, a third son of this unfortunate parent, also fell by the hands of the savages. He was in a boat ascending the river, and was fired upon and killed dead in it. Two others were wounded. One of them (John Rice) died, and both he and Valentine were buried about sixty miles below the mouth of Red River. Until Valentine fell, he and two others kept up so brisk a fire that they intimidated the Indians and saved the crew. The attack on Robert and William was about eighteen miles below the mouth of Red River, at the mouth of Blooming Grove Creek. The Indians about this time had fired upon several boats, and had taken some of them, and the inhabitants in this part of the settlements expected a very hot war in the ensuing summer. The Indians who committed these outrages were supposed to be from New Madrid or Lans le Grace, where the hand of the Spaniards who pretended so much friendship was perceptible in almost all the injuries which the settlers received from the savages. Deprived of all his sons who had come with him to Cumberland in so short a time, the afflicted parent wrote to his brother, Gen. Sevier, to send to him his son John to come and see him; "as," said he, in the moving language of suffering innocence, "I have no other sons but small ones."

On the 28th of January, 1792, Oliver Williams and Jason Thompson at night encamped on the road leading from Bledsoe's Station to the ford of Cumberland River, on the north side of the river, where they were fired upon by Indians and both wounded, and their horses and other articles were taken from them. They got back to the settlement much injured by the frost, snow then being on the ground. The horses were taken by eight Creeks, who were seen with them in the Cherokee country on their way to the Creek Nation. About the beginning of March, 1792, the Indians attacked the house of Mr.

Thompson, within seven miles of Nashville, killed and scalped the old man, his wife, his son, and a daughter, and made prisoners Mrs. Caffrey, her son, a small boy, and Miss Thompson. The Creeks saw two white men who came to a camp on a trace leading from the Choctaws to the Creeks, where the latter had with them as prisoners two white women and a child two years old. These white men were in company with some chiefs of the Chickasaws, and would have been killed by the Creeks but for the assurance of those chiefs that they were not citizens of the United States. On the 5th of March, 1792, twenty-five Indians attacked Brown's Station, eight miles from Nashville, and killed four boys; on the 6th they burned Dunham's Station; on the 12th they killed McMurray on his own plantation, at the mouth of Stone's River; on the 5th of April they killed Mrs. Radcliff and three children; on the 8th they killed Benjamin Williams and party, consisting of eight men, in the heart of the Cumberland settlements; on Station Camp Creek a boy was wounded in three places; at the same place two boys, sons of Robert Desha, were killed in the field in the day-time, near their father's house; and also Kirkendall, on the 16th of May, 1792, and a man on the 17th. So much did the dangers and distresses of the Cumberland people increase and thicken upon them that Gov. Blount was obliged to order two more companies to their assistance, with orders to be in the Cumberland settlements on the 10th of June. On the 24th of May, 1792, Gen. Robertson and his son, Jonathan Robertson, were at or near Robertson's Lick, half a mile from his station, where they were fired upon by a party of Indians. The general was wounded in the arm, and thrown by his horse amongst the Indians. His son was wounded through the hip, but seeing the dangerous situation in which his father was, he dismounted, though so badly wounded, and fired on them as they rushed toward his father. This checked them for a moment, and gave time to the general to get off, and both got safely into the station. On the 25th a boy was wounded near the general's, and died of his wounds on the 6th of June; on Sunday, the 13th of May, a man and two girls were fired on by the Indians within four miles of Nashville. The man and one girl escaped; the other was tomahawked by the Indians. On the 26th of June, 1792, Zeigler's Station, within two miles of Bledsoe's Lick, was attacked by a party of Indians,

first in the afternoon and again by night. They killed five persons, burned one in the station, and wounded four others; three escaped unhurt.

Gov. Blount arrived at Nashville a few days before the 16th of July, 1792, and ordered three hundred militia into actual service, under the command of Maj. Sharpe, an old, experienced Continental officer, for the protection of the south-western frontiers, and to be posted at proper distances in well-built block-houses and stockade forts, which in a great measure relieved and silenced the fears and complaints of the inhabitants. These posts were intended to be kept up so long as the danger existed. During this summer while one man worked another was obliged to stand sentinel, while one man went to the spring to drink another was obliged to guard him with a gun in his hands, at a convenient place. Some Cherokees came about this time to Nashville, to attend the ensuing conferences. They gave information that a large party of Creeks had passed the Tennessee, on their way to Nashville, to "take hair," as they called it, and to steal horses. On the 16th they had taken eleven horses, and had frequently fired on the inhabitants as they passed from one part of the district to another. They took seventeen horses after the Governor's arrival.

After the treaty of Nashville, which ended on the 10th of August, 1792, Gov. Blount, without loss of time, repaired to Knoxville, where he arrived a few days before the 25th of August.

On the 31st of August an attack was made on John Birkley and his son, in his peach orchard near Bledsoe's Lick. The former was wounded, but bravely returned the fire and killed an Indian in the act of scalping his son. On the night of the 27th of August a party of fifteen Creeks put fire to Capt. Morgan's house, near the same place. The fire was extinguished and the party repulsed, by the aid of Capt. Lusk's company, stationed for the protection of the frontiers. On the preceding night the same parties opened the stables of James Douglass, and took his horses. The next day Samuel Wilson fell in with them, wounded one, put the party to flight, and regained the horses, a gun, and a bloody blanket. Shortly before the 11th of August, 1792, the Indians killed a boy and wounded a man near Bledsoe's Lick.

Loud complaints began now to be made by the people of Mero.

The treaty of New York in 1790, they alleged, had taught the defenseless inhabitants of Mero to hope for security; but they were permitted only for a short time to indulge in that hope. The Creeks had killed, scalped, captivated, and plundered the people of this district, as if they had received an annuity for so doing. What article of the treaty, it was asked, had they complied with? Had they run the line? No; and the nation at large had no thought of it. Had they delivered the white prisoners or negroes? No; at least there were many whom they had not delivered, nor would deliver unless they were purchased. They considered white prisoners as property, and asked the price of a negro for the ransom of each. Mrs. Brown and Mrs. Mayfield had at that time (August, 1792) to lament sons in that situation. An opinion prevailed at this time, but too generally in the interior of the United States, that the robberies and butcheries committed by the Indians on the frontier settlers were provoked by intrusions upon the Indian lands. This opinion was certainly not correct with respect to the Creeks and Cherokees since the treaties of New York and Holston. The Creeks never had a claim to any lands within the south-western territory nor even north of the Tennessee. We have already examined the merits of the Cherokee claim to any lands on the waters of the Cumberland. Their behavior at the period we are now speaking of could only arise from a thirst of blood, provoked by exterritorial stimulants, together with the desire to make slaves of the frontier settlers, and the cupidity of gain to be acquired by the sales of stolen horses. In this year they attacked Hickman's Station. D. Castleman, Z. Martin, and others went to the Elk River, and killed one or two Indians. On Saturday, the 6th of October, a company of travelers, on their way from Kentucky through the Territory, were fired upon in the wilderness. Two men were killed, and one said to be mortally wounded. The party which attacked this company consisted of fifty men, headed by the noted chief, Talotiskee. On Wednesday, the 3d of October, a party of Indians fired several guns on James McRory, on the north side of the Cumberland. About the same time Benjamin Jocelyn had nearly or quite twenty guns fired at him. Neither of them were wounded. On the 7th of October Mr. Irvine was shot through the thigh on the road, about four miles from Nashville. On the same day,

about two miles from that place, Thomas Thompson was fired at, but received no injury. On Monday, the 8th of October, William Stewart was killed, about six miles from Nashville, on the north side of the Cumberland. On the night of the same day the Indians burned Stump's distillery, on White's Creek, on the north side of the Cumberland. On the 9th of October a party of Indians went to Sycamore Creek, eighteen miles from Nashville, and burned the houses of James Frazier, Mr. Riley, and Maj. Coffield, a large quantity of corn, and shot down a number of hogs. They then proceeded to Bushy Creek, of Red River, where they burned the house of Obadiah Roberts, and took a number of horses. They were followed by a party of whites, who killed one of the Indians and regained the horses. On Friday, the 11th of October, the Indians fired on Mr. Sugg, on White's Creek, on the north side of the Cumberland, and took from him ten horses. On Sunday, the 14th of October, the Indians shot at John Cotton, on Station Camp. Seven balls passed through his clothes, none of which touched his skin. On the same day they fired at Francis Armstrong, on his plantation, four miles south of Nashville. During the time of these violences there were stationed in the District of Mero, for its protection, not only the troops raised there, but also three companies from Washington District: Hugh Beard's, of mounted infantry, and the companies of Cpts. Brown and Lusk. They were by no means chargeable with a lack of vigilance. The frontiers of these settlements were peculiarly vulnerable. They were accessible on all sides, and covered with thick canebrakes, which precluded the pursuit of the Indians, and through the whole extent of the frontier sheltered them from discovery, while they were concerting mischief and waiting for opportunities to perpetrate it. Lamentable as is this tale of woe, it is not yet ended.

On the 23d and 24th of October James Mayberry and John White were killed and scalped on the Cumberland Mountain. They had been engaged to go express from Knoxville to the office of the Surveyor-general at Nashville, for the purpose of carrying from thence to the office of the Secretary of State of North Carolina a number of military warrants and the Surveyor's returns, that grants might issue upon them within the time limited by law. The Assembly of North Carolina, at their session

commencing on the 2d of November, 1789, and ending on the 22d of December, gave further time for surveying lands entered in John Armstrong's office on military warrants and on pre-emption rights. They allowed three years, which expired on the 2d of November, 1792, but were understood by the people of Cumberland to expire on the 22d of December, 1792. It is easy to perceive from the view we have just taken of the state of affairs in all these three years that actual surveys could not be made at any considerable distance from Nashville but at the most imminent hazard of those who made them. And not being able to make and return actual surveys, the surveyors took the warrants and entries made upon military warrants, and made out plats without ever seeing the lands, and returned them to the Secretary's office in great numbers, and grants issued upon them. For this reason it is that the Judges of Tennessee, with respect to these grants at least, will not receive the plats and water-courses laid down in it as locative evidence in controversies concerning boundary. Frequently of late new entries and surveys have been made of the same lands, in the present and late land offices, and the surveyors have been summoned to declare on oath where are the boundaries which they actually made; but the courts have excused them from answering such questions, as tending to implicate them either in a breach of duty or of the promissory oaths of office, taken previously to its exercise. The courts, very laudably, have been ingenious in support of these grants, and have by a series of judicial decisions sanctioned actual surveys made after opening the new offices, with demarkation of lines, so as to give notice in time to subsequent enterers of the real locality of the lands claimed under these grants, provided the survey be such as might have been made by the original surveyor in point of form and location. Many legal controversies have been raised upon the foundation of a supposed defect in those grants; but hitherto they have maintained their ground, and the honest purchasers have not yet been obliged to lose them for want of actual surveys, if surveys have been since made and have identified the lands. The Assembly of North Carolina, by virtue of the powers reserved in the cession act, which enabled the Governor to complete titles not yet perfected upon entries and rights of pre-emption, and upon all entries in John Armstrong's office on

which grants were not perfected, and upon all other rights granted by law, continued to legislate upon the subject of vacant lands within the ceded territory, and upon the mode of satisfying claims to lands under North Carolina in the same manner as if the cession act had never passed; and all the laws of North Carolina upon this subject were conformed to and confirmed by the western people. But let us return to the melancholy story which we left.

On the 7th of December, 1792, a party of cavalry in service for the protection of the District of Mero, about eight miles from Nashville, were fired upon by about twenty Indians, who put them to flight and killed John Hankins, who was scalped and his body much mangled. The Indians stole horses in this district without intermission through all the month of December, 1792.

On the 29th of December John Haggard was killed and scalped about six miles from Nashville. Twelve balls were shot into him. His wife was killed by the Indians in the summer, and he left five small children in poverty and wretchedness.

Gov. Blount, not unmindful of the instructions he had received from the President to engage the Cherokees, Choctaws, and Chickasaws to co-operate with the United States in their war against the Northwards, as they were then called, and having so far felt the pulse of the Cherokees as to discover that the application to them would not be successful, dropped the subject with them entirely. But in the spring of 1792 he wrote to the Choctaws and Chickasaws to meet him at Nashville on the 15th of June, that he might deliver the presents he had for them and that they and himself might shake hands and drink and smoke together. "Because these things," said he, "serve to make people and nations love each other." And he desired not only that the principal chiefs might attend, but also the young warriors, for he wished to become acquainted with them. Mr. James A. Robertson and Mr. Anthony Foster were sent with his letters to these nations. They were made acquainted with the objects of the intended meeting, but were instructed carefully to avoid mentioning what they were, and to talk in such way as to induce in the young warriors a wish to join the United States, and, should the proposal be made by them, to encourage it. The Governor, on the 27th of April, had written to Piomin-

go, great chief of the Chickasaws, in very friendly terms. He had, for the sake of Piomingo, he said, and of his Nation, lately received and treated with attention four of the Chickasaws; and when Piomingo should be on his way to visit the President, the Governor invited him to call at Knoxville to rest himself and to accept of the necessary supplies for himself and his friends. He was pained to hear that Gov. St. Clair had not treated the chief as well as had been expected; but he hoped, notwithstanding, that Piomingo and his people would again join the United States, in which case they would now receive very different treatment. From the representations of Gen. Robertson he (the Governor) entertained a high sense of the great worth of the chief and of his people. Whatever Mr. Foster and Mr. Robertson might say respecting the personal regard of the Governor for him and his people he desired the chief to believe. In his public address to them he stated that he loved them and would be happy to give proofs of his friendship. And further, he stated toward the end of his address, both to the Choctaws and Chickasaws, that if any of their young warriors thirsted for military fame, he begged they might be indulged in joining the troops of the United States at Fort Washington. Such, he added, would be well fed and well paid. Mr. Foster, on his return, attributed to Spanish interference the failure of some of the Choctaw chiefs to attend the conferences at Nashville.

The conferences with the Choctaws and Chickasaws at Nashville began on the 7th and ended on the 10th of August, 1792. Gov. Blount and Gen. Pickens attended. There were present some chiefs of the Choctaws and two or three from the Cherokees, with about twenty other Cherokees. The valuable goods sent to them Gov. Blount represented as proofs of the friendship of the United States toward them. One other object of the treaty, he said, was to present thanks to Piomingo and the Colberts and their followers, who had joined the army of the United States last summer against their enemies. He accordingly did present them hearty and sincere thanks for their services; also to each of them a rifle. "The United States," he continued, "do not want your lands; they do not want the lands of any red people; they have lands enough. Gen. Washington, the greatest of all men, will soon afford you a trade from the mouth of Bear Creek. The United States had not been able hitherto to attend

to that business, but would soon be at leisure to do so. He next represented to them that Doublehead, a Cherokee, with forty other Indians of different tribes, had lately settled on the south side of the Tennessee, near the mouth, on the lands of the Chickasaws, and had there killed citizens of the United States. He must be driven off, or the Chickasaws must give leave to the United States to drive him away. He desired that the lands and divisional lines of the red people might be designated, that it may be known to what nation any party of Indians belonged who may kill or plunder the citizens of the United States. The first chief who replied expressed great satisfaction that no transfer of lands had been mentioned. Piomingo described the Chickasaw boundaries: "Beginning on the Ohio where is the ridge which divides the waters of the Tennessee and Cumberland, and with that ridge eastwardly as far as the most eastern waters of Elk River; thence to the Tennessee at an Indian old field, where a part of the Chickasaw nation formerly lived, this line to be run so as to include all the waters of Elk River; thence across the Tennessee and a neck of land to Tenehucunda Creek, a southern branch of the Tennessee, and up the creek to its source; thence to the waters of the Tombigbee; thence to the west fork of Longleaf Pine Creek, and down it to the line of the Choctaws and Chickasaws." He wished to know whether the Cherokees at the treaty of Holston had claimed the whole of Duck River. He stated his boundaries, he said, to the end that the whites might not take the territory within them from the Chickasaws, supposing them to belong to the Cherokees, who are often killing and plundering them; for which, at some time or other, the whites will take away their lands. "It is desired," said Gov. Blount, "that the United States may know to whom to apply for redress of injuries." Gen. Pickens said to the Chickasaws: "We shall look upon it that your enemies are ours and ours yours; as you are now obliged to travel to Nashville to trade, and the path is long and oftentimes stained with blood, we wish for your accommodation and safety, that a trading post be established at the mouth of Bear Creek, as agreed on by the treaty of Hopewell." They did not relish this proposal. One of them said the white people wore hard shoes, and might tread upon their toes. Gov. Blount then told them that the President would not proceed for some time to establish the post at the

mouth of Bear Creek. The Cherokees, he said, claimed the mouth of Bear Creek, and were unwilling that a post should be established there. The Chickasaws averred that those lands did not belong to the Cherokees, and claimed the lands between Duck River and the Tennessee. The contemplated proposal to join the standard of the United States was not publicly made, no letter upon that subject having been received from Gen. Wayne, by whose instructions upon this article the commissioners were to be governed; but Gen. Pickens ascertained in private conferences that the aid of these nations was attainable.

All this time the Spanish officers affected the most perfect friendship for the people of Cumberland. Gen. Robertson had for some time kept up a correspondence with Mr. Portell, the commandant at New Madrid; and on the 7th of May, 1792, received from him assurances that he neither had been nor would be concerned in encouraging the Indians to commit depredations and murders on the people of Cumberland. On the contrary, his feelings revolted at them, and he considered himself bound by the principles of humanity, and by the duty he owed to mankind in general, to discountenance and repress such atrocity by all the means in his power. We shall presently see the course they were taking at this very time with the Creeks, and the means they employed to make the Cherokees dissatisfied, and to hope from them a redress of the wrongs which they pretended to have suffered. Certain chiefs of the Cherokee nation, in the name of the whole nation, transmitted a written remonstrance to the Baron de Carondelet, which purports to be an answer to the message by the persons whom he sent to their nation. It complains of the unjust occupation of their lands by the Americans; that the treaty of Hopewell was not by their free consent, for these lands were settled before their consent was asked; and because of the fraudulent means used by them in the usurpation of their lands the nation insisted upon their ancient limits as agreed on with the British Government. They prayed of the baron to use his best efforts with the King of Spain for the accomplishment of these ends, and at all events for the removal of the settlements at Cumberland, without which the Cherokees and Talapuches would never be satisfied. Cumberland, they said, was settled by a certain Robertson, who, with his companions coming thither secretly, had taken posses-

sion; and as to the trades they had with the Americans, in which any lands were ceded, they declared that the same were not correctly explained to them. Robertson, they said, and his associates were the cause of all the blood which had been spilled; this settlement, if taken away, would leave the Cherokees reconciled; and they declare that the solicitude they feel is not the effect of pique or caprice. They promise to attend to his friendly counsels, and to be at peace if possible; but if not, he must excuse them because of their oppression. For hearing such complaints from people residing confessedly on the territories of the United States, it was not possible for the Spaniard to offer an excuse; it was a gross violation of the rights of the United States, and an act of the most unfriendly complexion. The conferences at Nashville were nothing to them, yet they took care immediately to have a report made of what passed there in a style suitable to the temper of the reporter and to their own dispositions. It was made by Ugulayacabe, a Cherokee who had been to Orleans, and came from thence by way of his own home in the Cherokee Nation to the conference at Nashville. He was teased, he said, by two Americans to do so, and with it wished to see whether Piomingo had ceded lands to the Americans. Gov. Blount caressed him, and wished to establish a post at Bear Creek, to which he refused to consent. He stated that he said to the Governor that the Spaniards were *his* friends; that they supplied him with what goods he wanted, of which the Governor might be satisfied by the clothes which he (the Indian) was then dressed in, upon which the Governor grew peevish, but after some time asked him if he would assist the Americans in case they should have war with the whites, to which he answered that he would preserve a state of neutrality, but would never suffer the American settlements to be advanced further than they now were. He said that the Governor gave him a great coat and a hat which was too small for his head, and so he gave it to his son who was going to get married. The Americans, he said, gave about a dozen cart-loads of goods to the Indians, of the value, as they told him, of five thousand dollars; that the Governor had little ammunition, no axes, mattocks, nor hatchets; some guns, much whisky, victuals in abundance, meat at pleasure. There is a vein of satire in all this which would not have been spoken of a friend to his friend, nor would

the latter have relished or received it. The Indian, having been at Orleans, knew what was acceptable there, and framed his report accordingly. Early in this year the Spanish nation began to foresee that ere long it would be confederated with the English and other European powers in their war against France. The people of the United States had on every occasion made demonstrations of joy through all parts of the Union on the news received of French successes. Many of the Americans were so imprudent as to urge the policy, and also the obligation of duty we were under, to unite our arms with those of the French for the support of their liberties, as they had done for ours in the late war of the revolution. It began to be taken almost for granted by the belligerents of Europe, and by those who were on the eve of becoming so, that the United States would be ranged on the side of the French. The Spaniards therefore lost no time in following the dictates of their favorite policy toward us in making the people of the south-western territory feel and appreciate the evils of war.

The war of the northern Indians was now at its height. They were backed and supported by the English, and had lately given to our army a signal defeat. John Watts, after being present at Coyatee in May, with a great many other Indians, to confer with Gov. Blount, whom they treated with the highest distinction, and to whom they made professions of the most profound friendship, left that place on the 25th of May, and proceeded with other Indians to Toquo, distant fifteen miles from Coyatee. There a letter was handed to Watts, written by a Mr. Panton, a merchant of great business, then in the Cherokee Nation, and addressed to both Watts and "The Bloody Fellow." It was written from the house of Mr. McDonald, a Scotchman, and an old resident in the Cherokee Nation, and in the late war a deputy under Col. Brown, who succeeded Col. Stewart in the superintendency of the nation. This letter Mr. McDonald forwarded to Watts by an Indian runner. In it he, in the name of Gov. Oneil, invited Watts and "The Bloody Fellow" to come to Pensacola with ten pack-horses, stating that there they should have from Gov. Oneil arms and ammunition as many and as much as they wanted; and that Panton himself would supply their nation with goods in abundance. Panton, from the house of McDonald, visited "The Little Turkey," and staid with him several days, Mc-

Donald acting as the interpreter between them. Panton invited "The Little Turkey" to visit Gov. Oneil, who would give him arms and ammunition at Pensacola. He said that Mr. McDonald would accompany him on his journey, and that he (Panton) would supply goods to the nation cheaper than they had heretofore purchased them; that the Creeks had agreed that the Spaniards might erect a fort at the Alabama fork, a mile below Mr. McGillevray's house, for the protection of the Creeks and Cherokees, where arms and ammunition would be kept for them both. This Alabama fork is the place where the French once had a fort, to and from which there is water sufficient for large boats to pass up and down from thence to Mobile. Panton was described in a letter from Gov. Blount to the Secretary of War to have been a British subject and a Scotch refugee from Georgia in the early part of the American Revolution, and was in the year 1792 and for a long time before and afterward a resident of Pensacola; and was in the time of the Revolutionary War the particular friend and agent of Col. Brown, who succeeded Col. Stewart in the superintendency of the four southern nations of Indians. Through his hands passed the goods, generally, which the superintendents disposed of in presents to these nations. Besides, he supplied the nations generally with such goods as they purchased. He was also agent for the officers of Brown's regiment of Florida Rangers, of whom several were as high in rank as captain. In other words, from the time Col. Brown was appointed Superintendent to the close of the war, the goods, generally, with which the four southern nations were supplied, whether presents from the British crown (which were very liberal) or by purchases, passed to them through him or his connections stationed at convenient places in the Floridas.

Immediately after the peace Panton, with others, of whom McGillevray is said to have been one, and Mr. Clutokey (a Scotch refugee) another, obtained permission from the Spanish government to import into the Floridas, directly from England, goods sufficient to continue their supplies to these nations. His annual imports were estimated at £40,000 sterling, upon which was paid a duty of 28 per cent. This permission from the Spanish government enabled him to support his consequence and the influence which he acquired under Brown's superintendency,

and to use both as they indulged his inclinations or served his interest. It is not to be supposed that his inclinations would lead him to good offices toward the United States; nor was it his interest that a free trade and uninterrupted intercourse should be kept up between these tribes and the United States; for it was a well-known fact, after the treaties of Hopewell and the Holston with the Creeks and Cherokees, that he had been undersold in every part of the frontiers, where the transportation had been by land from Philadelphia. After these treaties, the Cherokees generally, and a part of the Creeks, have been supplied by the United States; but the greater part of the Creeks and the Chickasaws and Choctaws continued, generally, to be supplied by Panton, and he had an unlimited influence over them.

Shortly after the receipt of the letter before mentioned by Watts at Toquo, he and "The Bloody Fellow" went together to the house of McDonald, and staid there a night and a day. McDonald wrote a letter to Gov. Oneil, commending in high terms both Watts and his uncle, Talotiskee. He also wrote one in the name of "The Bloody Fellow" to Gov. Oneil, in which it was stated that he had been to see the President, and was well received, but could not get his lands. He was glad to hear that the Spaniards would supply the Indians with arms and ammunition, and would help them to recover their lands. He had been blind, but now saw. He would let go the hands of the United States, and would take fast hold of the Spaniards. He requested that the Governor would not permit Watts to return without plenty of arms and ammunition; and that himself, "The Turkey," and some other chiefs would come down with Mr. McDonald some time hence to visit him.

"The Bloody Fellow" then accompanied Watts to the crossing of the Coosa River, encamped with him all night, and returned. Watts and his companions went on their way to Pensacola, with ten pack-horses.

About the last of June the national council of the Cherokees was about to sit at Estanaula, by appointment made at the conference at Coyatee, at the request of "The Bloody Fellow," to receive his report touching the business he had been on to Philadelphia, and to hear the big book read which he had brought from the war office. "The Bloody Fellow" did not attend at

the council, and made several flimsy excuses for his failure. The true cause was the letter he had received from Panton, and his subsequent communications. At Coyatee he was the warm partisan of the United States, as was also his friend Watts.

The demand of "The Little Turkey," contained in his speech in the council in June, was that the ridge between the Cumberland and Green Rivers should be the line between the Indians and the white people. "The Jobber's" son, sitting at a short distance, observed to those around him in a low voice that it was now too late to talk of that line, for they had established a different one at the treaty of Holston. It was replied to by an Indian near him: "We had then no friends to back us; now we have." This was a new notion, never before taken up till they had seen Panton, who, it is manifest from these speeches and remarks, had promised them assistance in the recovery of their lands as far as to that line, and had prepared them to make the reclamation by war.

About the last of June a Spanish agent or resident commissary arrived in the Creek Nation from New Orleans, and lived in a house of Gen. McGillevray, on the Little Talassee. His name was Olivier. He was a Frenchman, and a captain in the Spanish army, wearing the uniform of the regiment of Lewis. He was sent by the immediate order of the Baron de Carondelet, Governor at New Orleans, to conduct affairs in the Creek Nation. His arrival was supposed to be in consequence of a preconcerted plan between McGillevray and the Spaniards, on his visit in the last winter to their possessions, and that Capt. Olivier was to succeed him in the Creek Nation. McGillevray himself, not long afterward, went to New Orleans, and he engaged to attend the Spanish treaty with the Indians at Pensacola in September. Upon the arrival of Olivier, McGillevray took much pains in sending for a number of the chiefs, and in introducing Olivier to them as their great friend, who was come to live amongst them, and was to do very useful things for them.

As soon as McGillevray had left the nation, Olivier began to call meetings of the towns, and to direct what the Indians should or should not do. He publicly and positively forbade the Indians to part with a foot of land to the United States, and also forbade their running the boundary line between them and

Georgia as stipulated by the treaty at New York, and positively enjoined it upon them not to have any thing to do with the Americans. Such conversations were often repeated, and in the upper towns there leaked from him the advice to the Indians to turn out against our people on the western waters. He had a quantity of goods at Gen. McGillevray's house, which he distributed among the Indians. He drew orders on the government in favor of all Indians going to Orleans, who received goods and ammunition, which they brought up in boats; and in this way they carried on a constant intercourse with the Spaniards at New Orleans. He used his efforts to engage the chiefs to attend the treaty at Pensacola, which was much talked of in the nation. One object of the treaty, it was said, would be to obtain leave to erect forts and establish garrisons in the Creek country.

When the Spanish government was complained to some time afterward, by the United States, of this conduct of the Baron de Carondelet, the answer finally given by their minister (Mr. Gardoqui) was that the Spaniards had made a treaty with the Creeks in the year 1784, in which they acknowledged his Catholic Majesty for their only sovereign protector. In consequence of this treaty he said it became the duty of the Governor of West Florida to take measures for insuring the observance of the compact, by naming a person who might reside among them for the purpose of keeping them in peace, and who might equally take care to counterwork the designs of some who have endeavored to separate them from their alliance with Spain. The excuse itself was a provoking acknowledgment of the injury they had done us in meddling with the Indians within our limits; taking them under their protection, against all the usages and laws which had ever prevailed upon the subject; treating them as their allies, and sending to reside upon our territories commissioners of their own appointment, to keep them steady to their conventions with the Spanish government. The Spaniards had got possession of Bowles to punish him, as they pretended, for his conduct among the Seminoles; but, against their usual practice toward State prisoners, they treated him with great kindness. He was not even confined by them. He was sent to Spain, but not in confinement. The Governor of New Orleans could have inflicted punishment had he been in-

clined. The sincerity of McGillevray, in his professions of friendship, was now greatly suspected, and it was believed that he was deeply concerned in some scheme very pernicious to the people of the south-western territory, and that his coadjutors were the Spanish and English nations. From very recent and authentic information, it was now considered by those officers who corresponded with the government of the United States on Indian affairs to the southward that the Spaniards would, if possible, involve the United States in war with the four southern nations of Indians, and that they were making every exertion and taking every undue means to stir them up against us.

As early as the 13th of July, 1792, the Creeks were not only advised by the Spanish officers not to run the line between them and Georgia, but to come down to a meeting at Pensacola and Mobile, where the Spaniards would call the four southern nations together, and would furnish them with arms, ammunition, and all other implements of war; when they were to lie still till encroachments were made upon their lands, and then to defend themselves, and the Spaniards would be at their backs.

John Watts and his uncle returned from Pensacola to Wills Town in the latter part of August. The brother of "The Dragging Canoe," whom the late council at Estanaula had constituted the successor to his brother's honors and command, came to Estanaula, and made known his expectation that some of the Northwards would shortly be in the nation. About an hour after this he took to one side the warrior's son, "The Standing Turkey," a half-breed, and also "The Big Fellow," and delivered them a talk from Watts, the purport of which was that they must attend at Wills Town in eight nights, and to pay no manner of attention to the talks of the old chiefs; that they were not to assist the old chiefs in the restitution of horses, or of any other property taken from the United States; that the day was just at hand when a blow would be stricken; that Watts had been at Pensacola, had seen Gov. Oneil, and that all things were accommodated to his wishes; that the matters intended would be fully explained on their arrival at Wills Town. He delivered to them a string of black beads of four strands. Black is the color indicative of war.

The Cherokees assembled from all parts of the Nation at Wills Town, to hear Watts's report from Pensacola, and at

the "green corn dance," which was at the same time there to be holden.

Watts commenced his report by causing a letter to be read which Gov. Oneil had written by him to the chiefs. It stated that his master, the King of Spain, had sent to his care at Pensacola arms and ammunition in abundance, for the use of the four southern nations, which he had divided into four separate warehouses; that Watts had been an eye-witness of the quantity he had of powder, lead, and arms; that he had sent some by Watts for the Cherokees; that the King of Spain had made a greater man of McGillevray than Congress did; that he would be at Pensacola by the middle of October, when, if the whole of the towns would come down, they should be supplied, each town, with from four to five hundred pounds weight of powder, and more if necessary, and lead accordingly, and arms; that he would have plenty of provisions for their support while with him; and he recommended Mr. McDonald and Alexander Campbell, their old friends, to their particular notice and protection.

The letter being read, Watts then informed them what Gov. Oneil had said to him. The Governor received him, he said, with open arms; asked him if he had seen any Spanish settlers before he arrived at Pensacola, and assured him that the Spaniards never wanted a back country. Wherever they landed they sat down; even such a sand bank as this was sufficient. They were not like the Americans—first take your lands, then treat with you, and give you little or nothing for them. This was the way they had always served them, and from time to time killed some of their people. In the late war between Great Britain and the United States the Spaniards assisted them and lent them money, and they owed the Spaniards a great deal. But, instead of paying us what they owe, they take our lands, as well as yours. That the king, his master, had sent on powder, lead, and arms for the four southern nations in abundance, and then was the time for them to join quickly in war against the United States, while they were engaged in the war against the northern tribes. If they did not, that the United States, after conquering the northern tribes, would be upon them and cut them off; that the talks which one part of the nation had received, who had been to visit the President, were not sincere; that, beside guns and ammunition, they should be furnished

with swords, caps, pistols, bridles, and saddles for horsemen; that the King of Spain had ordered a fort to be built at Alabama Fork, within a mile of Mr. McGillevray's house, to which the Creeks had agreed, where would always be a magazine of arms and ammunition, both for Creeks and Cherokees, and that a magazine should be erected for the use of the Cherokees at Wills Town.

He then addressed the audience, and stated to them his opinion that the Spanish proposals were far preferable and more beneficial to the nation than those contained in the reports from all other quarters. The young fellows, said he, were always wanting to go to war, and the time was now come when they must try themselves. "There are enough of us," said he; "and if not, we have friends enough to back us of Creeks and Choctaws, and our old friends the Spaniards. This," he continued, "is what Gov. Oneil told me. This is the truth, and you may depend upon it. I have seen him and talked to him myself. You must not show yourselves. All you young men who like war go with me. To-morrow we will have a great many more men, and we will settle matters better when we all get together."

Watts sat down, and "The Bloody Fellow" followed him. He stood, while speaking, in the center of the council. He dissuaded them from war. It was a bad step they were taking. He said that he had been to hunt for the brothers that they thought were dead, and that he found them. They were good people, the same as ever. They did not wish to hurt the Cherokees or their children. "Look," said he, "at the presents I receive for myself, and likewise for your warriors. When was the day you went to your father and brought from him as much? I did not go alone; others went with me. If I had gone alone, perhaps you might have said that I had made this story myself. You had better take my talk, and stay at home and mind your women and children."

"The Bloody Fellow" still standing, Talotiskee arose and said: "I too have been at Pensacola, and saw the Governor as well as Watts, and heard his talk. I think a great deal of it. I shall try to do as he directed me."

He then sat down, and "The Bloody Fellow" proceeded: "Look," said he, "at that flag. Do you see the stars in it?"

They are not towns, but nations. There are thirteen of them. They are people who are very strong, and we are the same as one man. If you know when you are well, you had better stay at home and mind your women and children."

"The Bloody Fellow" still standing, John Watts again arose, and coming forward, said: "The day is come when I must again imbrue my hands in blood. To-morrow I shall send off a runner to the Creek Nation to bring on my friends. Then I shall have people enough to go with me to Cumberland, or any place that I want to go."

They all dispersed for half an hour, and then returned stripped to the *flap*, painted black, dancing the war-dance on the square around the flag of the United States, and continued to dance until the evening. At night they went to the town house and continued the war-dance all night. At a meeting on a subsequent day "The Bloody Fellow" again opposed the war, and referred to his visit lately made to the President, and to the donations he had received from him for himself and others of the nation. "I would wish," said he, "none of you to go to war, but to stay at home in peace, as I intend to do myself. I can go over the mountains and live in peace." Watts pulled off his medal, which "The Bloody Fellow" had glanced at, and laid it on the ground.

"The Bloody Fellow" still standing on the block, the son of "The White Owl" arose. "My father," said he, "was a man, and I am as good as he was for war. I will go and spill blood, in spite of what you can say. From this day out I will do as I please." John Watts got up and took him by the hand, and, leaning forward, said to him: "You are a man. I like your talk. To war we will go together."

"The Bloody Fellow" proceeded: "You had better not go, for you know nothing of what you are going to do."

"The Bloody Fellow" still standing, the Shawnee warrior arose. He had lived for years past on "The Running Water," with about thirty other Shawnees. He advanced and said, stretching out his hands: "With these hands I have taken the lives of three hundred men; the time is come when they shall take the lives of three hundred more. Then I will be satisfied, and sit down in peace. I will now drink my fill of blood."

"The Bloody Fellow," having sat down, rose, and said: "If

you will go to war, I shall not," and sat down apparently much dejected and displeased.

John Watts said: "To-morrow you must repair to the Lookout Mountain town, where we will assemble together and lay off how we will attack the frontiers of Holston;" upon which the council generally rose, declaring that they would join Watts in the war. And they dispersed for half an hour, at the end of which four or five hundred returned to the square stripped to their flaps, painted black, with their guns and hatchets, and commenced the war-dance around the flag of the United States, in which they continued all night. During the time of the dance many of them shot balls through the flag, upon which "The Bloody Fellow" ordered them to quit, or he should do as he had done before—meaning that he would kill some of them—and the firing ceased. At night the war-dance was moved to the town house, and was kept up till next morning. On the next day the whole party assembled at the Lookout Mountain town to the number of six hundred, of whom two hundred were selected for horsemen; and John Taylor was chosen to command them. There were at least two hundred good horses upon the ground, which had been stolen from the people of the United States. In the afternoon the plan of the attack was taken up, and it was determined to attack the Holston settlements in four divisions, of four hundred in each division, and to sweep the settlements as far as the big island of the Holston; and then to divide in smaller parties, going up the French Broad, and sweeping it to its head. The council then adjourned and went to the war-dance, which they continued until next morning, painted black.

On the fourth day after arriving at Wills Town the party met again at the Lookout Mountain town, and determined to attack Cumberland in four divisions, and to clear the country of all living people. Orders were given by Watts, Taylor, "The Glass," Talotiskee, Fool Charles (by some called Capt. Charley), and "The Breath" to procure provisions for the next day, and to be in readiness to start for war on the preceding day. About an hour and a half after the issuing of these orders intelligence was received that "The White Man Killer" had arrived in a canoe from Knoxville with a quantity of whisky, at the mouth of Lookout Mountain Creek, distant from the Lookout Mountain

town about fifteen miles. Men were immediately dispatched to bring it to the town, and on its arrival every Indian betook himself to the drinking of it, and wholly neglected the orders to provide for the war.

On the fifth day after arriving at Wills Town the party generally lay drunk and stupid, and no public talk was held. They agreed that two persons, Dirogue and Fendleston, should be sent to Cumberland, and should return to them in ten days. Their business was, as the Indians intended, to get information at Nashville of the state of the country and of its means of defense, and to report the same to them, that so they might be the better enabled to judge at what points the attacks could be most successfully made. The Cherokees resolved to put Carey and Shaw to death for giving information of their designs to Gov. Blount. It was agreed in council as a part of their plan to write to Gov. Blount and inform him that the rumor of war in the lower town arose from a few drunken young fellows, and that the heads who were for peace had stopped them. This was intended to counteract the consequences of the information given by Shaw and Carey, and to throw the Governor off his guard. Watts was appointed to command the Creeks and Cherokees who should be called into the field and be for war. The Cherokee nation met in council, and agreed to the appointment.

Thus we see the train was laid and ready to explode, for the destruction of those who resided in the south-western territory and the people of Kentucky, who had been guilty of no other offense than that of concurring with the rest of the United States in the formation of a Constitution which excluded from its composition both aristocracy and monarchy, and was about to prove to the world that mankind could be happily governed without the assistance of either. For this offense only the English on the one hand had stirred up the northern Indians against Kentucky; and the Spaniards, now upon the eve of becoming their allies, had also prepared the Creeks and Cherokees to begin the work of death, and to harrow the people of Cumberland with all the desolations that those united savages could bring upon them.

On the 30th of August, 1792, after Watts had returned from the conferences at Pensacola, the Governor invited him by a very polite letter to visit Knoxville, and to communicate the

proposals which the Spaniards had made to the Creeks and Cherokees in the late conferences at Pensacola. To this letter he received no answer. He had written before this to the friendly chiefs of the Creeks and Cherokees, as he chose for the moment to suppose and call them, to be informed of the communications which Panton had made to them in May, and of the intelligence they had received after the treaty of Pensacola from those who had been at it and returned. He received no satisfactory statements on these heads. By a letter dated in the Cherokee Nation, and sent from thence directly, Gov. Blount obtained information that the five lower towns had resolved on war, and intended to march on the 8th of the month of September, and that the Spaniards had furnished them with ammunition, guns, hatchets, and knives. On the 11th of September his intelligence became more circumstantial. He then obtained unquestionable evidence that the five lower towns had declared for war, and had sent out three hundred warriors to the settlements. Other accounts stated them to be five hundred, with John Watts at their head. He immediately ordered into service a strong body of militia from the counties on the Holston, and by express dispatched to the District of Mero he apprised Gen. Robertson of the impending danger, requiring him forthwith to draw out part of the brigade in the counties of Cumberland.

In the meantime Derogue and Fendleston, pursuant to the instructions received from Watts and the other leaders of the Cherokee army, had gone to Nashville to obtain the desired information. The few Cherokees who attended the conferences at Nashville in August had, it is supposed, for their real object the discovery of the strength and situation of the country, with a view to the expedition they were then preparing against the Cumberland settlements, but had not gotten it as completely as was desired. Derogue, a Frenchman, had lived at Nashville with Capt. Demumbrane, another Frenchman, formerly a resident of Kaskaskias, who served in the Revolutionary War as a captain under Gen. George Rogers Clark, with reputation, and who in all respects was a man of fair character. Derogue some time before had left Nashville, and had gone to New Orleans. Returning, he called on the Cherokees, and tarried with them some time. Richard Fendleston, a half-breed, had also become

acquainted with the settlers at Nashville. Their agreement with the Cherokees was that after obtaining the necessary knowledge of the circumstances in which the country was they should return and communicate it to them. They came to Nashville accordingly, but instead of mentioning to Capt. Demumbrane what they had promised the Cherokees to lay before him, they communicated to him the designs of the Cherokees and their intended irruption into the country with one thousand men, and that they might be expected at a certain day in the month of September. The intelligence was instantly given by Capt. Demumbrane to the Cumberland settlement.

Derogue gave his information to Gen. Robertson on the 15th of September, which the general caused to be reduced to writing, and to be immediately transmitted by express to Gov. Blount. Derogue stated that he was a native of Canada, and came first to Canada in the employment of Mr. Fagot. On the 15th of June Mr. Fagot, he said, left the Red River, and proceeded down the Cumberland River. In his boat Derogue embarked for New Orleans, as a laborer to row. On coming near Lans le Grace, Fagot told him and all his men to tell the same story to the commandant which he should—that the people of Cumberland and Kentucky were preparing to attack the Spanish settlements. The commandant at Lans le Grace gave Mr. Fagot a large packet for the Governor, the Baron de Carondelet, at New Orleans, which, when Mr. Fagot delivered, he told the same story of the hostile intentions of the people of the United States as he had to the commandant at Lans le Grace. The Spanish officers asked Derogue if it was true, to which he replied that he had no cause to question the veracity of Mr. Fagot. The Baron de Carondelet then told Derogue that he had sent by McGillevray to inform the Creeks, Cherokees, and Choctaws that they must come to him to get arms and ammunition, but wished Derogue to go on the same errand, which he agreed to do. Richard Fendleston, a Cherokee half-breed, who came down in the boat from Cumberland, he sent with him, and gave them passports. The Baron invited the Creeks by these two messengers to come to him and get arms and ammunition, and to go to war against the people of Cumberland and Holston. He said that the lands were theirs, and the property of no other people, and that he would furnish them

with means to defend them; and he advised them to be active and unanimous in going to war quickly. They went by water to Mobile, and thence to Pensacola, and thence to the Creeks by land. Between the two last-mentioned places they met three hundred Creeks, in different parties, going to Pensacola for arms and ammunition, as they said, to go to war with against the United States, and that by the directions of the Spanish officers. He heard Gov. Oneil, of Pensacola, say that he had orders to excite to war the Creeks, Cherokees, Choctaws, and Chickasaws, and that he doubted whether the latter would join. On arriving among the Creeks, he found them generally preparing for war, and they were to set out as soon as their ammunition should arrive. He and Fendleston then came to Wills Town, of the Cherokees. About the 2d of September six hundred men were assembled, deliberating whether they should go to war with the people of Cumberland. The chiefs who were there were unanimous for war, except "The Bloody Fellow," who opposed them. Derogue then told them that he was sent by the Governor of New Orleans to Mr. De Mumbray, who would inform him of the situation of the country and point out the most proper places to be attacked. He showed them the Governor's passports, and they suffered him to proceed. They were to wait ten days for his return, and no more. On his way to Cumberland he saw four Creeks, who told him that as soon as the ammunition should arrive from Pensacola, upward of one thousand of them would turn out to war against Cumberland and Holston, and that they would certainly be at Cumberland that moon. The Cherokees said that Mr. Shaw had given information to Gov. Blount; but that Watts, "The Glass," and some others of the hostile chiefs would write another letter to him, pretending friendship, to take off the bad effects of Shaw's letter, and to deceive the Governor. Fendleston's information concurred with this, and stated all that had really occurred at the council, when they had resolved on war circumstantially.

Soon after Gen. Robertson had sent off an express with this communication, he received the one sent to himself by the Governor. He immediately raised the militia, leaving a few to keep up the different stations. He collected five hundred men, and placed them under the command of Col. Elijah Robertson, Col. Mansco, and Col. Winchester, and Capt. John Rains, two miles

from Nashville. A troop of horse, commanded by Col. Hays, was ordered to discover, if possible, at what point the Indians intended to make the meditated attack. Before the receipt of the dispatches from Gen. Robertson which apprised him of the deception which "The Bloody Fellow" and others were to practice upon him, the Governor, on the 14th of September, received letters from "The Bloody Fellow," on whom he greatly relied, and from "The Glass," which stated that they had stopped the party from the lower towns and had turned them back, and that they were now for peace. Solicitous, if possible, to avoid the imputation which, in the miserly spirit of the times, was so often made from the seat of the general government, he instantly ordered all the troops which had been raised to be disbanded, and transmitted an order to that effect by express to Gen. Robertson. Very shortly afterward he received the dispatches sent by the general, and was thereby notified of the fraud which "The Bloody Fellow" and others were to put upon him, and which he had reason to apprehend they had actually practiced upon him. To his great mortification, on the 20th of September, he received a letter from "The Hanging Maw," who made him acquainted with what he had heard from John Boggs, which was that from the 15th to the 17th of September the Creeks were passing the Tennessee at the Running Water, Nickajack, and at a place called the Creek crossing-place, about thirty miles below Nickajack, on their way to fall upon the Cumberland settlements; and that they were joined by from one to two hundred Cherokees, among whom was John Watts; that the Creeks had with them a great quantity of powder and lead, which they had received from the Spaniards; that the whole were to rendezvous at the place where the different paths came together on their way to Nashville, and to concert their measures of attack upon the Cumberland settlements; that while he was at the Lookout Mountain he was informed that Richard Fendleston and a Frenchman had passed from Pensacola to Nashville to obtain information of the true situation of the country, and were to return in ten nights, and to report such as they could collect; that he found it to be generally understood in the lower towns, as well as the other parts of the nation, that such of the inhabitants of the five lower towns as did not want war had better leave them, and that such of the other towns as did wish for war ought to

move into them; and that some of both parties were moving, so as to take the situation which best suited their wishes for war or peace. Boggs was a half-breed, well-known to many white people, and by all parties he was viewed as a man of veracity.

It was immediately perceived by the Governor that the narrative of Derogue and Fendleston was in the main a true one. The state of public affairs, and its circumstantiality and consistency with the occurrence of events foretold by it, gained it credit; and, indeed, ever since it has not been in general doubted, though there are a few circumstances in it which are not immediately reconcilable with probability.

Upon the receipt of this letter from "The Hanging Maw," the Governor instantly called the Holston militia to arms, and sent off an express with the like orders to Gen. Robertson, with respect to the militia, which it was apprehended he had discharged. This last order did not get to Cumberland in time. In the meantime Gen. Robertson kept together the troops which he had embodied. Abraham Castleman, one of the militia soldiers, had withdrawn himself from the army for some days, and at length returned and stated that he had been as far as "The Black Fox's" camp, where he had seen the signs of a numerous army of Indians, and that they might shortly be expected in the neighborhood of Nashville. The order for dismissal of the troops now came to hand; but Gen. Robertson, fearful lest the Governor might have been imposed on, concluded not to comply with the order immediately, but to wait a few days till he could see whether the Governor would not countermand this order after having received the statements made by Derogue. The general sent off Capt. Rains to ascertain the reality of the facts detailed by Castleman. Rains took with him a young man, Abraham Kennedy, and went to the place where Murfreesborough now stands, and halted in the woods; and, remaining on the ground all night, he next day made a circuit around the spring where "The Black Fox's" camp was. "The Black Fox" was an Indian chief who formerly hunted and encamped at the spring not far from the spot where now is the site of Murfreesborough. In this circuit he examined all the paths which led to the camp from the direction of the Cherokee country. Finding no trace of Indians, he ventured to the spring. He then re-

turned home by way of Buchanon's Station, and informed the people that the traces of an Indian army were nowhere to be seen. The last order of the Governor had not yet arrived. The unnecessary expenditure of public money was at this time an odious charge, and he did not wish to risk it upon responsibility. It was concluded that the alarm was a false one, and the inhabitants were generally inclined to go home. The Indians had crossed the Tennessee at the times already mentioned. They must have delayed between that and "The Black Fox's" camp upward of a fortnight for some purpose—either to decide in council upon what part of the Cumberland settlements to fall, or possibly waiting for the return of Derogue and Fendleston, to give the information which would enable them to proceed the most effectually. Soon after the return of Capt. Rains the troops were marched back to Nashville.

Gen. Robertson did not think it prudent any longer to detain them against the express orders of the Governor. He discharged them, with directions to hold themselves ready to take the field at a moment's warning. This discharge took place on Friday, upon which occasion a sharp altercation took place between Gen. Robertson and Col. Robertson, the latter urging with much vehemence that the Indians would be upon the settlers in a few days, and would by the discharge of the troops meet with no opposition; the former doubting, from the search made by his scouts, whether the alarm might not be a false one, and at the same time being unwilling to disobey orders and to accumulate expense.

Two other men, however, were sent off to reconnoiter the country through which the Indians were necessarily to pass in coming to Nashville. These were Jonathan Gee and Seward Clayton, who went on the Indian trace leading through the place where Murfreesborough now stands to Nashville, eight or ten miles from Buchanon's Station, toward the place where Murfreesborough now stands. As they traveled along the path, talking loudly, they saw meeting them the advance of the Indian army, who called to them in English to know who they were, to which question without disguise they answered. Upon being asked in return who they were, they said they were spies from Gen. Robertson's Station, and were returning home. Both parties advanced till they came within a few steps of each other,

when the Indians fired and killed Gee dead in the road. They broke the arm of the other, who ran into the woods, but being pursued by a great number of them, they overtook and killed him also. Thence they marched, rank and file, in three lines abreast, with quick step, till they arrived at Buchanon's Station, where the people were wholly unapprised of their coming and did not expect it. This was on Sunday next after the discharge of the troops, being the 30th of September. It was in the night-time, not far from midnight. One of the men, John McRory, lying in the block-house not far from the front gate, heard the cattle running by the fort from the east and south-east of the gate toward Nashville, and seeming to be in a state of great alarm, as they were always known to be when Indians were about. This alarmed him. He arose and looked toward the place whence they ran, and saw sixty Indians not more than a few feet from the gate of the fort and around the fort. He instantly fired through the port-hole and killed the chief leader of the Indians, who, on receiving the wound, immediately expired. He was a Shawnee, and had quarreled with Watts, who insisted upon deferring the attack until day, and until after the garrison had dispersed to their various avocations. The whole garrison, consisting of nineteen men, flew to arms, and fired upon the Indians through the port-holes. The Indians, in turn, fired upon the fort. Capt. Rains was sent for. He and five other men went off in full gallop to Buchanon's Station, and arrived just in time to see the Indians leaving the plantation at the fort. They had lost some of their men. Some were found on the ground near the outside wall of the fort; others were carried off and buried in different places, and were afterward found by the white people. During the whole time of the attack a large body of the Indians were never more distant than ten yards from the block-house, and often in large numbers close around the lower wall, shooting up through the over-jutting. They fired thirty balls through a port-hole of the over-jutting, which lodged in the roof, in the circumference of a hat. Those sticking on the outside of the wall were innumerable. On the ground next morning there was much blood, and the signs that the dead had been dragged, as well as of litters having been made to carry the wounded to their horses, which they had left a mile from the station. Near the block-house were found sev-

eral swords, hatchets, pipes, kettles, and budgets of different Indian articles. One of the swords was a fine Spanish blade, neatly mounted in the Spanish fashion—another proof of the friendly offices which the Spaniards had done for the western people. A handkerchief and moccasin were also found, one of which was known to have belonged to Gee and the other to Clayton. The party which attacked the station consisted of from four to five hundred Creeks, two hundred Cherokees, and thirty or forty Shawnees. Three were killed, and seven wounded. Of the killed, Tunbridge's step-son was left on the ground, the Shawnees' warrior was dragged off, and a chief of the Creeks was dragged off. Of the latter was John Watts, with a ball through one thigh, which lodged in the other, supposed to be dangerous; "The White Man Killer," "The Dragging Canoe's" brother, "The Owl's" son, a young man of the Lookout Mountain, a Creek warrior, who died, and a young warrior of the Running Water, who died.

This Unacate, or "The White Man Killer," left Pensacola the day on which Watts arrived there. Making very little stay at his own house, he came on with his wife to Knoxville, and remained with Gov. Blount ten days, immediately preceding the time he set out with Watts for war. He ate and drank constantly at the Governor's table, was treated in the kindest manner, and made the strongest professions of friendship during his stay and at his departure. His visit had not even the color of business, nor could it ever be extracted from him what he had heard or seen at Pensacola. There were also sundry young Cherokee warriors with Watts, besides those who lived in the five lower towns—particularly John Walker and George Fields, two young half-breeds who had been raised among the white people, and in whom every one who knew them had the utmost confidence. The former was quite a stripling, and apparently the best-natured youth that the Governor ever saw, for so he thought him. They acted as the advance spies to Watts's party, and decoyed and killed Gee and Clayton. The Cherokees said that many of the Creeks kept at such a distance from the station that they could hardly shoot a bullet to it. With Watts there were sixteen Cherokees from Hiwassee, one from Keuka, five from Connasauga, and one from Strington's. Hiwassee lay on the river of that name, forty miles south of Chota, and eighty

miles above the lower towns. "The Middle Striker" and "The Otter Lifter," two other signers of the treaty of Holston, were also leaders in this expedition. The latter, as late as July, 1792, gave the most unequivocal proofs of attachment to the United States, in going on board of the boats in which were the goods for the Chickasaw and Choctaw conference, and continuing with them till they had passed the lower towns, and in otherwise so conducting himself as to leave no reason to doubt that he would have defended them had they been attacked by hostile parties of his own or any other nation. His sudden change of conduct was charged by the western people to the intrigues of the Spanish government. The Indians in this attack killed not a single man of the white people, and they returned precipitately to their own country. This was the last formidable invasion which the Cherokees ever made upon the Cumberland settlements.

When the Indians retired, Gen. Robertson hastily collected what troops he could, and pursued them to Hart's big spring, near Stewart's Creek. It was discovered that they marched out, as well as in, in three columns. The general's force not being more than one hundred and eighty men, and that of the enemy being greatly superior, and they having got far ahead, he deemed it most advisable to return home, which he did.

The Indians, after their repulse at Buchanon's Station, sent runners to Pensacola to inquire when the Spaniards might be expected to co-operate with them. At this time the whole Creek and Cherokee nations were at war in reality, though a part of them affected to be at peace. The Governor had resorted to all the steps which could be taken to keep them at peace, and among others he had endeavored to alarm their fears; and to that end he caused the fact to be carefully made known to them that he had erected block-houses on the frontiers of the Cumberland and Holston settlements, and had placed garrisons in them of from twenty-five to one hundred men. But their eagerness for war could not be repressed. Nothing but war carried on among them could make them willing for peace.

On the 8th of November the Governor wrote to the chiefs of Estanaula, to be informed of the reasons why the Spaniards wished them to go to war. He put them in mind of the Spanish cruelties in Mexico, and of their destroying and reducing to

slavery whole nations of Indians; and he requested to know what kind of talks the Creeks had received from the Spaniards. But he did not derive from these sources much, if any, information. He stated to the Cherokee chiefs, on the 19th of November, the number of horses which had been stolen by the Creeks, and had been carried through the upper Cherokee towns to the Creek country; and he declared to them that they should not have permitted the Creeks to have passed through their Nation, and should have taken their horses from them. If it be true that every one is spoken to with a degree of complacence proportioned precisely to the harm he can do, the Cherokees must have perceived from this address that their power to do harm to the Governor's people was now on the wane, and that ere-long they would be treated with the indifference and with the severity which their behavior deserved.

As soon as Col. Watts began to recover of his wounds, in December, 1792, he expected a numerous party of Creeks, with which he meditated another blow upon the frontiers. The Cherokee part of his force he appointed to be commanded by his uncle, Talotiskee. But becoming mortified at the conduct of his countrymen, who had left him wounded in the wilderness, and at the failure of the Spanish and Creek succors which he expected; and also, as is supposed, at the diminution of his fame in consequence of his late unsuccessful expedition against the people of Cumberland, he began to embrace pacific measures, and made overtures of peace to Gov. Blount. This inclination was promoted, no doubt, by another event. The Baron de Carondelet, the Spanish Governor at Orleans, on the 24th of November, 1792, had written to the Cherokees, in conformity, it is believed, to recent instructions from Spain. He was greatly afflicted at the losses and misfortunes of their nation, which he had heard of by a deputation from them, of which "The Bloody Fellow" was one. He promised the intermediation of the King of Spain between the southern and northern Indians, their allies on the one side, and the United States on the other. He wished to keep from them in future the miseries of war. He advised a suspension of all hostility against the United States, keeping themselves within their lands on the defensive, while the great king should treat of peace between them and the Americans, and should obtain from the latter the lands neces-

sary for the habitation of the former, with a demarkation of limits which would leave no room for future contest. He called for the extent of their limits, and also of those of the Northern, that the whole might be made known to the king, his master. A Spanish recommendation, whether for war or peace, had the force of a command which could not be disobeyed. Watts, in order to prove his sincerity, sent intercessors to the Governor, who arrived at Knoxville on the 5th of January, 1793, who gave very confirmatory assurances of Watts's sincere desire for peace; and on Tuesday, the 15th, they returned to their homes in the Cherokee country, under an escort.

In the fall of this year the calamities brought upon the people by Indian warfare were general, excessive, and intolerable. But, strange as it may seem, the government of the United States was as yet unaffected by their sufferings; and Gov. Blount was obliged to vindicate them from the imputation that their conduct must have afforded some pretext for the enmity of the Indians against the Cumberland settlements, and at the same time to vindicate himself from the charge of unnecessary expenditures by calling into service more troops than the public exigencies made requisite. He informed the Secretary of War that the Cherokees, before and at the commencement of our Revolution, were settled in towns on the head waters of the Savannah, the Keowee, and the Tugulo, or on the Tennessee above the mouth of the Holston, upon the tract of country which at this time comprehends Elbert and Franklin Counties in Georgia, several of the western counties of South Carolina, the District of Washington in the south-western territory, and part of the District of Washington in the State of Virginia. The remainder of their territory was down the Tennessee on the south side. The lands on the Cumberland they considered not theirs. Gen. Williamson, in 1776, destroyed their towns on the Keowee and Tugulo. Gen. Rutherford, from North Carolina, and Col. Christian, from Virginia, destroyed most of their principal towns on the Tennessee. In two treaties, held shortly afterward, they ceded large tracts of territory to South Carolina and Virginia, and to North Carolina and Virginia also. Burned out and curtailed of their hunting-grounds, they began to erect new towns on the Tennessee, lower down, and on the Mobile River. Some settled on the Chiccamauga Creek, a hundred miles below the

mouth of the Holston. These refused to attend the treaties, and all the mischief done was charged by the other parts upon them.

In 1782 they abandoned the Chiccamauga. Some returned to the old towns, and others went below to the distance of forty miles, and laid the foundations of five towns, since called the five lower towns, which soon became populous and the most formidable part of the nation. These removals brought them near to the Cumberland lands, and they now began to wish for the possession of them; though before the Revolution these lands belonged not to them, but to the Chickasaws. The nation of the latter, or a greater part of it, prior to the Revolution, resided on the north side of the Tennessee, forty miles lower down than the lowermost of the present Cherokee towns. They ceded these lands at a treaty held on the spot where Nashville now stands, in 1782, under the authority of Virginia, by Donalson and Martin. They did the same at the treaty of Hopewell, as likewise did the Cherokees; and they declared to the like effect at the late conferences held at Nashville, in the presence of the Cherokees, who did not contradict them. The Cherokees afterward admitted in council that what they said was correct. A Cherokee chief, at the Long Island of the Holston, said to Col. Henderson: "You, Carolina Dick, have deceived your people. You told them that we sold you the Cumberland lands. We only sold you our claim. They belong to our brothers, the Chickasaws, as far as the head waters of Duck and Elk Rivers." The northern nations claimed and ceded the Cumberland lands, with others, to the crown of Great Britain. The chiefs, to avoid becoming unpopular with the young warriors, often deny, when the complaint is made, that they have sold the lands of the nation; or if they acknowledge it, they say that they were imposed upon, which according to Indian ideas rescinds the contract.

As to the Creeks, they have unquestionably no claim to the Cumberland lands, nor to any lands north of the Tennessee, and never had. Since the treaty of New York they have killed indiscriminately all the people in the Cumberland settlements whom they could bring within their reach. The Cherokees, or any part of the nation, have never complained of the Cumberland settlers. He then showed that the number of militia called

into service, at the approaching invasion of seven hundred Creeks and Cherokees under Watts, was not a greater number (eight hundred and fifty) than the occasion called for; and that they were not continued in service beyond the time that necessity required. He stated to the Secretary the very exposed situation of the District of Mero, and the execration that would have fallen both upon himself and the government of the United States had he not resorted to those measures of defense and protection which their circumstances demanded, and had the Indians been permitted to fall upon them in a defenseless and exposed state. The Governor made his vindication with a spirit and ability which entitled him to the gratitude and admiration of his countrymen.

The events which followed in rapid succession the dismissal of the troops under the command of Gen. Sevier proved the correctness of his views, and that the rigid economy of the Federal government was alike incompatible with the safety of the frontier settlements and with the saving which was expected to arise from the measure. If the prolonged detainment of a few dollars in the treasury was an object of greater moment than the salvation of the frontier people from the scalping-knife of the Indians, still it was a measure which, in the end, precipitated those dollars from its coffers with accumulated profusion. Even in this point of view it must be deemed to have been founded upon bad arithmetical calculations. The Spanish government, at the same time that it kindled the flames of war amongst the Creeks and Cherokees, was no less diligent in the use of means to attach to itself the good-will of the Choctaws and Chickasaws in order to employ it when convenient to the annoyance of the people of Cumberland. Gayoso, the Spanish Governor at Natchez, had, in 1790, made a treaty with those nations, and had obtained by cession a portion of country which encompasses the Walnut Hills. Toward the beginning of this year (1792) he held another treaty with them at Natchez, at which was only the Spanish party of the Choctaw nation. He obtained from them permission for the Spaniards to continue the New Fort at the Walnut Hills, near the mouth of the Yazoo. The chiefs declared to the nation that they had sold him no lands. Even this concession, which they admitted they had made, gave so much offense to the young warriors of the nation that they

threatened to put to death the chiefs who had been present at the treaty. But the truth is that Gov. Gayoso obtained from them the relinquishment of a large tract of country, beginning at the mouth of the Yazoo; thence ten miles up it; thence southeast to a river which empties into Lake Pont Chartrain (called Medway), and down that river. The Chickasaws who attended the conferences, at Nashville, in August, 1792, declared that the Spaniards were urging the Creeks to war with the United States. At this time Gov. Blount was not unapprehensive of the objects which the Spaniards had in view, by an intercourse of so much frequency, nor was he inattentive to the employment of measures for their detection. A man by the name of Alexander Douglass had been recommended to him by Gen. Pickens. He was a Scotchman, and therefore could gain admittance to Panton, the great Scotch merchant at Pensacola, who managed Indian affairs for the Spanish government; and of course he could gain admittance, as Gov. Blount supposed, to all others of the Scotch nation who were there. He had been bred a Jesuit and understood the Spanish language, and had resided several years amongst the Indians. He had lately acted as a private tutor in the family of Gen. Pickens. This man Gov. Blount engaged to be present at Pensacola at the approaching meeting of Indians, and to learn and communicate to him all that transpired. This man was unfortunately mistaken for another as he passed through the nation of the Chickasaws toward Knoxville, and was killed.

On the 11th of December, 1792, Gen. Robertson having received permission from the Governor to supply the Chickasaws with corn, had made contracts for the delivery thereof at the Chickasaw Bluffs. Some had been sent down, and had actually been there delivered; but the Governor now stated that the delivery ought not to be made at the bluff, for, that being a free gift, they could afford to carry it down the river themselves, and that they could do it as well as the white people. "If delivered at the bluff," he remarked, "they would use it much more profusely than if conveyed thither by themselves." The Choc-taws, he said, would petition for corn at the same time, and that it could not be refused to them, since it was granted to the Chickasaws. He forbade the making of further deliverances at the bluff, or at any other place except near the general's

house, unless it were found actually necessary to preserve their friendship for the United States at this crisis; and he advised an express to Piomingo, to inform him that he must apply for the corn on the Cumberland near Gen. Robertson's plantation. He dreaded the querulous dissatisfaction of his superiors, who never failed, when opportunity offered, to grumble at the improvidence of western expenditures, insomuch that the people of the south-western territory began very seriously to think that to themselves might justly be applied the old proverb of *jumping from the frying-pan into the fire*.

On the 8th of January, in the year 1793, the head men of the Cherokees professing to be disposed for peace, and having appointed the 17th of April for a conference, with a view to the restoration of peace, and the Governor hoping from the measures he had taken and the present temper of the Indians that peace would be restored, he dismissed the whole of Gen. Sevier's brigade, except a company of infantry and twenty-five of the cavalry, all of them to be continued at West Point until the arrival of the regular troops. The company of cavalry, as well as the one of infantry in the Cumberland settlements, were ordered to range and not to live in the block-houses. They were directed to keep in the same paths on which the Indians generally came into the settlements, and sometimes to waylay them at a distance from the settlements. About this time a Shawnee deputation of nine persons was on the way to the Choctaws to persuade them to go to war against the United States.

After the defeat of Watts and the desertion of him by his people, together with the apprehensions of the Cherokees that Gen. Sevier would fall upon their towns and destroy them and their property, they felt a dejection and despondency which which produced a momentary desire for peace, of which Watts made a profession.

Some time in February, 1793, the Governor sent presents to him, Talotiskee, and "The Glass" by a person specially commissioned to deliver them, for the purpose of confirming their pacific inclinations. Experience soon demonstrated that these were but slender substitutes for Gen. Sevier's brigade.

On the 12th of January, 1793, the Indians, as usual, stole horses from the District of Mero. About the middle of January seven or eight of them crossed the Cumberland River to the

north side, near the mouth of White's Creek, seven miles from Nashville, and there fell in with a Mr. Gower, whom they fired on and mortally wounded. He, notwithstanding, escaped to Hickman's Station, where in a few days he expired. On the same day a man was wounded on the south side, near the same place. On the 17th of the same month five Indians were discovered in a canebrake near Bledsoe's Lick. They were immediately pursued by a party of Capt. Tate's company, stationed at Taylor's Spring, and by a part of Capt. Morgan's company, who were not in service, but lived near the place where the Indians were seen. On examination in the neighborhood, it appeared they had previously stolen five horses, which they had secreted, and instantly mounted on being discovered, and hastily retired toward the Cherokee Nation.

On the 16th of January, 1793, Col. Hugh Tenin was fired on near Clarksville, on the north side of the Cumberland, and badly wounded. On the 18th Maj. Evan Shelby, brother of Gov. Shelby, James Harney, and a negro belonging to Moses Shelby were killed, and a number of horses taken, on the north side of the Cumberland, near the mouth of Red River. On the 19th of January two boys of the name of Davidson were fired on in a canoe, near Clarksville. On the 22d of January Capt. William Overall and Mr. Burnet were killed in the trace from Kentucky to the Dry Spring. The flesh was cut from the bones of Overall. Nine horses, laden with goods and whisky, were taken at the same time. On the 24th of January a salt boat from Kentucky and a French pettiauga were fired on at the mouth of the Half Pone, on the Cumberland. In the salt boat Malachia Gaskins and David Crow were killed, Robert Wells and John Mileegin wounded, the latter in five places. St. Clair Pruit was shot through the knee, and died. In the French boat two were killed and one mortally wounded. On the 26th of January Thomas Heal and Anthony Bledsoe, son of Col. Anthony Bledsoe, were fired on near Nashville, on the north side of the Cumberland, and both shot through the body. These outrages were committed after the withdrawal of the troops commanded by Capts. Christian and Tate, part of Maj. Sharpe's battalion, from the protection of Mero District.

On Tuesday, the 19th of March, Mr. Nolan was killed by the Indians on the waters of the Little Harper, ten miles from Nash-

ville; and in this month two parties of Creeks passed from Cumberland with the scalps of three white people and two negroes, and one negro belonging to Mr. Parker, of Cumberland, and several valuable horses.

On the 17th of February two negroes belonging to James Clendennen were killed in the field, within one hundred yards of his house. On the same day Thomas Bledsoe, son of the late Col. Anthony Bledsoe, was fired on and wounded. The Indians followed him to a spot within fifty yards from the stockade at Greenfield. On the 22d of February two boys, sons of Col. Saunders, were fired on and scalped, one of whom died instantly; the other lived several days. On the 24th of February Capt. Samuel Hays was killed within three hundred steps of John Donalson's house.

On the 28th of March, 1793, Gov. Blount having received information that the upper Creeks and lower Cherokees would fall on the Cumberland settlements in the full moon of April, which was about the 25th of the month, immediately transmitted the intelligence to Gen. Robertson, with instructions to him forthwith to order into service a full company of mounted infantry or cavalry, to consist of eighty men exclusive of commissioned officers, to waylay the Indian paths leading to the settlements, and to explore the woods where their principal camps might probably be found within the lands of the United States or of the Indians within the limits of fifty miles from the settlements; and should they find Indians within those limits, to treat them as enemies, except women and children. He recommended active and enterprising men and officers, to be well armed, to divide themselves into three parties, and to search different sections of the country, between the Cumberland settlements and those of the Indians. This number of active men would be sufficient, he supposed, to check such advancing parties of Indians as they might fall in with, or otherwise to intimidate them by the signs of the horses, by which they would discover that the settlements were alarmed and on their guard, and thus induce them to retreat. The service of these troops was to commence between the 14th and 18th of April, and to continue for one month, unless the danger was so imminent as to make their further service indispensable for the protection of the frontiers; and then they were to be continued in service not exceeding two months. The

troops thus to be raised were to be at liberty to pursue incursive parties as far as to the river Tennessee, and to punish them with the utmost severity. The Governor promised also to order another company from the District of Hamilton, to pass at Southwest Point on the 18th of April, and to turn off the Cumberland Mountain to the southward of the trace, crossing the Caney Fork high up, and to strike the traces that led from the lower Cherokees to the Cumberland settlements, and to scour the country down to Nashville. "Small parties of Creeks," said he, "and also of lower Cherokees, are daily passing and repassing to the Cumberland settlements, killing the people and stealing their property." He was glad of the approaching war between the Creeks and Chickasaws, but could not take any part until so ordered by the President; though he left Gen. Robertson at liberty to supply the Chickasaws with such quantities of corn as was necessary for their support.

On the 9th of April, 1793, Col. Isaac Bledsoe was killed by a party of twenty Indians in his field near his own house. On the 10th the house of Mrs. Simpson was set on fire in the night, but the flames were extinguished by men who were in the house. On the 11th John Hammond and a man of the name of Dowdy were killed near the mouth of the Sycamore, in Tennessee County. On the 14th Henry Howdishall and Samuel Pharr were killed near Gen. Rutherford's. On the 18th John Benton was killed in the road between Capt. Reece's and Col. Winchester's mill. On the same day two men were killed on the road to Kentucky. On the 19th two men were killed within hearing of Clarksville. On the 20th Richard Shaffer and a man of the name of Gombrell were killed, and James Dean wounded. On the 27th a party of Indians, at first supposed to be sixty, but afterward discovered to be two hundred, attacked the station at Greenfield, and killed Mr. Jarvis and a negro fellow belonging to Mr. Parker. This station was saved by the signal bravery of William Neely, William Wilson, and William Hall, who killed two Indians and wounded several others. Neely and Hall had each lost a father and two brothers by the savages. The people murmured, and demanded where were the blessings of government, and whether protection would ever be afforded to them, and when. On the 28th Francis Ransom was killed near the dripping spring, on the trace between Kentucky and Cumberland.

Between the 1st of April, 1793, and the 18th of May six hundred and sixty Creeks crossed at the lower towns of the Cherokees, for war against the people of Mero District. On the 29th of April Gov. Blount sent from West Point, at the mouth of the Clinch, one hundred and twenty men, under the command of Maj. Hugh Beard, to their relief. The complaints of the people frequently broke forth against the government, and accused it of the most culpable neglect for leaving them so long exposed and unprotected; but still the ways of peace were steadily pursued, and every thing was made to be quiet in presence of the great object which the government had in view to accomplish.

On the 9th of May, 1793, a party of Indians fired upon four children at Johnson's Station, near Nashville, wounded three, one of whom they scalped, and caught the fourth boy by the jacket, but he stripped it off and escaped.

A short time before the 1st of June, 1793, many parties of Creeks recrossed the Tennessee at the lower Cherokee towns, on their way home from Kentucky and Cumberland, with numerous scalps and valuable horses. Public resentment was heated to a degree of intenseness which can hardly at this time be adequately conceived of. Restrained by governmental functionaries and orders from action, it sought for opportunities, and wasted itself in bitterness.

On the 25th of May some Chickasaws were on a visit from their nation to Gov. Blount at Knoxville, and in their company was a Cherokee, who went into the woods to see their horses, about six hundred yards from Gov. Blount's house in Knoxville. Some persons, aiming at the Cherokee, as it was supposed, who had made himself very obnoxious to the whites, fired upon them and wounded Morris, one of the Chickasaws, so that he died the next day. The Governor caused him to be buried with pompous ceremony. The inhabitants of Knoxville generally, and many from the adjacent country, attended the funeral with general and unfeigned expressions of regret and of indignation at the horrid deed. By all these appearances the other Chickasaws were soothed and satisfied, being well convinced of the friendly esteem of the white people for the most part toward them. The act was universally condemned.

On the 12th of May, 1793, Capts. Rains and Johnston, with a

detachment of cavalry consisting of a hundred men, set off from Nashville on a tour of duty to the southward. Gen. Robertson had ordered them out to scour the woods and paths and crossing-places at rivers and creeks, to discover the trails of Indians coming to the Cumberland settlements. These regulations gave the Indians much trouble, and rendered it very dangerous to them to approach the settlements. But, though they were considerably repressed, they were not entirely stopped; their eagerness for blood and plunder kept them forever restless, be the dangers they had to encounter what they might.

In June, 1793, Maj. Beard returned to Knoxville from Cumberland, to which he had gone with assistance against the invasion of the Creeks, according to the new plan of defense, which the then present circumstances and population admitted of and suggested. Both in going to and returning from Nashville he passed by the heads of the southern waters of the Cumberland, and to the southward of the settlements, through the midst of the main Creek camps, from which they so repeatedly issued against the frontiers. He found many abandoned camps, but fell in with only three small parties, of whom he killed two and wounded several. A man of his own party (Mr. Alexander) received a slight flesh wound in the attack on Smith's River. This new practice of searching for Indians in the thickets and at their camping-places, after it became known to them, began to inspire no small apprehension of danger in crossing the Tennessee. Numerous parties of Indians, however, still daily recrossed the Tennessee, about the middle of June, 1793, with scalps and horses which they had taken from Tennessee and Kentucky.

Between the 20th of May and the 13th of August, 1793, the Indians killed and wounded upward of twenty persons in the District of Mero. On the 20th of May John Hacker was killed on Drake's Creek. On the 20th of June James Steele and his daughter were killed, and his son wounded. On the 4th Adam Fleener, Richard Robertson, and William Bartlett were killed, and Abraham Young and John Mayfield were wounded. On the 1st of July Jacob Castleman and Joseph Castleman were killed, and Hans Castleman wounded, at Hays's Station. On the 15th William Campbell was wounded near Nashville. On the 18th Mr. Joslin was wounded at his own house. On the 19th Mr. Smith was killed at Johnson's Lick. The people un-

der so many sufferings cried aloud for revenge and for liberty to retaliate upon the savages the cruel treatment they had received from them; but the cautious policy of the government still inculcated lessons of resignation and forbearance. The people, uninformed of the reasons for the adoption of this course, murmured the opinion that if matters went on a few years more as they now did few, if any, of the present race would live to enjoy the fruits expected, and for the attainment of which such extraordinary forbearance was enjoined.

About the 1st of August, 1793, Abraham Castleman raised a company of volunteers to assist him in retaliating upon the Indians a great number of injuries which he had received from them, particularly those of killing several of his near relations. On arriving near the Tennessee ten of his company turned back, because Gen. Robertson's orders prohibited all scouting parties from crossing that river. But Castleman, whom the Indians called "The Fool Warrior," with Zachariah Maclin, John Camp, Eli Hammond, Ezekiel Caruthers, and Frederick Stull, all dressed like Indians and painted in the same manner so as not to be distinguished, crossed the river, as is generally believed, below Nickajack, and took the trace toward the Indian nation which led, as they supposed, to Will's Town. After traveling about ten miles on the south side of the river, they came in view of a camp of forty or fifty Creeks, who were on their way to kill and plunder the whites in the Cumberland settlements. They were eating, two and two, and betrayed no alarm at the approach of their supposed friends, but continued eating until the small squad of white men came within a few paces of them, and suddenly raised their guns and fired on them. Castleman killed two Indians, and each of the others one. The shock, being so sudden and unexpected, dismayed and confounded the Indians; and before they could recover from it and resume the possession of themselves the whites had retreated so far as to render pursuit unavailing. This happened on the 15th of August, 1793. On the 21st they all got back safe to Nashville. This party of Indians had with them large bundles, but no squaws or horses, and were painted black.

About the 5th of August Capts. Rains and Gordon pursued a party of Indians who had killed one Samuel Miller near Joslin's Station. After crossing Duck River, their signs were very

fresh. On pursuing them seven miles farther, they were overtaken. The pursuers killed some of them on the ground, and took prisoner a boy of twelve years of age. One of them called out that he was a Chickasaw, and by that *finesse* made his escape. On examining the prisoners, they proved to be all of them Creeks from the upper Uphalie towns. On the 19th of August, 1793, in the night-time, the Indians stole from Brown's Station a tub of clothes which were in the wash. About the same time two horses were stolen from Col. Barton's by Indians, which were retaken the next day. On the 20th of August, 1793, the owner of an evacuated house in Tennessee County, having gone to his plantation, perceived signs of Indians, and collected a party of men, seven in number, and went in search of them. They met the Indians in a path, and fired on them. Next morning they found one Indian lying dead on the ground, and two traces of blood making off, by which it appeared that there were two wounded. The Indians did not return the fire. On the 21st of August, 1793, the Indians killed the widow Baker and all her family, except two who made their escape. Her family of children was numerous. About the same time Robert Willis's family, consisting of a wife and two children, were killed by the Indians. Mr. Willis was from home. Some short time before the 9th of November, 1793, some horses having been stolen, and Indians seen near Croft's Mill in Sumner County, Col. James Winchester ordered out Lieut. Snoddy, with thirty men, to scour the woods about the Caney Fork, and if possible to discover the main encampment. On the 4th of November he met two Indians, who fled; and he pursued them to a large camp near the Rock Island ford, of the Caney Fork, where he took twenty-eight good Spanish blankets, two match-coats, eight new brass kettles, one firelock, three new swords, Spanish blades, a bag of vermilion, powder and lead, several bayonets, spears, war hatchets, bridles, and halters. Evening coming on, he withdrew from the camp about a mile to an eminence, where he halted his men, and they lay on their arms all night. About the dawn of day they appeared, advancing with trailed arms, and at the distance of about thirty yards a firing commenced, and was kept up from three to four rounds, when the Indians retreated, leaving one fellow on the ground, and were seen to bear off several wounded. Lieut. Snoddy had two men killed and three wound-

ed. He deserved and received much commendation for his gallantry.

In this year (1793) the Indians fired on Thomas Sharpe Spencer, near where Maj. David Wilson since lived in Sumner County. Mrs. A. Bledsoe, in company, was thrown from her horse, but Spencer bravely rescued her from the hands of the Indians, and conducted her to a place of safety. About this time several persons were killed in the county of Sumner, whose names are not recollected. In this year James McCune was killed by the Indians at Hays's Station, on Stone's River; one of the Castlemans was also killed and another wounded. About the 1st of December, 1793, James Randel Robertson, son of Gen. Robertson, and John Grimes were killed by the Cherokees of the lower towns, on the waters of the Caney Fork, where they had gone to trap for beavers. On the 23d of December the Indians fired on John Nolen and William Montgomery, the latter receiving a ball in the thigh and another which broke his arm. On the 30th Samuel Blair and Thomas Wilcox were fired on six miles from Nashville. The former had his powder-horn shot off, and a ball through his clothes, and the latter had his horse killed. About the last of December John Dier and Benjamin Lindsey were killed below the mouth of Red River.

At this time many of our people were in slavery with the Creek Indians, and were treated by them in all respects as slaves. In the Cayelegies, Mrs. Williams and child; Alice Thompson, of Nashville; Mrs. Caffrey and child, of Nashville. In "The Hog" villages, Mr. Brown, of the District of Mero; in the Clewatly town, Miss Scarlet; in the White Grounds, Miss Wilson, of the District of Mero, and a boy and girl; in the Colummies, a boy five years of age; at the Big Talassee, a boy eight or ten years of age, and a girl seven or eight years of age; in the Pocontala-hassee, a boy twelve or thirteen years of age; in the Oakfuskee, a lad fifteen years of age; in the Red Ground, a man called John; in Casanders, a boy whose age and name were not known; in Lesley Town, a young woman who was repeatedly threatened with death for refusing to cohabit with Lesley's son; and in some other town were Mrs. Crocket and her son. But the Indians unintermittedly pretended a desire for peace, and so completely had they counterfeited that Mr. Barnard stated to the Governor of Georgia, Mr. Telfair, that the upper Creeks,

to a man, seemed to be quiet; though not many days before the date of his letter, on the 18th of September, 1793, as he stated, they had six of their men killed on their hunting-grounds on the south side of the Tennessee River by the Cumberland people, and one of the six as great a man as any amongst them. He ought to have known that the scene of action was below the town of Nickajack, not very far from the south bank of the Tennessee, not on the hunting-grounds of the Creeks, but on their common road to Cumberland, to kill and to steal. And he ought to have known that the Creek claim to lands was bounded by the ridge which divides the waters of the Tennessee and Mobile. When they were not far from the bank of the Tennessee, in a body of forty or fifty men, and painted black, it was not to be doubted, exclaimed the people of Cumberland, that they were for war; and that they should have been treated as enemies was neither a fit subject for lamentation nor complaint.

As early as the 13th of November, 1793, Gen. Robertson had conceived and secretly harbored the design of destroying the five lower towns of the Cherokees. He expressed a decided disapprobation of all negotiations with them, as it would but lull the people of the Territory into security, and make them the surer victims of Cherokee perfidy. He, by way of introducing the subject to notice, asked of Gen. Sevier, in a familiar way, when the lower towns would get their deserts. "It was hinted by the Governor," said he, "that it will be in the spring; I suspect before that time. But it may be immaterial to us, considering our exposed situation and the little protection we have." He pressed Gen. Sevier to carry an expedition of fifteen hundred men into the Cherokee country before the ensuing spring. We shall see that the former idea, with whomsoever it may have originated, came to maturity in the following year, though at this time no one, for fear of the displeasure of government, would either be the author, advocate, promoter, or even connive at the design.

The affairs of the Chickasaws are now about to claim attention, and will be found to require a detail of explication neither compendious nor at the same time very agreeable.

The Shawnee's deputation, which arrived in the Cherokee country about the 12th of January, 1793, on their way to the Creeks and Choctaws for the purpose of exciting them to war

against the United States, gave out that they intended to return through the Cherokee towns in expectation of meeting the nation in full council at Estanaula. They informed the Cherokees that the Shawnees had resolved to fall on the Chickasaws, and to cut them off for joining the army of Gen. St. Clair. The Creeks also alleged causes of dissatisfaction, peculiar to themselves, against the Chickasaws. During the conferences at Nashville the Creeks stole from the Chickasaws twelve horses. The latter pursued the thieves to the Creek towns, and demanded the horses. The Creeks returned for answer that they had found these horses upon the lands of their enemies, the white people, and that they would not return them to the Chickasaws. At this answer the Chickasaws were highly exasperated, and in the heat of passion fell upon and killed several of the Creeks. The white people felt uneasy apprehensions for the fate of their Chickasaw friends, and greatly deprecated the events of the approaching war between them. After reflecting upon this subject, Gov. Blount was of the opinion that if the Chickasaws were not supported by the United States in their war with the Creeks that they would fall off from the United States. He remarked that the deliberations of Indians in large bodies are slow, and that he should have instructions from the President how to act before the ultimate decision should be made; in the meantime, the Chickasaws would be able to repress the small marauding parties who might infest them. In order to be prepared in time for the impending storm, the chiefs of the Chickasaws, on the 13th of February, 1793, to the number of twenty-nine, addressed a letter to Gen. Robertson referring to one received from him, in which he advised the chiefs to caution their young warriors not to regard the threats and persuasions of the Creeks in warring against the United States; and in which he is also stated to have said "that the President knew his friends, and would not let them suffer for being so." "Our talks," say they, always were to love and esteem one another. We head men have held you fast by the hand, and have told our young warriors that they must do so; and they will as long as they are able to lift a hatchet. We have sent you a war club; when we both take hold, we can strike a hard blow. Although we wish to be at peace with all, the Creeks have spilled our blood; and we desire that you will dispatch expresses to every head man in

America, particularly to Gen. Washington, Gov. Blount, the Secretary of War, and to the head men of Kentucky, to Fort Washington, and to Gen. Pickens, to let them know that 'our agreement was to be as one man in regard to our enemies and friends.' You must know that it is on your account that we are stricken, for in the last talk sent by us to the Creeks we told them that we were perfect friends of the United States, and would listen to no talks of war against them. Their reply was that the Virginians were liars, and that no dependence could be put in them; and that the Chickasaws were fools, and would know their error before long, as the Creeks and Northwards would fall upon them. But," said the Chickasaw chiefs, "all their talks did not alter us. When you get this talk," said they, "speak strong to your young warriors, and let us join to let the Creeks know what war is. You make whisky; if war comes, it is good to take a little at war talks; send some to us. The red people who have long been at war with you have struck us on your account. We hope we shall now find what you always told us true. We believe the Choctaws will join us, and hold you and us fast by the hand. We are now standing in the midst of a great blaze of fire. We hope you will be as expeditious as possible to give us assistance, as the red people are not long preparing for war. We have not ammunition enough; neither have the Choctaws. If you can send a supply immediately, we desire you will do it; likewise guns for the Choctaws, as there are many of their young men who have none. Such as muskets, rifles, smooth-bores, will do. We want flints, six swivels, ten blunderbusses. As there is now war, we desire you will send us blacksmiths and tools to keep our guns in order, and likewise a bombardier to work our swivels. We desire you will send an express to Gen. Washington to let him know that we are now at war with the Creeks, and the path is now stopped for our traders. As we were very scantily furnished with stores of war before, therefore we hope he will find means to send us goods and furnish to our traders, so that the Creeks may be disappointed; otherwise, we shall be naked and more in their power. As we made no crop last year, we are in a starving condition. We hope you will send a further supply of fifteen hundred bushels of corn, two barrels of flour, about one hundred bushels of salt, one hogshhead of tobacco, fifty bags of ver-

milion, which is fifty pounds, as it is greatly wanting in war. And send some whisky by the boats. George Colbert wanted a plow and a bushel of wheat. When you send down the river, we desire you to send a strong and sufficient guard with the boats as far as the bluffs. We desire that Gen. Washington will station a garrison at the Muscle Shoals, or Bear Creek, or where he may think fit to establish a trade."

In this exigency, Piomingo, principal chief of the Chickasaw nation, visited Gov. Blount shortly afterward at Knoxville, and delivered to him a speech expressive of the same sentiments, and required aid to enable him to oppose the Creeks, who were preparing a formidable invasion of his country. Gen. Robertson, sensible of the difficulties into which the Chickasaws had been drawn by their friendship for the United States, and by the confidence they had in the friendly disposition of the United States toward them, and urged also by sentiments of justice and gratitude, could not refrain from rendering them assistance. He had been written to by Portell, the commandant at New Madrid, to supply him with corn. On the 23d of April he sent off his son with a cargo of corn in a boat down the river, who arrived at New Madrid on the 7th of May, and he carried with him a swivel for the defense of his boat. Mr. Portell wrote to Gen. Robertson on the 9th of May, regretting that he had not been advised in time of the general's intention to send him the corn. As the season was so far advanced, he had expected that his letter to the general on that subject had miscarried, and had purchased from others; but in order not wholly to disappoint the general, he had taken a hundred bushels at an advanced price, and paid the cash to Mr. Robertson. He very politely thanked the general for his attention, and wished it had been in his power to have taken the whole. Mr. Robertson proceeded to the Chickasaw Bluffs, and landed his cargo. Information was immediately given of these transactions by Mr. Portell to the Baron de Carondelet, at New Orleans, who instantly transmitted the intelligence to the Spanish agents at Philadelphia; and at the same time, on the 21st of May, 1793, presented to Gen. Robertson his information and sentiments upon this subject. Being acquainted, he said, by the commanding officer at New Madrid, with the arrival there of the eldest son of the general, as well as with the motives of his voyage, he highly approved of

every kindness shown to him, and had given to the commandant proper directions to embrace every opportunity of being useful to the general; but, nevertheless, that he felt the greatest concern in perusing the letter of Mr. Portell, on account of the measures taken by the general to comply with the request of the Chickasaw nation, in respect of a supply of corn, sending to them at the same time a *little piece*, "which, although small, is an arm too dangerous in the hands of Indians, from whom its knowledge and practice ought by both nations—the United States and Spain—to be carefully concealed, as until this time has been observed. On the other hand," said he, "it is the interest of every power to keep their Indian allies in peace between themselves, as well as with the neighboring tribes, without intermeddling in their affairs. This," said he, "has been my method with the Cherokees, when several of the principal chiefs applied to me, requesting supplies against the United States." And really he asserted that his endeavors had been successful, since he had prevailed upon them to stop any hostility against the Cumberland settlements and the neighboring ones, unless they should be forced to take up arms in their own defense; while his gracious king, whose protection they requested, was mediating with Congress to direct the fixing of certain boundaries, which, being advantageous to both nations, might prevent altogether every further controversy. The same rule, he said, had been observed with the Creeks, whom he had turned from being hostile to the Georgians, while the matter of the limits was in a fair and friendly way treated of at Madrid between the minister of the King of Spain and the agents of the United States; and had the chief of the Creek nation, Alexander McGillivray, been still alive, the attempt lately made by some of their individuals against the stores at St. Mary's would not have taken place. The chief no doubt, said he, would give every satisfaction. To restore peace between the Chickasaws and Creeks he had, he said, at Natchez and the Walnut Hills declared to both nations that he would constantly refuse them, while involved in war against each other, every supply of arms and ammunition; and should the general, as he expected, follow the same system, they would, as he believed, be soon reconciled. The Cherokees had requested of him, he said, in pressing terms, or warmly, to endeavor by every means to prevent the Creeks from passing

through their lands to attack the settlements of Cumberland and their neighbors. It was probable that in a short time a general peace would take place, without which that settlement could not flourish. He wished for an opportunity to see the general, that he might convince him of the great esteem in which he held him.

The Spanish agents at Philadelphia, soon afterward, as will be presently seen, made a warm complaint of the aid and comfort thus given to the Chickasaws. They considered the whole affair, perhaps, in its true light—not as an intended accommodation of Mr. Portell, but as assistance given to the Chickasaws by the people of Cumberland.

On the 27th of April, 1793, the Secretary of War transmitted to Gen. Wayne a message for the Chickasaws, together with certain articles for their use enumerated in a schedule inclosed, with instructions to send to the Chickasaws as soon after his arrival at Fort Washington as the articles could be obtained. The Secretary stated to Gen. Wayne that the Chickasaws were at war with the Creeks, whom Gov. Blount represented to be exceedingly troublesome to the Cumberland settlements and other parts of his government. "But as it is the policy of the government," said he, "to endeavor to preserve peace with the Creeks, the articles now forwarded are put upon the footing of service rendered to the United States. It is presumed," said he, "that some of the armorers may be found at Fort Washington willing to go to the Chickasaws upon being promised a satisfactory and reasonable compensation per month. This you will please to do." Gen. Wayne was instructed to send the articles to the Chickasaw Bluffs, on the Mississippi, contriving some mode of informing the nation of the time when they might be expected to arrive there; and it was observed by way of caution that the boats ought to be well manned and well commanded. It was stated, further, that some vermilion would shortly be forwarded for the use of the Chickasaws. The message to the Chickasaws addressed them by the title of "Brothers," and said: "Your father, Gen. Washington, President of the United States, has understood, through Gov. Blount, that you are greatly in want of arms, ammunition, and corn, and therefore he has taken the earliest opportunity of proving to you his friendship and the desire of being serviceable to you. It is his earnest desire to be

at peace with all Indian tribes, and he recommends the same measure to you. Nothing but the most dreadful necessity will justify a state of war. Such necessity, however, sometimes exists; but peace is always to be sought for, with the greatest eagerness, upon the first opportunity. The United States have endeavored to persuade the hostile Indians to a peace, from motives of kindness to them, and not from any apprehensions as to the final issue of a war. On these grounds a treaty with the Indians north of the Ohio is to be held at Sandusky in a short time. If they listen to the dictates of justice and moderation, they will make peace; but if not, they will be made to repent their persisting in hostilities. Although the United States are slow to anger, yet when aroused their wrath will be destructive to their enemies. Your father, Gen. Washington, will continue to love and cherish you; and if requisite, he will supply you with articles necessary to your situation, and for which you will apply to the general of the army at Fort Washington." This message was dated the 27th of April, 1793.

On the 7th of June, 1793, Gov. Blount set off for Philadelphia, and on his way met a dispatch, of which on the 7th of July, 1793, notice was given to the Chickasaws by Secretary Smith, who acted as Governor until the return of Gov. Blount, who also made known to them its contents, which were, as he understood it, that their nation was to be supplied with plenty of arms and ammunition, to be sent down the Ohio by Gen. Wayne. A list of the articles had come to the hands of the Secretary, and he transmitted it to them. He stated to them that Gov. Blount had instructed him to give them assurances that he would speak much in behalf of their nation, to have them supplied with men also from the United States, as well as arms. "I see plainly," said the Secretary, "that the President and all the people of the United States look on you as brothers, and will not let you suffer for your friendship to them. Therefore you need not be afraid of your enemies."

Piomingo not being able, when he visited Gov. Blount in the former part of this year, to obtain any satisfactory answer from him, determined to visit the President himself in August and September. While on his journey presents were made to him and his attendants in Knoxville, to equip them for the journey and to enable them to appear decently. After proceeding as far

as Abingdon, Gov. Blount, on his return from Philadelphia, met them, and by relating to Piomingo the prevalence and mortality of the fever in Philadelphia induced him to return. When at Knoxville other presents were made to him and his attendants, and no circumstance seemed to be omitted which could testify to him the high esteem in which he was held by the United States. The Governor received from him and Thomas Brown a claim which the Chickasaws set up to certain lands in South Carolina opposite to Augusta. A paper exhibiting the state of their claims they delivered to him, and he sent a copy to the Secretary of War.

In the spring of the year 1793, such was the situation of the western people in relation to Spain and her American possessions on the Mississippi and the Gulf of Mexico as made it particularly desirable that all irritations toward the Spanish government and its colonists and Governors, at Natchez, New Orleans, and Pensacola, should be carefully abstained from; and that the western people should not act offensively toward them, directly or indirectly, through those people who were at this time strongly suspected to have been lately instigated by them. The nature and extent of their connections were indeed not exactly ascertained, but were supposed to be of a very intimate texture. Spanish suspicion, however, was very much alive when the conferences with the Chickasaws were held at Nashville in August, 1792; and as the race of informers is never idle when not kept at a distance, and as they like to tell what excites sensation, it was soon told to Gov. Gayoso that Gen. Robertson at these conferences had made threats which concerned the Spaniards. The Baron de Carondalet addressed Gen. Robertson a letter, a copy of which, with the answer of Gen. Robertson, the Governor transmitted to the Secretary of War. The Governor, in his letter to the Secretary, pointed out some inconsistencies in that of the baron, which seemed to signify that the Cherokees had been for war with the United States, and at the same time had not been for war. "However," said the Governor, "it now appears from the general tenor of his letter that he wishes the Indians to observe a peaceable conduct toward the United States." But he (Gov. Blount) had not a single doubt that the baron, soon after he came to the government of Louisiana, in the early part of the year 1792, as well as

his subordinate officers—particularly Gov. Oneil, of Pensacola—encouraged them to pursue quite a different conduct. He commented also upon a letter of Gov. Gayoso, of the Natchez District, and conceived it to be due him in justice to say that he had received good intelligence from that district by many citizens of the United States and Spanish subjects, who informed Gov. Blount that his conduct toward the United States had been friendly, and to the American citizens while there. Gov. Blount did not believe that Gen. Robertson had uttered the threats which had been attributed to him, because he was a very prudent and calm man, and because the Governor himself was at Nashville, where they were said to have been uttered, and did not hear them. Cullatoy, the Indian by whom the threat was said to have been sent, had been with Gov. Blount, and had declared that he neither received nor delivered any such threat. John Thompson, the half-breed, was the interpreter between Gen. Robertson and Cullatoy, and declared that the general sent no such threat, and he believed that Cullatoy did not deliver any such. The remark used by him amounted to this: “The Cumberland people cannot peaceably submit to such repeated murders and thefts at the hands of the Cherokees.” Gen. Pickens was present, and heard what was said. Cullatoy delivered the message to the Cherokees at Will’s Town, where a large party was gathered to hear the talks brought by Watts and other chiefs from Gov. Oneil and Panton, the purport of which was to excite them to war against the United States. Gov. Gayoso had expressed a wish for the establishment of an understanding between the two nations in relation to the management of Indian affairs, which Gov. Blount approved of and wished it might be made to extend to the regulation of trade, in such manner as to make it Panton’s interest to act a friendly part toward the United States; and that until this was done, or he prohibited from trading with the Indians, Panton would have it in his power by direct or indirect means to keep them in a state of war with the United States, as they have been kept ever since the peace between Great Britain and America, in the year 1783. “Panton,” said he, “is a Scotch tory”—two very unpropitious circumstances in the Governor’s opinion—so that both principle and interest will induce him to pursue the course he has hitherto taken.

The Spaniards about this time gave some umbrage to the Creeks. The refugees who were settled near the Creek boundary were greatly harassed with demands preferred against them by McGirt in their courts, where in all instances he obtained decisions in his favor, and the prevailing sentiment was that the government used him to draw from the inhabitants their property by what were called legal decisions, for the emolument of the officers. McGirt commanded a tory regiment in the Southern States in the Revolutionary War, which was then much complained of for the undistinguishing rapacity of the troops who composed it. In consequence of such treatment the oppressed refugees took sides with the United States, and used the influence they had with the Creeks in their favor. The Creek traders were also indebted to Panton, and wished to avoid payment and of course to open a new channel of trade, which made them friendly to the United States. The Spaniards also, in the time of their trepidation for fear of French invasion, aided by the people of Kentucky and Cumberland, who had suffered so much under the operations of Spanish malignity, had called for six hundred men from the Creeks to march to New Orleans to assist them. These several occurrences were displeasing to the Creeks, and held out some faint prospect of their alienation from the interests of the Spaniards, which though it traveled slowly might at length arrive.

Shortly before this an occurrence took place which greatly augmented the exacerbations and the alarm of the Spanish government toward the United States. Mr. Genet, the minister of the French Republic, had landed in the United States on the 8th of April, 1793, in order to ascertain in person the enthusiasm which was said to prevail in America in favor of the French cause. He disembarked at Charleston, in South Carolina, and proceeded by land to Philadelphia by moderate journeys. He everywhere received the fraternal embrace; and if the people of America were intoxicated by an overflowing zeal for the prosperity of French principles, Mr. Genet was no less so on account of the flattering attentions which were paid to him on his journey as the representative of the French nation, and he too hastily embraced the opinion that the people would leave their own government unsupported rather than relinquish their predilections for the cause of the French. And immediately he vent-

ured upon acts which would have spread the flames of war over the whole continent had they not been promptly counteracted. The citizens generally, and especially sea-faring men, thought themselves at liberty to indulge in their partialities toward the belligerents, and to enrich themselves by depredations on the commerce of the others, and they meditated enterprises of this nature. Lest these erroneous conceptions should soon become too strongly fixed, the President, on the 22d of April, 1793, issued his proclamation informing the people of their neutral situation and duties toward those nations who were engaged in the war. But Mr. Genet, notwithstanding, authorized the fitting out and arming of vessels in the port of Charleston, and gave them commissions to cruise and commit hostilities against nations at peace with the United States. These vessels took and brought prizes into our ports, and French consuls condemned and authorized the sale of them and their cargoes. And all this before he had been received by the President, or had shown his credentials to him; without his consent and without consulting him upon the subject, and directly, also, in contravention of that state of peace declared to be existing by the President's proclamation. The British minister complained of these proceedings. A lengthy correspondence ensued upon the armaments he had authorized, which he attempted to justify. Although the President forbade any more armaments in the ports of the United States, still Mr. Genet caused to be equipped a great number of armed vessels, which made prizes of others within the mouths of our rivers and within two miles of our coasts, and gave commissions to enlist men for the purpose of invading the Spanish territories. He insulted the government in his written communications, and persevered in the course he adopted till his own government was solicited to recall him. If in a state of such fermentation the Spanish Governors of New Orleans, Natchez, and Pensacola should readily give credence to information purporting that the western people of the United States were preparing to descend upon their settlements, and to obtain by conquest the free navigation of the Mississippi, it is not at all to be wondered at, and much less that they should resort to such measures of defense as they then had in their power.

These remarks are introduced upon the present occasion to show the probability that they actually did engage the Indians

to persevere in harassing the frontiers of this country, and to show, also, that whenever in perilous times the supreme power is not obeyed, nor the whole management of affairs left to it, but is taken into the hands of every individual who thinks himself wiser than the constitutional functionaries, that severe suffering falling upon some portion of the nation is the inevitable consequence. In this instance the forwardness of one man, which ought to have been instantly put down, exposed the whole western people to savage warfare. The Chickasaws, in the former part of the year 1793, had in full council decided upon war against the Creeks, and this by Spanish jealousy was attributed to the procurement of the United States. The agents charged with Spanish affairs, on the 18th of June, 1793, in a written communication which teemed with moroseness, and which was conceived in a style uncourtly, uncourteous, and undiplomatic, made known to our government the grounds of their dissatisfaction. "The last article of the treaty," they said, "between the United States and the Creeks promises to maintain perpetual peace and friendship between both the contracting parties; and the fourteenth article promises to carry into full execution what is stipulated in the treaty by both parties with good faith and sincerity. Permit us to ask now, does it denote good faith or prove sincerity to incite the Chickasaws to commence war against the Creeks, with the palpable view that they being less numerous than the Creeks may be under the necessity of asking the protection of Gov. Blount and his troops, and to give them a good occasion for asking in recompense from the Chickasaws lands to form an establishment at the Ecores Amarges (bitter), and have a source whence to incommode and intercept the communications between New Orleans and the establishments of Spain at the Illinois and New Madrid, practiced with barks, which by the eddy formed there by the river Mississippi must pass within pistol shot of a point which commands the river at that place. With this object, and proceeding to the said place," said they, "a son of Gen. Robertson passed by New Madrid on the 7th of May, and about that time had already passed several Americans to the same post. Does it argue good faith and sincerity," they said, "toward the Creeks to succor the Chickasaw nation with a portion of corn, that they might with the greater convenience pursue the war, which the son of

Gen. Robertson carried with him; and, moreover, a piece of artillery, the use of which the Indians never knew and always feared? The Governor of New Madrid," they said, "saw all this with his own eyes, and it was confirmed by many Indians of the Chickasaw nation, who went with the same young man (Mr. Robertson), who confessed that Congress had ordered this cannon, at present a declaration which intimates that it is contemplated to furnish them with more." They spake of the Creeks as their allies, and of the impropriety there was that the United States should meddle with them. They foretold a discontinuance of peace and friendship between the two governments. Upon the matters of this letter, overlooking the agents who wrote it, and preserving as to them a perfect silence, instructions were given to the American ministers at Madrid what answers to give. With respect to the charge of exciting the Chickasaws to war with the Creeks, it was denied; "but if it were true," said the Secretary of State, Mr. Jefferson, "it would not be unjustifiable. The Creeks," said he, "have now a second time commenced against us a wanton and unprovoked war; and the present one in the face of a recent treaty, and of the most friendly and charitable offices on our part. There would be nothing, then, out of the common course of proceedings for us to engage others, if we needed any, for their punishment; but we neither need nor have sought them. The fact itself is utterly false, and we defy the world to produce a single proof of it. The declaration of war by the Chickasaws, as we are informed, was a very sudden thing, produced by the murder of some of their people by a party of Creeks, and produced so instantaneously as to give nobody time to interfere either to promote or to prevent a rupture. The gift of provisions was but an act of friendship to them when in the same distress which had induced us to give five times as much to the less friendly nation of the Creeks. We have given arms to them. It is the practice of every white nation to give arms to the neighboring Indians. The agents of Spain have done it abundantly, and this for the purposes of avowed hostility on us. And they have been liberal in promises of further supplies. We have given a few arms to a very friendly tribe, not to make war on Spain, but to defend themselves from the atrocities of a vastly more numerous and powerful people, and one which by a series of unprovoked and even unre-

pelled attacks on us is obliging us to look toward war as the only means left of curbing their insolence." The design to make an establishment on the Mississippi was denied, and the interference of the Spaniards with the Indian tribes who live within the borders of the United States was treated as extremely unjustifiable and against usage. "And as to the discontinuance of peace," it was asked, "are we to understand that if we arm to repel the attack of the Creeks on ourselves it will disturb our peace with Spain? that if we will not let them butcher us without resistance Spain will consider it as a cause of war? We love and we value peace; we know its blessings from experience. We abhor the follies of war, and are not untried in its disasters and calamities. If we are forced into a contrary order of things, our mind is made up. We confide in our strength, without boasting of it; we respect that of others, without fearing it. If we cannot otherwise prevail on the Creeks to discontinue their depredations, we will attack them in force. If Spain chooses to consider our self-defense against savage butchery as a cause of war, we must meet her also in war, with regret, but without fear; and we shall be happier to the last moment to repair with her to the tribunal of peace and reason. The President charges you," said the Secretary of State, "to communicate the contents of this letter to the court of Madrid, with all the temperance and delicacy which the dignity and character of that court render proper, but with all the firmness and self-respect which befit a nation conscious of its rectitude and settled in its purpose."

The Spanish court might have readily perceived, if it would, from this message that if ever their monarchy had been formidable to the United States, present circumstances had greatly impaired the principles of that situation. Incredible, however, as it may seem at first view, yet it is a fact that these same negotiators who clamored so freely and vehemently in June were obliged by indisputable evidence to acknowledge in December that on the 12th of September orders were transmitted to Mr. White, the Governor of Pensacola, by directions of the Baron de Carondelet, to furnish powder and lead to the Cherokees then embodied to make a descent on Knoxville, who, waiting till they received these supplies, marched immediately as far as Cavet's Station, from which on the 25th they retreated toward their own

nation, after they had committed there the most shocking atrocities. But they justified the baron on the ground of their treaty with the Talapuches in 1784, which required it, though they did not pretend to allege that the Cherokees were a part of the Talapuches, and deemed it a favor to the United States that he had not supplied them more abundantly.

They went, it is presumed, upon the same principles that the fox did when, instead of paying the stork for taking the bone from his throat, he supposed he had done him a great favor in not biting off his head. To be involved in the course of diplomatic discussion in numerous inextricable inconsistencies and unsupportable conclusions evinces a bad cause, as well as a want of sagacity. As argument is intended for conviction, the person to be affected is never well pleased unless it has at least the merit of being ingenious, it being an implied imputation upon his own understanding that he is to be subdued by a flimsy argument.

The affairs of the United States with Spain not long afterward began to wear a more promising aspect, and finally were conducted to a successful termination. But the complete subsidence of her ebullitions had not at this time taken place; still she was pressed with difficulties and implicated in an immensity of danger by her war with France. It was thought in Spain that the English had overreached that nation, and were imposing upon it; and it began to be tired of the English alliance, and was not unwilling that a good understanding with France should be again re-established. As these propensities gained strength it was observable that the dislike of Spain for Americans decreased.

By the 18th of December, 1793, the Spanish court had so far relinquished its prejudices as to make a categorical admission that their treaties with the Indians should be considered to extend only to such of them as resided upon their own territories, and that Spain would not take a decided part in favor of the Indians, except when justice and equity called for it.

Some time in the month of March of this year (1793) Gov. Blount, by an ordinance made for the purpose, erected the District of Hamilton, and established a Superior Court therein.

On the night of the 1st of January, 1794, John Drake and three others were fired on at their hunting-camp. On the 3d of

January Deliverance Gray was wounded within four miles of Nashville. On the 7th of February, 1794, a man of the name of Helen was killed by the Indians at the plantation of Gen. Robertson. On the 20th of February, 1794, numerous small divisions of Indians appeared in all parts of the frontiers of Mero District, marking every path and plantation with the fatal signs of their visitation. They stole nearly all the horses that belonged to the district, and butchered a number of the citizens. In many instances they left the divided limbs of the slain scattered over the ground. Jonathan Robertson, from whom upon all occasions the Indians had received as good as they sent, was about this time, with three lads of the name of Cowan, fired upon by five Indians. One of the lads was slightly wounded, and a ball passed through Robertson's hat. He and the lads returned the fire and drove off the Indians, having wounded two of them mortally, as was supposed. On the death of Helen, Capt. Murray followed the Indians, and at the distance of one hundred and twenty miles came up with them on the banks of the Tennessee, and destroyed the whole party to the number of eleven. Two women of the party were captured and treated with humanity. These two women pretended that they were Cherokees, endeavoring to conceal the nation to which they belonged, but were found not to understand the Cherokee language. In a few days they owned themselves to be Creeks, residents of the Eusawties. Within a few days previous to the 27th of February, 1794, a great number of persons were killed, some of whom were: Benjamin Lindsey, Daniel Read, Ezekiel Caruthers, Jacob Evans, Frederick Stull, Jacob Morris, and James Davis.

Gov. Blount had endeavored, early in January, to arrest the progress of the Cherokees. He had proposed them an exchange of prisoners, had urged them to be at peace, and had warned them of the danger to which they stood exposed. He declared to them, through the medium of Thompson, the interpreter, that at the firing of the ordnance a thousand cavalry, completely equipped, could immediately assemble and follow any trail to the town to which it might lead; and that such would be his conduct on the next provocation that should be given. If there were peace, he declared that it must be general; and not for some of the chiefs to be at peace, and the other parts of the na-

tion at war; and toward the last of January, by the consent of "The Hanging Maw," he had caused a block-house to be erected nearly opposite the mouth of the Tellico, the real object of which was to keep the Indians in check by its contiguity; and he placed an agent there whose ostensible business it was to receive prisoners, horses, deserters, negroes, and other articles that the Indians would bring. A small garrison of Federal troops was stationed there likewise. These provisions, however, were not attended with the full success which was hoped from them. The Governor had also so far succeeded with the general government as to induce it at last to believe that the people of Cumberland were exposed to some danger which they had not drawn upon themselves by any misconduct of theirs. The Governor was permitted to raise troops for the defense of Mero District, and to continue them in service till the first day of December, and longer if necessary—one subaltern, two corporals, and twenty-six privates to be stationed at the crossing at the Cumberland; one subaltern, two corporals, and twenty-one privates for the defense of Tennessee County and the inhabitants of Red River, running into the Cumberland; one subaltern, two corporals, and twenty-six privates for Davidson, the chief part to be in front of Nashville; for Sumner County one subaltern, one sergeant, two corporals, and seventeen privates; and, besides these, two subalterns and thirty mounted militia to be allowed the district. These were to be raised from the militia, there being no regular troops on which the Governor could call. The government also ordered from Philadelphia, by way of Pittsburg, six three and one-half inch iron howitzers, with ammunition for one hundred rounds complete for each piece, including twenty-five grape or case shot. Orders for the effectuation of these purposes were issued from the War Office on the 14th of January, 1794, and there was no delay on the part of Gov. Blount in carrying them into execution. These preventatives had very considerable effect, but not all the effect that was desired.

Four men were killed and many horses were stolen after the 27th of February and before the 27th of March. On the 18th of March, 1794, the house of Thomas Harris, in Tennessee County, was set on fire by Indians, but the flames were extinguished without much damage. On the 20th of March, 1794, James

Bryan was fired upon by the Indians from an ambuscade near a path, within four miles of Nashville; and on the same day Charles Bratton was killed and scalped near the house of Maj. White, in Sumner County.

On the 21st of April, 1794, Anthony Bledsoe, son of Col. Anthony Bledsoe, and Anthony Bledsoe, son of Col. Isaac Bledsoe, were killed and scalped by Indians near a stone quarry, near the house of Searcy Smith, in Sumner County. At the same time two horses and a negro fellow were taken from Mr. Smith's wagon. Shortly before the 2d of May, 1794, Col. Samuel T. Chew had left New Madrid, with intent to become an inhabitant of the south-western territory. He left Fort Massac in the morning, and in the evening intelligence was brought by a boat from Post Vincennes that a pirogue was on shore with a number of bark canoes around it. A command was ordered to the spot, and they brought to the fort the body of Col. Chew, with all the property they could find. One white man and several of his negroes were found dead near the place. The body of Col. Chew was barbarously mangled. He passed Massac with eleven negroes and four white men. This boat was taken upon the Ohio, just below the mouth of the Cumberland. The Indian claim to the lands on the north of the Ohio was ceded to the mouth of that river, and on the south side to the dividing ridge between the waters of the Cumberland and Tennessee. This murder was committed by the Creeks, as was believed, upon the lands ceded to the United States. The people exclaimed everywhere that the present, as well as all former Congresses were deaf to their cries, and that the President received the accounts of their sufferings with as much apathy as Congress itself. There was a general sentiment at this time through the whole of the Cherokee nation in favor of peace; but the Cherokees said that should the frontiers enjoy peace it ought to be placed to the account of the Chickasaws, who had done more in a few months than the United States in twenty years—taught the Creeks the value of peace by showing them the evils of war. On the 25th of May the Indians stole Maj. Wilson's horses in Sumner County, and those of sundry other persons there. On the 26th they wounded one of the spies on Bledsoe's Creek, and on the same day they killed the son of Mr. Strawder and wounded his wife, on Station Camp Creek.

On the 29th of May, 1794, in the absence of Gen. Robertson, Col. Winchester was ordered to keep up the allowed number of troops on the frontier. On the 11th of June the Indians killed Mrs. Gear, within four miles of Nashville. Capt. Gordon followed them on their retreat upward of ninety miles, killed one of them, and lost one of his party—Robert McRory. He overtook them at the foot of the Cumberland Mountain, near the place where Caldwell's bridge now is. Capt. Gordon was a brave and active officer, distinguished through life for a never-failing presence of mind, as well as for the purest integrity and independence of principle. He had much energy, both of mind and body, and was in all or nearly all the expeditions from Tennessee which were carried on against the Indians or other enemies of the country, and in all of them was conspicuous for these qualities. He now sleeps with the men of other times, but his repose is guarded by the affectionate recollections of all who knew him. Some of the horses were retaken by another party.

On the 6th of July, 1794, Isaac Mayfield was killed by Indians within five miles of Nashville. He was standing sentinel for his son-in-law while he hoed his corn, and got the first fire at the Indians, but there being from twelve to fifteen of them, and they very near him, he could not escape. Eight balls penetrated his body. He was scalped, a new English bayonet was thrust through his face, and two bloody tomahawks left near his mangled body. He was the sixth person of his name who had been killed or captured by the Creeks or Cherokees. His wife was made a widow by their sanguinary cruelties. The Indians continued daily to steal the horses of the inhabitants, notwithstanding all the defensive protection that could be given to them. Gen. Robertson in the month of July sent an express to the Governor, and on Flinn's Creek the Indians stole his horse and compelled him to perform the journey on foot. On Wednesday, the 9th of August, about 9 o'clock in the morning, Maj. George Winchester was killed and scalped by the Indians, near Maj. Wilson's, in the District of Mero, on the public road leading from his own house to Sumner Court-house. He was a justice of the peace, and was on his way to court. He was a valuable citizen and a good civil and military officer.

On the 20th of August, 1794, Allen Nolan, a lad of twelve years of age, was killed by Indians four miles from Nashville, on

the plantation where his father had been killed about six years before. Robert Brigance was killed by the Indians on a public road, near Sumner Court-house. His horse was also shot dead. In this month numerous large parties of Creeks had passed the Tennessee on their way to Cumberland, and about the middle of the month the Chickasaws notified the people of Cumberland that two hundred Creeks might shortly be expected on their frontiers.

On the 6th of September, 1794, a negro woman, the property of Peter Turney, was taken off by the Indians, near Sumner Court-house.

It had become manifest for some time past that more effectual measures must be resorted to for putting an end to Indian massacres and devastations than those defensive ones which had been so long relied on, and that recourse must be had to some striking and decisive blow of retaliation for the purpose. Sampson Williams, Esq., sensible of the indispensable necessity for the immediate adoption of some plan of reciprocating toward the Indians the calamities they inflicted upon the settlers, applied to Col. Whitley, of Lincoln County, Ky., and prevailed on him to enter into the scheme. It was made known at what time he would be ready to march and when he would be in the Cumberland settlements, when it was expected he would be joined and supported by a respectable force to be raised there. Population had so far extended itself, notwithstanding the discouraging circumstances it had struggled with, that the county of Sumner had been laid off in 1786 by North Carolina, and also the county of Tennessee in 1788. The men who were expected to carry on the expedition were to be collected from the different sections of country embraced by the limits of those counties and the county of Davidson. The raising of them, therefore, could not be affected with as much dispatch as if they were all to be convened from one neighborhood. Preparations were industriously made to raise them with as much celerity as circumstances would admit of, and to collect munitions and other necessaries for forwarding the contemplated expedition. Col. Ford, between Nashville and Clarksville, levied troops in his part of the country to the amount of a captain's company, commanded by Capt. William Miles, who marched with his men to the appointed rendezvous, at the block-house two miles east

of Buchanon's. Gen. Robertson raised volunteers in his part of the country, in the neighborhood of Nashville. Col. Montgomery, at Clarksville, raised troops also, and marched with them in person to the place of rendezvous. Maj. Ore, from East Tennessee, arrived with a body of men from East Tennessee, by the orders of government, for the protection of the frontier of Mero District, and came with them to Nashville, where, hearing of what was in agitation, he concluded to contribute his assistance; and the expedition was afterward called his, to give color to the claim of pay for the troops and the provisions and other articles supplied from the general government, the men under his command having actually been levied by public authority. He marched his men to the place of rendezvous. Col. Whitley, with his troops, soon afterward arrived, and by his junction the whole body consisted of five hundred and fifty men. There it was agreed that Whitley should have the chief command of the whole. The officers of the troops raised in the Territory proceeded to elect a proper person to command them, and the choice fell upon Col. Montgomery. All preparatory matters being arranged, and the whole army being made ready, they took up the line of march. On Sunday, the 7th of September, they marched in one day to "The Black Fox's" camp, and there remained for the night. They then crossed the Barren Fork of Duck River, near the stone fort, where Irwin's store now is; thence to Fennison's Spring; thence to the Tennessee River, about three miles below the mouth of Sequatchee Creek, having crossed the Cumberland Mountain near the place where Caldwell's bridge now is, at which place they crossed Elk River. On arriving at the Tennessee the troops halted in the night, and crossed early in the morning, some of them before day—some upon bundles of dry cane, some upon chumps, and some without any assistance, the river there being fully three-quarters of a mile wide. The whole body was landed on the south bank of the river on Thursday next after they began their march at the block-house. As soon as the troops could be collected and made ready they marched up the mountain, between the point of which and the river stood the Indian town of Nickajack. A mile higher up the river, after passing through a very narrow strait or passage, formed by the river on one side and the mountain jutting into and above it on the other, they came to a

spacious plain of low lands, on which stood another town called Running Water. They penetrated into the heart of the town of Nickajack before they were discovered, and first alarmed the Indians by the report of their guns.

Nickajack was a small town inhabited by two or three hundred men and their families. The army killed in the town a considerable number of warriors. They fired upon the Indians, who took to their canoes to make their escape across the river. Men, women, and children, all together, were fired upon by a thick and deadly fire, and many of all descriptions perished in the deathful havoc which it made. Some were killed in the canoes; some jumped into the water and attempted to swim off, but before they could get to a secure distance were killed by the firing of the troops, who followed after them so closely as to be at the river nearly as soon as the Indians themselves. They took prisoners two boys, fifteen girls, and a woman. A great number of the Indians were killed, among whom were fifty-five warriors, and both towns were reduced to ashes. In the town were found two fresh scalps taken at Cumberland, and several that were hung up in the houses as trophies of war; many articles of property which were known by some one or other of the militia to have been taken when the proprietors were killed by the Indians in the course of the last twelve months, among which were a number of letters taken when the Kentucky mail was robbed and the rider killed. These two towns were the principal crossing-places for the Creeks over the Tennessee for war against the Cumberland settlements and Kentucky, in which they, with the warriors of Lookout Mountain and Will's Town, had heartily co-operated for years past, boasting in their perfect security from their situation, covered by mountains on three sides and the Tennessee to the north, and from the number of warriors which they had. The prisoners gave information that there were sixty warriors, Creeks and Cherokees, then out for war against the United States, who had passed through Nickajack nine days before; that two nights before the destruction of the Running Water a scalp dance was held in it, at which were present "The Bloody Fellow," John Watts, and the other chiefs of the lower towns, where they had determined to continue the war, in conjunction with the Creeks, with more activity than theretofore.

In Nickajack was found a quantity of powder and lead just received from the Spanish government, and a commission to "The Breath," the chief of that town, who was killed. The militia had three men wounded. The Indians in the other town, called Running Water, when they heard the firing below, repaired instantly to the place of action, and met their terrified brethren coming to the Running Water. From the place of meeting they began to return, but made a stand at the narrow pass before described, placing themselves behind the rocks and upon the sides of the mountains. There they kept up a running fire, when the Cumberland troops came up, three of whom were wounded: Luke Anderson, Severn Donalson, and Joshua Thomas, the latter of whom died of his wounds. Some horses were taken which we never got over the river, and some blankets and other trifles of small value, which were sold on the north side of the river, and divided among such as wished a division. On Friday, the 12th of September, they left the river and encamped on the mountain. The next day they marched to the place where Caldwell's bridge now is, and there they recrossed Elk River. The next day they came to Fennison's Spring; thence to the place since called Purdie's Garrison, where Lemon (a soldier) died, who had in his sleep climbed a tree, and had fallen from the boughs, and had mortally bruised and wounded himself. Thence they marched to Hart's Spring, on the north side of Steele's Creek, and next day to Nashville, where the troops were discharged. This severe chastisement, with other events which soon followed, began to break the spirit of the Cherokees. They began to despair of preventing the settlements which quickly spread to all parts of the territory which by treaty belonged to the whites, and their vindictive propensities were greatly discouraged. In June, 1794, they had applied for peace. On the 26th of July a treaty between them and the United States, made at Philadelphia, re-established the treaty of Holston, and they were made seriously to believe that "the ways of peace are the ways of pleasantness."

Beneficial as was this affair to the people of the south-western territory, the principal officers of it were obliged at least to pretend ignorance of its commencement and progress. Maj. Ore, with sixty men, had been ordered by the Governor, on the 19th of August, 1794, to range the Cumberland Mountains in search

of hostile Indians, and somehow or other he left the mountains and found himself at Nashville just about the time when the troops from Kentucky and those raised in the District of Mero were about to rendezvous. Gov. Blount, in his letter to the Secretary of War, dated the 22d of September, 1794, informed him of a report in circulation (which he believed) of the destruction of the Running Water and Nickajack, stating that he understood it was done by order of Gen. Robertson, to whom the Governor had given no orders for such purpose. And on the 1st of October, 1794, the Governor stated to Gen. Robertson the report made to him by Maj. Ore of the irruption across the Tennessee, which had been made by a detachment of the militia of Gen. Robertson's brigade, sanctioned by his orders, and requested of him a copy of the order which he had given to Maj. Ore for that purpose.

Gen. Robertson, before he had given the order, had been informed by the Chickasaws that two hundred Creeks might be daily expected on the frontiers of Mero. As early, however, as the 5th of August, 1794—a few days only before Ore was dispatched with sixty men to the Cumberland Mountains—Gen. Logan and Col. Whitley, of Kentucky, had been represented to the Governor as planning an expedition against the Cherokees. They were the most popular leaders on the frontiers of Kentucky, and were publicly announced as the leaders of volunteer companies to be raised against the Indians; and it was apprehended by the Governor that “this spirit” would diffuse itself among the disorderly part of the frontier people, not only into this Territory, but to the mouth of the St. Mary's. His presentiment was correct as to the people of this Territory, but the Governor forgot to give any directions to Maj. Ore on this subject, when he gave orders a few days afterward to raise men and scour the mountains. It seemed as if everybody was tired of being scalped and robbed and cooped up in stations, and were willing to let pass without scanning too nicely every thing that was done or intended, to see whether it was exactly according to prescribed rule. Revenge was sweet, and they stole it; protection was valuable, and they inspired the savages with fear to procure it; and the event proved that fear was effectual, when persuasion was proverbially otherwise. During the time the men were raising in the Cumberland counties so much caution was used that the Governor did not hear of it, and only received

intelligence after the lapse of time which intervened between the raising of the troops and the 9th of September, and then it was too late to interfere: he could only communicate intelligence to the Secretary of War. But the Governor by some means had received information that Gen. Robertson gave encouragement to Col. Whitley to raise troops, and to be on the Cumberland as early as the 9th of September; for on that day he wrote a private letter to Gen. Robertson: "You cannot," said he, "conceive my surprise and mortification on being taught to believe that you have so far countenanced the lawless attempt of Whitley as to give conditional sanction to musters of troops going with him. You have surely paid less respect to yourself on this occasion than on any other since my acquaintance with you. It is not possible that the representatives in Congress from Kentucky can have had so little understanding as to have entertained the most distant hope that the perpetrators of such lawless, unauthorized acts could expect the least pecuniary reward for their trouble; for services," said he, "I cannot call them." He hoped the conditional order of muster was not in writing. He knew not what price he would take to report such an order to the war office. "The general's letter of the 30th of August will be destroyed," said he, "that it may never rise in judgment. Do not," said he, "suppose this too severe; it proceeds from my personal esteem and the high value which I set upon your public character. No good consequence can arise," said he, "from such unauthorized expeditions; and if such must be, let them be made by the States which have Senators and Representatives in the public councils. You cannot conceive," said he, "the pain that I feel on the occasion." In another letter of the same date he said to Gen. Robertson: "There appears to me to be an impropriety in the President's filling the commission of brigadier-general of Mero District until you make a formal resignation to him, and not a conditional one. I shall not write to the President," said he, "respecting your resignation until you send forward one more formal." On the 1st of October the Governor stated to Gen. Robertson that none of his letters heretofore written would appear, remarking at the same time that he (the general) had it in his power to take up the subject at large and state his reasons. "Maj. Ore's report," said he, "will go to the President by Dr. White."

What are the feelings excited by this scene in which we see an old and tried patriot, who never once failed to fly to the succor of his country in distress, so chided and reproved for an act which actually put an end to Indian incursions, and wrested from their hands the tomahawk and the scalping-knife? We shall be obliged to say that if an error was committed it was on the side of virtue and patriotism, and that reproof should be administered with a great portion of kindness and respect intermixed. Shall one be the savior of his country, and for that be chagrined into retirement? The regrets of that country will follow his exit, and the glow of affection shall rise at the tale.

Whoever admires the man that loved his country more than himself, at the same time that he acknowledges the correctness of that policy in government which is inflexible for disobedience of orders, will say with the graceful sincerity of truth that in this instance he wishes it were otherwise.

Gen. Robertson, on the 8th of October, transmitted to the Governor a copy of his orders to Maj. Ore, of the 6th of September, and he assigned to the Governor his reasons for giving it. He had received two expresses from the Chickasaws—one by Thomas Brown, a man of unquestionable veracity, and the other by a common runner—giving information that a large body of Creeks, with the Cherokees of the lower towns, were embodying with a determination to invade the District of Mero; and not doubting the truth of the information, he conceived that if Maj. Ore should not meet the invading army of Creeks and Cherokees that it could not be considered otherwise than defensive to strike the first blow on the lower towns, and thereby check them in their advance. Nor could he suppose that the pursuit of parties of Indians who had recently committed murders and thefts to the towns from which they came, and there striking them, could be considered as an offensive measure, unauthorized by the usage of nations in such cases. "It cannot be necessary," said he, "to add as a justification the long-repeated and almost daily sufferings of the people of the District of Mero, by the bands of the Creeks and Cherokees of the lower towns." He stated that the destruction of the lower towns by Maj. Ore was on the 13th of September, and that on the 13th, in Tennessee County, Miss Roberts was killed on Red River,

forty miles below Nashville; and on the 14th Thomas Reasons and wife were killed and their house plundered, near the same place, by Indians. On the 16th, in Davidson County, twelve miles above Nashville, another party killed Chambers, wounded John Bozley and Joseph Davis, burned John Donalson's Station, and carried off sundry horses; and in Sumner County, on the same day, a third party of Indians killed a woman on Red River, near Maj. Sharp's, about forty miles north-east of Nashville, and carried off several horses. This proved in his opinion that three separate and distinct parties of Indians were out for war against the District of Mero before the march of Maj. Ore from Nashville.

He inclosed also to the Governor the copy of a letter received from Dr. R. J. Walters, a citizen of the United States resident at New Madrid, to John Eastin, his factor in Tennessee County, strongly supporting the information the Chickasaws had given of the invasion by the Creeks; "and," said the general, "is not the old Maw's information to yourself, in the latter part of August, to the same effect? To him and his friendly party are the people of this country indebted," he said, "for their not invading us as they intended? If," said he, "I have erred, I shall ever regret it. To be a good citizen, obedient to the laws, is my greatest pride; and to execute the duties of the commission with which the President has been pleased to honor me, in such manner as to meet his approbation and that of my superiors in rank has ever been my most favorite wish. Previously to the march of Maj. Ore from Nashville," he said, "Col. Whitley, with about one hundred men, arrived there from Kentucky, saying that they had followed a party of Indians who had committed depredations on the southern frontier of that State; that in the pursuit they had a man killed by the Indians and several horses taken, and they were determined to pursue to the lower towns. They were attached to Maj. Ore's command, which augmented the number to five hundred and fifty men." He should be happy, he continued, if his apprehensions of a Creek invasion were removed; but they were not, for William Colbert and other Chickasaws informed him that they yet threatened Mero District—not in large numbers, but in small parties, which were equally dangerous, as there was no possibility of guarding against a number of small parties invading the frontier at different places at the

same time. He inclosed to the Governor a letter from John Watts; "and from my experience," said he, "in Indian affairs my hopes are that from the scourging which Maj. Ore has given the lower Cherokees we shall receive less injury from them than heretofore." He also inclosed Maj. Doyle's letter from Fort Massac, in consequence of which he had ordered to his relief an ensign, sergeant, corporal, and five privates of mounted infantry. Besides the death of Miss Roberts, Reasons and wife, and of Chambers, in the month of September, as related in Gen. Robertson's letter, they also did other mischief. On the night of the 14th of September the Indians pulled up a part of the stockading of Morgan's Station, and took out a valuable gelding; and on the same day a party of Cherokees fell in with John Henley as he passed down the Ohio, near the mouth, and robbed him of a thousand dollars in cash and many valuable articles of merchandise; and on the 16th, when they burned the house of Mr. Donalson, they also burned that of Mrs. Hays.

On the 28th there arrived in Knoxville Miss Alice Thompson and Mrs. Caffrey, of Nashville, by way of the Rock Landing, in Georgia, from a captivity of upward of two years with the Creeks. The latter refused to deliver to Mr. Seagrove, the United States Agent for Indian Affairs, sundry citizens of the United States who were prisoners among them—more particularly the child of Mrs. Caffrey, taken about two years before that time from near Bledsoe's Lick. Also, they did not deliver young Brown, the son of Mrs. Brown, near Nashville; nor did they deliver young Mayfield, the son of Mrs. Mayfield, near the same place. The child of Alexander Cavet, also called Alexander, taken from near Knoxville in September, 1793, when the rest of the family were massacred, was killed, as these late captives reported, by a Creek warrior, by the stroke of his tomahawk, three days after their arrival in the nation. Miss Thompson, soon after arriving in the nation, was purchased from her captives for eight hundred pounds of deer leather, equal to \$266.66 $\frac{2}{3}$, by a white trader, who treated her with humanity; but Mrs. Caffrey was treated as a slave, and was frequently scratched and torn with gar teeth by way of punishment; and was made to hoe corn, beat meal, and to perform other duties of slavery, and when released was obliged to leave her child behind.

On the 2d of October, 1794, Thomas Bledsoe, son of Col. Anthony Bledsoe, was killed and scalped near the house of the late Col. Isaac Bledsoe. His father, brother, uncle, and cousin had all suffered under the tomahawk and scalping-knife. On the 24th of October, 1794, a party of Indians fired upon John Leiper and another man, near the house of the former, on the east fork of Red River, in Tennessee County. On the same day another party of Indians killed and scalped Evan Watkins, within a hundred yards of Col. Winchester's mill, in Sumner County. These two places are seventy miles distant from each other. On the 25th of the same month a party of fellows were discovered crossing the road between Bledsoe's Lick and Shaver's cabin. On the following day Cornet Evans was fired upon between Bledsoe's Lick and Col. Winchester's by four fellows; and on the 29th the spies discovered a party of thirteen Indians crossing the Cumberland River toward the settlements, within five miles of Col. Winchester's. These several parties appearing in and about the settlements nearly at the same time gave an unusual degree of alarm to the inhabitants. Families in general through the neighborhood shut themselves up in their stations, and all intercourse ceased for several days, except by patrolling parties. The people cried out that Congress could not know of their sufferings and have the feelings of men, or that they would take measures to give them more effectual protection.

On the 5th of November, 1794, a party of fifty Indians, on the waters of Red River, in Tennessee County, fell upon the families of Col. Isaac Titsworth and of his brother, John Titsworth, and killed and scalped seven white persons, wounded a negro woman, and took prisoners a white man, three children, and a negro fellow, and also a daughter of Col. Titsworth. Pursuit was given by the neighboring militia, and the Indians, discovering their approach, tomahawked the three children and scalped them, taking off the whole skins of their heads. The white man and the negro fellow they either killed or carried off, together with the daughter. These murders were imputed to the Creeks.

On the 11th of November the Indians made an attack on Col. Sevier's Station, near Clarksville, and killed Snyder, his wife, and one child; also one of Col. Sevier's children, and another they mortally wounded and scalped. On hearing the guns fire, a few of the people of Clarksville ran over. They found Sevier

defending his house, with his wife. The crying of women and children in town, and the bustle and consternation of the people, they being all women and children but the few who went to Sevier's, exhibited a scene which cannot be described. Col. Sevier began immediately to remove, and all were preparing on the 12th to evacuate Clarksville, unless they should receive succor in a day or two from the interior. On the 12th the Indians killed John Covington, on his way from the Red Bank on the Ohio, to the Muddy River, in Kentucky.

On the 24th of November, 1794, the incursions of the Creeks made it still necessary to keep up defensive protection on the frontier, which was ordered till the 1st of April, 1795; and on the 22d of November the Governor stated in a letter to Col. Winchester that as to the Creeks he had no doubt but that they would continue to kill and steal as usual until the United States marched an army into their country and they in turn felt the horrors of war. When this wished for period would arrive, he could not say; but it was decidedly his opinion, at the same time, that the sooner the people of the south-western territory became a State the sooner would protection be afforded; and he declared it to be his wish that the people might see their own interests, and upon the question of State or no State determine in the affirmative.

On the 27th of November, 1794, a party of Indians killed and scalped Col. John Montgomery, and wounded Julius Saunders with four balls and Charles Beatty through the arm, on the north-western frontier of Tennessee County; and on the 29th another party of Indians, on the northern frontier of Sumner County, killed and scalped John Lawrence, William Hains, and Michael Hampton, and wounded a fourth, whose name was not reported. The party was supposed to consist of Creeks and lower town Cherokees. The people in their conduct toward the Indians were now no longer to be restrained from offensive operations. On the 20th of December were killed and scalped by Indians, on Harpeth River, Hugh Tenin, of Sumner County, then late colonel of Orange County, in North Carolina, and John Brown and William Grimes, the latter a nephew of Gen. Mebane, a member of Congress from North Carolina.

Whoever endeavors to please all seldom in the end pleases anybody, unless he has the address to substitute good wishes for

good offices. The former is an inexhaustible fund, out of which all mankind can be supplied, and wherever distributed creates an expectation of beneficence, which becomes the basis of complacency in the expectant as durable and as unconfined as the good wishes are liberal. But if he attempts to please by the performance of good offices, the fund is limited, and but few can taste of its bounty; and these few, losing the expectation of future beneficence from the scantiness of the means which can be employed, lose at the same time the good-will which that expectation supported; and in place thereof, as the receipt of favors is an admission of inferiority, the suspicion is entertained that the doer so considers their relative situation. From that moment dislike takes the place of benevolence, and often grows to an enormous bulk. So it is with government. Whatever it does will not please all, and sometimes none. In many instances when the public good, or, in other words, that of the greater part, is consulted, the measures taken for that end will run counter to the prospects, and even the acquired rights, of individuals.

The Indians complained of the invasion of their territorial rights, and now came forward. In the beginning of this year other discontented persons, murmuring at the relinquishments made to quiet the Indians by the treaties of Hopewell and Holston, a committee consisting of Thomas Person, J. Rutledge, Hugh Williamson, William Polk, and Robert Irwin, in behalf of themselves and the other purchasers of lands in the ceded territory south of the Ohio, presented their petition to the General Assembly of North Carolina, stating the acts of that Legislature under which they had purchased lands in the ceded territory, and the entries and grants which had been made by and to them under the authority of North Carolina; and that by the treaties made between the United States and the Chickasaw and Cherokee Indians boundaries had been established between the United States and the said Indians, the former guaranteeing to the latter all the lands not ceded by the Indians, and the said treaties declaring that no person not being an Indian shall settle on any of the said lands; that a great part of the lands entered by the petitioners, and for which they had paid the purchase money, as well as some of the lands reserved by law for the officers and soldiers of the line of North Carolina

in the late Continental army, was entered within the tract of country ceded by those treaties to the Chickasaw and Cherokee Indians. They had twice before applied, they said, to the Legislature of North Carolina for redress, who recommended the subject to the consideration of the North Carolina delegation in Congress. And as the petitioners were excluded and debarred from the possession of their lands, they now earnestly solicited the Assembly for justice and satisfaction, such as regardful of public faith the State ought to afford. A committee was appointed, and reported in favor of the petitioners, and proposed that the Representatives and Senators in Congress from North Carolina should exert themselves to procure redress for the petitioners from the national government, and this recommendation was approved by the Assembly. The subject was brought before Congress, together with the petition of the trustees of the University of North Carolina, which echoed the same querulous expostulations.

A committee was appointed, and reported on the 19th of February, 1794, that the certificates paid for lands lying within the territory ceded by the treaty of Holston to certain Indian tribes ought of right to be restored to the former proprietors, and that they should be assumed and provided for as a part of the debt of the United States; and that the said proprietors should, moreover, be re-imbursed all expenses incurred in entering, locating, and surveying said lands. And to this report the committee subjoined, for the opinion of the House, two resolutions, pointing out the manner in which they thought the business should be conducted. These plans, however, never grew to maturity, and the petitioners had the good fortune to be disappointed in their wishes.

If men of so much intelligence and experience in business were disheartened at the long continuance of unchecked devastations committed by the Indians, can it be a matter of surprise that the afflicted population of Mero District should also entertain a sentiment of dissatisfaction at the unmerited cruelties which they had never provoked, and which, like a strong current of mighty waters, were suffered to beat upon them incessantly, by night and by day. Still they submitted with patient resignation to the arrangements of national authority, and gave to the world a signal proof that as genuine bravery as any age or

country could boast of was not incompatible with the most perfect subserviency to national councils. Every day they had to grieve for the loss of their dearest relations, the victims of savage vengeance; yet they believed that the ways of the government were wiser than their ways, and carefully followed the course which the government prescribed. From the incompetence of the late confederation to the adjustment of national affairs, they perceived that numerous difficulties had arisen to embarrass the operations of the present government, and that from all quarters of the earth there came something which claimed attention. They were bayed by the Spaniards, by the Indians, by the English; teased by the French, disturbed by insurgents, besieged by public creditors, and murmured at by those who were excluded for a time from the possession of their lands by Indian treaties. Perceiving all this, they yielded to the necessity of circumstances, and hoped with confidence for better times.

The American negotiators with Spain industriously pressed forward the discussion of those matters which had been made the subjects of negotiation; and it was announced to the United States, a little after the middle of February, 1794, by the minister of the King of Spain, that his Majesty was satisfied that the Indians had been the aggressors in their wars with the people of Georgia, and that he had transmitted instructions to the Governors of Louisiana and Florida to give them no assistance, being satisfied that the United States had no unfriendly designs upon their possessions in East or West Florida, by the proclamation of neutrality and by the fixed resolution of the government of the Union to maintain it, together with a rising dissatisfaction at the conduct of her English allies, the near approach of peace with France, and as a part of the system that Louisiana would in convenient time be ceded to the latter, to be sold to America, it is no wonder that the current of politics in Spain should actually begin to flow in channels altogether different from the old ones to which they had been accustomed. And it was now to be expected, as the event afterward proved, that so far as Spanish incitation was the cause of Indian hostility, the former would be far less pressing than formerly, as soon as the dispatches from Spain should reach the Governors of Florida and Louisiana, and should have time to be transmitted to the Creeks and Cherokees. The affairs of America with Spain were

in such a train of amicable adjustment through the whole of the year 1794 as gave the sure presage of a fortunate completion. This circumstance made the government of the Union more anxious, if possible, than formerly to keep the people of the United States in a state of abstinence from any of those acts which might interrupt the harmony between the two countries, that seemed to be fast settling itself upon a permanent basis.

The Spaniards could not but feel themselves injured and insulted by the conduct of the French toward them; but, without being worked upon by impatience to burst forth in gusts of indignation, they treated the subject with becoming dignity, and laid it before the constituted authorities under whose cognizance it came.

On the 29th of August, 1793, the commissioners of Spain had complained to the government of the United States of attempts to excite the inhabitants of Kentucky to an enterprise against the Spanish dominions on the Mississippi. On that day the President requested of the Governor of Kentucky (Mr. Shelby) to be attentive to circumstances of that sort, and if such an enterprise was meditated to put the citizens of Kentucky on their guard against the consequences, and to adopt the necessary legal measures for preventing it. He was informed that such measures would be particularly inauspicious to Kentucky, at the very moment when her interests (alluding to the free navigation of the Mississippi) were under negotiation between Spain and the United States. Gov. Shelby assured the President of his readiness to counteract all such measures and of his (the Governor's) belief that none such were in contemplation, and of the high sense which the people of Kentucky had of the obligation they owed to the general government, far too high to admit of their embarking in any enterprise so injurious to the welfare of the United States.

On the 6th of November, 1793, the Governor was further informed, upon the representation of the commissioners of Spain, that on the 2d of October, 1793, four Frenchmen (La Chaise, Charles Delpau, Mathurin, and Gignou) had set out in a stage from Philadelphia, authorized by the then Minister of France (Mr. Genet) to engage as many as they could, whether of our citizens or others, on the road or within the State of Kentucky or elsewhere, to undertake an expedition against the Spanish

possessions in our neighborhood; and in event to descend the Ohio and Mississippi and attack New Orleans. He was required by legal means, such as binding the parties in recognizance, or by the aid of the militia, if these failed, to suppress the attempt. The citizens of Kentucky could not expect any favorable result from such measures with respect to the free navigation of the Mississippi, relative to which subject they had long experienced a restless temper, which that artful man laid hold of to precipitate them into rash expedients. The legal means of suppression were exposed to the view of the Governor, and he was entreated to use them with effect. In order to quiet the solicitude and fears felt by the western people on the subject of the free navigation of the Mississippi, they were informed through the Governor that the primary instruction to our Minister in Spain was to obtain it, and that the King of Spain had consented to open a negotiation upon the subject, and that all proper steps had been taken so to manage the negotiation as to give it success. It was stated that the commissioners on both sides had been for some months employed, and were then employed on that subject. It was requested that this communication might be received as a warning against the dangers to which these unauthorized schemes of war might expose the Union, and that individuals might learn to acquiesce in the means which the government had adopted and was pursuing for the completion of their wishes. The Governor was informed that the present French Minister had discovered and recalled the commissions. The Governor of Kentucky, as one of the western people, had entertained the opinion that the government of the Union had not been as attentive to the subject of the free navigation of the Mississippi as its importance required and as the state of public sentiment in the western country dictated. In his letter to the President he used expressions corresponding to his feelings. He was, with the information now laid before him, invited to a revision of the subject and to a sacrifice of his resentments, and finally to a compliance with the measures which the President had consigned to his discretion and execution.

It had now come to light that Genet had granted commissions to raise men in Ohio, Kentucky, Tennessee, South Carolina, and Georgia. Gov. St. Clair, of Ohio, issued his proclamation, condemning and forbidding such a procedure. Gov. Shelby, though

he at first complained of Spanish injustice, upon receiving an explanatory letter, became satisfied, and acted with effect. Blount, when he discovered a lurking disposition of the same tendency here, so severely reprobated it that the design was abandoned. On the 18th of January, 1795, he wrote to Gen. Robertson, expressing his surprise and mortification at the information that a part of the citizens of Mero District should be about to engage in an offensive war against their peaceable neighbors. Should they carry their scheme into effect, said he, so far as to attempt the conquest of West Florida, which was all they could do, they would thereby involve the United States in a general war, and lay themselves liable to penalties both pecuniary and corporal, should they ever return to their injured country. He called upon the general to discountenance and prevent the scheme by all the means in his power. "How," said the Governor, "can defensive protection be extended to the people of Mero, who are about to commence actual war, and thereby embark the United States in it, against one of the most powerful monarchies on earth; and without any pretense for so doing but that which could be employed by every highway robber—a desire to possess by strong hand the property of other people?" He imputed these schemes to Mr. Genet, in terms of strong reprobation. He requested Gen. Robertson to obtain copies of the commissions. Judge McNairy and the attorney of the district were named as persons who should immediately act, by way of prevention.

About the 5th of March, 1794, the Spanish commissioners laid before the Secretary of State information received from the government of East Florida, which purported that about the 22d of January, 1794, an expedition was in contemplation and preparing against East Florida; that the American, Col. Samuel Hammond, was to have the command of it; that Capt. Hardy was one of those appointed to enroll the people residing in the county of Camden; that the troops so to be enlisted were to take an oath of fidelity to France, and that they had a naval force ready to act in concert with them for the same purpose; that there was in the county of Camden a body of sixteen hundred cavalry, in three divisions, under the orders of the said Samuel Hammond, who had been appointed brigadier-general in the French service; that the said divisions of cavalry were fully equipped and officered; that in the fortified posts of Temple

and Colerain, lying in the neighborhood of the city and adjacent to East Florida, were two large magazines of provisions and ammunition of all kinds, that were purchased by Mr. Abner Hammond, a brother of the commander in chief of that expedition, who was appointed colonel of the cavalry, both being inhabitants of that place; that there were three French frigates to sail from the port of Beaufort, having one thousand or eleven hundred men on board, in order to attack East Florida both by sea and land at the same time, which was to be done within three weeks from that time.

South Carolina, by her Legislature, ordered a committee to inquire into the facts, with a view to the suppression of the enterprise; and Gov. Matthews, of Georgia, issued a decided proclamation forbidding any further proceeding in these measures. Finally the whole scheme was defeated.

When the sovereignty of the country was thus openly and plainly insulted, the most temperate measures were resorted to, and they had the desired effect because of the implicit confidence which all America reposed in the wisdom and virtue and advice of the First Magistrate. But whenever a similar attempt shall be made, it is much to be questioned whether, should the United States not be in possession of the same preventatives, this government will not be at liberty, by the acknowledged law of nations, to have recourse to means of much greater security, for certainly it is difficult to conceive of a greater offense which could be offered.

The Spaniards, by these exertions of the American government, were saved from a dangerous irruption of incensed troops, who would neither have spared their lives or properties. If it were possible for a uniform course of friendly conduct from one nation to another, with patience and forbearance toward the indiscretions of the latter, to conciliate her affections and acquire her esteem, no wonder that the Spanish nation should be at length compelled to relinquish the obstinate dislike which it had to the Americans. After so many repeated proofs of the sincerity of all that the American government had professed, Spain began to blush for her own jealousies, and to wish that some atonement could be made for the injustice which her opinions had done; but as natural storms can only be composed by a gradual detachment of some of their constituent causes, so it

is with political ones, and perhaps with the feelings of man in general—they cannot return on a sudden to a state of perfect complacency from one of very much excited sensibility. It was certainly so with the Baron de Carondalet. He made a charge against Gov. Blount, which did not meet with the credit or countenance that he anticipated. The Governor, in his letter to the Secretary of War, of the 10th of March, 1794, said, "It is not true;" but as it was possible that the baron had received some information to ground it upon, he would be glad to know what it was. Though treated with so many marks of friendship, the Spanish officers could not yet be entirely easy, and their inquietude broke out into accusations, first of one American functionary and then of another, and thus gave room to suspect the sincerity of their own professions of being at ease. If any doubt could remain of the fact, Mr. Seagrove by the middle of April had obtained decisive proofs that the Spanish government and its commissioners had encouraged and rewarded the Indians, both in public and in private, for making war on the frontier people. And in the spring of the year 1794, before it was ascertained in America what change of opinion had taken place at the Spanish court, and pursuing the old plan, the Spanish officers erected a fort in the Chickasaw Nation.

President Washington, though greatly embarrassed by public difficulties which obtruded themselves from all quarters, did not neglect the small nation of the Chickasaws. He considered them worthy of attention not only because of their known bravery, but also for the constancy of their friendship toward the United States; and he deemed it good policy to have them attached to the interests of the United States. Gov. Blount was accordingly authorized to make known to Piomingo, the great chief of the Chickasaws, that the President desired to see him at the seat of government. The Governor readily executed his commission, and the chief as readily accepted the invitation. He came soon after the middle of June, with Capt. Colbert and other chiefs, to Nashville, with sixty Chickasaw warriors on their march to join Gen. Wayne's army. There he parted with them, and proceeded with Colbert and other chiefs, accompanied by Gen. Robertson, to Knoxville. Capt. Colbert was the same person who headed the party of Chickasaws that joined and fought on the side of Gen. St. Clair in the campaign of 1792. Shortly

afterward, in the month of July, another body of Chickasaws, consisting of one hundred men under the command of William Colbert, had begun their march for Gen. Wayne's army, intending to join them against the northern Indians, but were recalled to defend their own country against the impending invasion of the Creeks, the latter having demanded of the Chickasaws Piomingo, "The Wolf's Friend," William Colbert, and William Glenn, to be put to death in satisfaction for the brother of "The Mad Dog." They, however, afterward thought proper to recede from this demand, and sent five warriors with a flag to the Chickasaws to announce their determination to relinquish the demand, and their desire to be at peace with the Chickasaws. Intelligence of this demand having reached Gen. Wayne's camp, upward of twenty of the Chickasaws immediately left it to return home for the defense of their country. While in Gen. Wayne's army they had been actively employed in war against their enemies, and had taken divers scalps, which they had with them at Nashville, on their way home. So also had the Choctaws.

The Chickasaw chiefs arrived at Philadelphia, and were received and treated with attention by the President, who on the 11th of July, 1794, addressed them. He thanked them for their visit, took notice of their joining the armies of the United States as a high evidence of their friendship, and though he did not invite them, if they chose to join the army, the United States would defray all their expenses on a liberal scale. He gave a commission of captain of militia to one of them, dated the 21st of July, 1794; and on the same day delivered to Piomingo a written document, in which are set forth the boundaries of the Chickasaw Territory, the same that were stated by Piomingo at the conferences in Nashville in 1792, and in which it is declared that "the same community are in their persons, towns, villages, lands, hunting-grounds, and other rights and property in the peace and under the protection of the United States of America. All citizens of the United States are hereby warned not to commit any trespass, injury, or molestation whatever, on the persons, lands, hunting-grounds, or other rights or property of the said Indians. And they and all others are in like manner forbidden to purchase, accept, agree, or treat with the said Indians, directly or indirectly, for the title or occupation of any lands

held or claimed by them. And I do hereby call upon all persons in authority under the United States, and all citizens thereof in their several capacities, to be aiding and assisting in the prosecution and punishment, according to law, of all persons who shall be found offending in the premises."

The Chickasaws formerly claimed for their nation, exclusively, all the lands north of the Tennessee, and they denied that the Cherokees were joined with them in the war against the Shawnees when they were driven from their settlements in Cumberland. They said that the Shawnees first came up the Tennessee in canoes, and thence up Bear Creek thirty miles; and there left their canoes, and came to war with the Chickasaws, and killed several of their nation. The Chickasaw chiefs and warriors embodied and drove them off. From thence they went to the Creeks, and lived with them for some time. They then returned and crossed at the Chickasaw Old Field, above the Muscle Shoals. From thence they went to Duck River and the Cumberland River, and settled there; and the Chickasaws discovered their settlements. Two of the chiefs of the Chickasaws, who were in those days their principal leaders—the one named Opoia Matchah, and the other Pinskey Matchah—raised their warriors and went against the Shawnees, and defeated them and took all their horses and brought them into the Nation. The Cherokees, they said, had no share in the conquest, and that they drove the Shawnees themselves, without any assistance from any red people. They concluded, therefore, that the Cherokees had no claim to the lands north of the Tennessee, as set up by them, for having been, as they pretended, the associates of the Chickasaws in this war. This information is contained in a public document of the nation, signed by Chenobee, the king, Maj. George Colbert, and others, in which they upbraid the Cherokees and Creeks for setting up a claim to the lands of the Chickasaws, after they had so behaved, under the influence of Spanish intrigues and persuasions, as to kill the women and children of the Americans, and have been compelled in consequence of their misbehavior to give up a part of their own. The Chickasaws, they said, had been induced by the talks of the English to join them against the Spaniards. They had left the country and gone beyond the sea; and then the Spaniards endeavored to push the Chickasaws into hostility against the Americans, but they

had profited too much by experience to be prevailed on by their persuasions.

The Secretary of War held conferences with Piomingo, George Colbert, and others who were there, and informed them, on the 15th of July, that, besides the goods then to be given them, the President as a mark of his affection and regard would continue to give goods to them to the amount of \$3,000 annually. Returning from Philadelphia to Knoxville, they there waited the arrival of the goods which were sent to their nation by the United States until the 3d of November, at which time all the goods had arrived. Of this the Governor immediately informed Piomingo, in a flattering letter, written in courtly style. He sent to "The Wolf's Friend" a commission from the President, and to the chiefs of the Choctaw nation he wrote a letter, accompanied with presents of suits of clothes sent by the President, with professions of much satisfaction for the friendship they had shown toward the United States by joining their armies and fighting by their side. They went with goods in boats to the mouth of Bear Creek, where they were to be met by the nation with pack-horses to carry the goods to their own country.

The conduct of the Chickasaws toward the neighboring tribes has seldom, if ever, been influenced by any prudential motives founded on a calculation of consequences. Whenever wronged, they have indulged their resentments and followed the suggestions which arose from them. After Piomingo and the other chiefs got home, taking offense at some misbehavior of Will Webber, a half-breed Cherokee, and two other Cherokee warriors of the lower towns, the Chickasaws killed them, and by this act gave very great umbrage.

On the 5th of January, 1795, Elijah Walker, one of the mounted infantry on duty for the defense of Mero District, acting as a spy on the frontier, was killed by Indians twelve miles south of Nashville. On the 5th of March a party of Indians, supposed to be Creeks, at Joslin's Station, seven miles from Nashville, fired upon Thomas Fletcher, Ezekiel Balding, and his brother (a lad), who were at work in their field. They wounded the two first with balls through their bodies, knocked down the third with a war-club, broke his skull bone, and skinned the whole of his head. On the 14th a man was killed by the Indians within five miles of Nashville. At the same time they stole a

number of horses. On the 22d a party of Indians attempted to steal the horses of Jason Thompson, within five miles of Nashville, but were disappointed by the horses taking fright. They then went to Thomas McMory's, a mile distant, and took his horses from his stable and several others from the field. On the 6th of April John Wiro, a soldier on duty at the ford of the Cumberland, was killed by Indians about two miles from the block-house, and from this period to the 20th several parties of Indians took horses from different parts of Mero District. Shortly before the 13th of May four men were wounded, as they passed in a boat down the Cumberland River. On the 20th of May a party of four or five Indians and a white man in Indian dress attacked Capt. Logan, two of his soldiers, a woman, and three children. They killed one of the soldiers of the name of Morris and a little girl nine years of age, and carried off the woman, or murdered her where she could not be found. Her horse was found some distance from the place, stabbed in five places. On the 5th of June old Mr. Peyton was killed, and a negro belonging to Mr. Parker wounded dangerously, in a field of Mrs. Bledsoe, near Bledsoe's Lick, by Indians. Horses had been then lately taken by Indians from several parts of the district. A white man who had lately come to Nashville from the Chickasaws saw the signs of six or seven Indians near the settlement, making toward the county of Tennessee. So late as the month of September Lieut. Titsworth, with a party of men, were obliged to take post at the mouth of Deason's Creek, on the Cumberland River, for the protection of the frontier, of which fact notice was given to the Choctaws and Chickasaws, to prevent this party from being taken for Creeks.

The court of Madrid was yet tardy in notifying to its agents in America the change of temper which had taken place in favor of the United States. The Baron de Carondelet, unapprised of it, still continued in his accustomed habits, and unfortunately, on the 25th of March, 1795, at New Orleans, furnished a standard by which to try his former professions of friendship, so lavishly and elegantly made. This standard was one the accuracy of which above all others he would not fail to acknowledge. He wrote on that day to "The Mad Dog," of Tuckabatche, whom he had expected to see with Red Shoes, upon affairs of an interesting nature to his nation, but had been disappointed

by the remaining of "The Mad Dog" at Pensacola; for which reason it was out of the power of the baron to shake the hand of "The Mad Dog," as he (the baron) very earnestly desired to do; but he had enjoyed the satisfaction of conversing with Red Shoes, who would tell him the talk that the Governor had made to him (Red Shoes) and the rest of the warriors who were with him. He had shown to Red Shoes the act by which the Georgians sold the lands that belonged to the nation of "The Mad Dog," the Cherokees, Chickasaws, and Choctaws, against the right or law—as he affirmed—of all nations, which forbids the selling of the property of another. "What will become," he exclaimed in the language of lamentation, "of the red men, should they be deprived of their hunting-grounds? The French," said he—"enemies to your nation—the Spaniards, and the English are to settle themselves on the lands of the Creeks, on the Talapoosa and Alabama. They actually met together on the frontiers of East Florida, and, instead of you four nations uniting alltogether in one body in your own behalf and for your common defense, you go to war against the Chickasaws. Thus, while you actually and mutually destroy each other, you will be expelled from your land; and then what will be your fate and the fate of your nation? Friend and brother, open your eyes upon the ruin and destruction which threatens the red people! The danger I foresaw," said he, "and foretold three years ago, is now present. Do not be so foolish as to kill one another. Make peace with the Chickasaws. Let you, the Choctaws, and Chickasaws be united; and, should you be attacked, the Spaniards, your faithful friends and allies, will support you and give you as many arms and as much ammunition as you may want. Congress, I hope, will not approve of the injustice done you by the Georgians in selling your lands, which is the same," said he, "as starving you. I have written," he continued, "to Philadelphia on this subject, and until the answer comes let no man enter upon your lands."

He sent, also, a talk to the Chickasaws. "There is no one among you," said he, "who is thirsty for war but Piomingo and his party; but as soon as they shall be informed of the fate of their lands they will grow wiser, and we will try to make peace by the aggressors making satisfaction to the party injured. You will give me," said he to "The Mad Dog," "a great deal of

pleasure by coming to see me. You will be sure to return back joyful and satisfied. In the meanwhile I shake your hand, keeping you and your nation in my bosom."

If "The Mad Dog" did not suspect that the baron overacted his part, he must indeed have had the satisfaction to believe that there was a great alteration for the better in the Spanish disposition toward the Indians since the days of Pizarro and of the unfortunate Atahualpa. But the people of Tennessee will think it was toward themselves much altered for the worse since the baron's letter of May, 1793, to Gen. Robertson, on the subject of corn sent to the bluff.

It was not until the last of April, 1795, that the commandant at New Madrid, having no doubt received recent instructions for that purpose, informed the Creeks that all Indian friends of the Spanish government must be friends to the United States. The Creeks, however, declared that they would never desist from war; and the Spanish officers in the next month were unwilling that any representation should go from the Choctaws to the President; and they threatened Pitchlynn, the interpreter, that if he went with the Choctaws the Spaniards would forfeit his effects. The talks of some of the Spanish officers, perhaps of inferior order, were yet unfriendly to the United States. Some of them threatened to put in jail Red Breath, a Choctaw chief, for his partiality toward the Americans, and he acknowledged to the agents of the United States that a part of the Choctaw nation was attached to the Spanish interest. "The Red Bird" said that the Spaniards tried to alter his mind, but could not, and that they had threatened to drive some of the Choctaws from their lands for their attachment to the United States.

In May and June the conduct of Gayoso, the Spanish Governor of Natchez, was provoking and as far from amicable as possible when unaccompanied by explanations. He appeared at the Chickasaw Bluffs, with intention to build a fort there; and between the last of May and the 9th of July he took possession of the bluff on the east side of the Mississippi, within the bounds of the United States. He came up the river with three galleys, which continued opposite the bluff until the materials for erecting the block-house were prepared on the west side of the river, and brought to the east side, and the block-

house was formed and erected, all of which was done with great haste. The Chickasaws complained to Gov. Blount of this invasion of their territorial rights; and on the 9th of November, 1795, after he had time to receive the President's instructions, he directed a letter by Col. McKee to Gov. Gayoso, at Fort St. Fernando, near the Chickasaw Bluff. He stated that the United States considered the establishment of a military post by the Spanish government upon the east bank of the Mississippi River, at or near the Chickasaw Bluff, as an encroachment upon the territorial rights of the United States, as well as of the Chickasaw nation; and that it was the expectation of the government of the United States that he would demolish the fort, block-houses, or whatever description of military works may have been there erected, and would withdraw the troops from within their limits.

At this time the Spanish officers between New Madrid and Fort St. Fernandino, and those of the galleys in the Mississippi, and some of them as high as the mouth of the Ohio, permitted no boats to pass without compelling them to report their cargo and destination, with a view, among other things, of preventing supplies which would relieve the Chickasaws from the effects of the great scarcity of provisions which prevailed among them, owing to the shortness of crops, caused by withdrawing the agriculturists from tillage to take part in their military enterprises. Gov. Gayoso, in a letter to Piomingo, gave reasons for the step he had taken, which were not unsatisfactory to Gov. Blount, when a copy of that letter was transmitted to him by Gen. Robertson. The Spaniards, however, as late as August, 1795, kept in all the four southern nations of Indians—their partisans—who exulted in the uneasiness occasioned whenever a proposal was made by the United States to purchase more lands. And whenever it so happened that they had no other cause of uneasiness, they repined at the extension of our growing settlements toward them. In secret they feared and hated. Col. McKee, who had been sent to Gov. Gayoso, did not return till the spring following; and in the meantime intelligence had reached America of the treaty with Spain, which put an end to all controversies between the United States and that kingdom.

Seeing in the former part of this year the possession of their country usurped, their unquestionable right to the free naviga-

tion of the Mississippi withheld, and pierced without end by uncourteous incivilities, which appeared to be used for splenetic gratification more than for any profitable result expected from them, the western people writhed with vexation and were impatient under the injuries they endured. The President, from the letter of the Governor of Kentucky, as well as from other sources, received intelligence of the restlessness of public feeling. It gave him a considerable degree of uneasiness, and to prevent consequences unfavorable to the repose of the Union in this time of danger and universal agitation, he came to the conclusion to send to Kentucky a specially appointed messenger, to lay before the Assembly, if in session, and before the Governor, if they were not in session—the measures adopted by the United States in relation to the Mississippi, the causes which had intervened to retard the completion of the treaty, and the state of forwardness in which it then was. Mr. Innis, the gentleman selected and sent from Virginia, arrived at Frankfort, in Kentucky, and on the 16th of January, 1795, addressed a letter to Gov. Shelby, to make known his mission and the objects of it. Having received the Governor's answer, he proceeded, on the 15th of February, to lay before the Governor a written exposition of all the subjects committed to his charge. In it he gave a correct history of all matters relative to the subject.

On the 24th of the preceding May a numerous meeting of citizens from different parts of the State of Kentucky assembled at Lexington and took into consideration, as they expressed it, the degraded and deserted state of the country, and the Spanish and British aggressions which they enumerated. They resolved, among other things, that the inhabitants west of the Appalachian Mountains are entitled by nature and by stipulation to the free and undisturbed navigation of the river Mississippi; that from the year 1783 to that day the enjoyment of this right had been uniformly prevented by the Spaniards; that the government, whose duty it was to have put them in possession of this right, has either through design or mistaken policy adopted no effectual measures for its attainment; that even the measures they have adopted have been uniformly concealed from the people or veiled in mysterious secrecy; that they had a right to expect and demand that Spain should be compelled immediately to acknowledge their right, or that an end be put to all negotiation

on the subject; that the inhabitants of the western country had a right to demand that the frontiers be protected by the general government, and that the total want of that protection which they then experienced was a grievance of the greatest magnitude; that the attainment and security of these "is the common cause of the western people, and that the resolutionists will unite with them in any measures that may be most expedient for that purpose; that measures ought to be immediately taken to obtain the sense of the inhabitants of Kentucky, that no doubt may be entertained of their opinions and determinations on this important subject, that we may be able when it shall be necessary to communicate as a State with the other inhabitants of the western country;" and finally they recommended to each county in the State of Kentucky to appoint a committee to give and receive communications on the subject, to call meetings in their counties, and when it should be expedient to call upon the people to elect proper persons to represent them in convention, for the purpose of deliberating on the steps which would be the most expedient for the attainment and security of their just rights. Much, also, they said of the insults and injuries done by Great Britain; and they seemed willing, though it is not known that they were prepared, to fight both nations, their Indian allies, and all others who would not condemn their conduct toward the United States.

These resolutions they accompanied with a remonstrance to the President which repeated the same sentiments, and with a freedom fully as much marked by its boldness as by its delicacy, and without much trial to blend them together. These were expressions of the general opinions which all the people of the west entertained, all of whom, including those of the south-western territory, were equally intended to be soothed by the expose which was then to be made. The oldest book in the world and the best political essay which ever was written shows what man will do in every situation, and particularly what assembled bodies of men will do who have just emerged into freedom from bondage. Like children, they cry for every thing they want, and oftentimes want what it is impossible at once to obtain. The remedy prescribed for such perverseness is patience, mild treatment, and persuasion; and that was the remedy which the President had chosen to use. To all the topics thus earnestly brought forward Mr. Innis had now to reply.

The Senate of the United States had acted upon this remonstrance, and had declared that there was no foundation for the charge it contained against the government of the Union and its officers; and had recommended that a special commissioner be sent to Kentucky, to give to the people the true state of the matters which related to the subjects mentioned in the remonstrance and resolutions. Mr. Innis now proceeded to descant upon these topics: "In presenting," he said, "to the public view the origin and progress of the negotiation now depending between the United States and the court of Madrid, respecting the navigation of the Mississippi, it may not be irrelevant to take a retrospective survey of the conduct of the Spanish government toward the United States at that period of their late war with England when the American Revolution began more interestingly to attract the attention of the nations of Europe. By reverting to that juncture of our affairs, it will readily occur to ever recollecting mind that the conduct of the Spanish court was more lukewarm and distant toward the American States than that of any other European power, who from principles of long-established enmity and rivalry was equally interested in the dismemberment and consequent debility of the British Empire. And although under the family compact of the house of Bourbon the nation in 1778 entered into a war with England as the ally and associate of France, yet she made no formal recognition of the independence of the United States; and neither in the origin or termination of the war did she seem to pay the least regard to the political interests of confederated America." Whether this cold conduct on the part of Spain proceeded from the discordancy of the principles of her government from those which produced our revolution and the proximity of our chartered boundaries to her possessions on this continent, it is not material at this day to inquire. But this was believed to be a fact: that although Congress kept an agent with competent powers at the court of Madrid from a very early period of the war, yet no pact or treaty of any kind was ever entered into between the two nations. The reservedness on the part of the Spanish nation and their intimate connection with France during the existence of a monarchical form of government in that country rendered the political deportment of the United States toward the former nation a

matter of delicacy and importance. By the friendship and assistance of France the establishment of our independence had been accelerated; and should it have been prematurely jeopardized by a conflict with any nation of Europe (and one at least, we may suppose, there was panting with eager wishes for such an inauspicious event to us), on France we must have again relied for reiterated assistance. Such being our real political situation immediately after our peace with England in 1783, it behooved the councils of America to observe the utmost circumspection and prudence with respect to all measures which might tend in the smallest degree to shake the alliance and good understanding between France and the United States, or which could even embarrass that nation in the conduct she was to observe toward her new allies and old friend. This was strikingly obvious to every person who bore in mind how much the safety and happiness of America at that early epoch of her independence rested on the political relations in which certain powers of Europe stood with respect to each other and herself. But we were relieved from this delicate posture of affairs with respect to Spain by the arrival at New York (the then seat of Congress) of Don Diego Gardoqui, in quality of ambassador from that court, some time in the spring of 1785, about two years after the peace at Paris. This gentleman had an audience and presented his credentials, by which it appeared that he was invested with authority to treat with the United States on the subject of commercial arrangements. Congress without delay appointed John Jay, Esq., then Secretary of Foreign Affairs, to enter into negotiation with him, being specially enjoined to make the right of the United States to the free navigation of the Mississippi, from its source to the ocean, the leading feature of any treaty which should be made by the contracting parties. This claim of the United States was brought forward and pressed at a very early period of the negotiation, and continued to be presented in different shapes through the whole course of a very lengthy and tedious transaction which took place between the congressional and Spanish agents on the subject of a commercial treaty. Mr. Gardoqui received the assertion of this right with affected surprise, denied its admissibility as a part of the contemplated treaty, and asserted with vehemence that his court could never assent to its validity on any principles. He invariably mani-

fested an irritation of temper whenever our right to the navigation of the Mississippi was urged upon him. This intemperance of the ambassador was deemed symptomatic of the spirit which prevailed on that subject at his court, with which, from the circumstances before hinted at, a good policy dictated to America the propriety of observing the strictest harmony. Thus circumstanced, the American negotiator resorted to the project of ceding to Spain the exclusive navigation of the Mississippi for twenty-five years, which was intended to operate not as an abandonment of the right of the United States, but as the means to obtain an end—the recognition of that right on the part of Spain after the expiration of the above-stipulated period. It was well known that the proposal of this measure was still sore to the recollection of the citizens on the western waters, and that it created great alarm in the minds of the inhabitants of the Atlantic States also.

Candor required that this link in the chain of historical facts should be unfolded to view; and in the same spirit of candor it could be asserted to the people of Kentucky that the proposition alluded to, as it stood presented on the records of Congress, was not intended to generate a renunciation, but on the contrary an acknowledged establishment of the right of the United States to the free use of the Mississippi; upon this principle, that if Spain accepted of the cession from the United States to the exclusive right of the navigation of that river for a stipulated time, the acknowledgment of their right to the navigation followed as an unavoidable consequence; for the United States must have possessed the right before they could transfer it, and the acceptance of the cession was an acknowledgment of the possession.

The discord which this proposed expedient produced in the councils of America was too notorious to require repetition. It occupied not only the attention of Congress for many months, but the subject was taken up also by some of the Legislatures, who denounced the measure as unconstitutional, destructive, and dishonorable. In fact, this negotiation, which had exhausted much time, and had progressed so far as to reduce into shape some specific articles for future arrangement between the two nations, was arrested in its course; and it was ultimately deemed proper by the then Congress that the whole business of the

Spanish treaty, which from the management of it had very much agitated the public mind of America, should be dismissed from further discussion and turned over as an object for the consideration of the present government of America, which was adopted and was then upon the eve of being put into action. Much about the same period, too, Mr. Gardoqui received permission from his court to go back to Spain on his own private affairs, intending to return to re-assume the treaty as soon as the new government system should be fully organized and should begin its functions. It so happened, however, that after the institution of the general government Mr. Gardoqui, the only person empowered by the Spanish court to treat with the United States, did not, according to expectations founded on his own assertions, return to America; and the Secretary of State who was appointed in September, 1789, to whose department this species of executive business appertained, having not arrived from France, the affair of the treaty with Spain could not be immediately acted upon, on account of the absence of the respective agents of the two nations. Yet, notwithstanding these obstacles, the executive of the United States did not permit our claim to the navigation of the Mississippi to sleep.

The nature of the connection which existed at this period between France and the United States, and between France and Spain, was well known and has been attended to. It was perfectly understood by the American government that although France favored the pretensions of Spain to the exclusive navigation of the river Mississippi within her boundaries, yet she was well inclined to the prosperity of the United States, and would wish to see the extension of our commerce, of the benefit of which, from existing treaties, she would probably participate. The court of Versailles, therefore, was moved to interpose its mediatorial influence to induce the court of Madrid to acknowledge our right to the navigation of the Mississippi; and this interposition would probably have produced efficacious consequences had not the rapid progress of the French Revolution, which at first reformed and afterward abolished monarchy, cut off all intercourse between the two courts, and placed them in a state of hostility to each other.

It was expected that the resumption of the Spanish treaty would commence, under the auspices of the new government on

this continent, so soon as Mr. Gardoqui should return, an event which never happened, his place in the diplomatic line being supplied by two gentlemen in the character of commissioners from the Spanish court—Viar and Jaudenes. By them it was proposed that the Executive of the United States should deputize some person to the court of Madrid to receive the negotiation which Mr. Gardoqui was first authorized to originate in America. Although the transfer of the scene of negotiation from America to Europe was an event which it was much wished could be avoided, on account of the inevitable delay which it would occasion, yet the proposition was immediately closed with. To give dispatch to this business the agents to execute it were appointed in Europe. Mr. Short, our minister resident at the Seven United Provinces, with Mr. Carmichael, our *charge des affaires* at the court of Spain, were appointed ministers plenipotentiary to conduct this important negotiation. The leading principles by which they were to be governed in the renewal of this treaty were amply and forcibly delineated in the instructions which they had received, in which our right to navigate the Mississippi from its source to the ocean, and the extension of the southern boundary of the United States to the 31st degree of latitude north of the equator, rested on two distinct foundations—the treaties of Paris of 1763 and 1782—85—and the laws of nations were directed to be insisted upon as the indispensable preliminaries and *sine qua non*s to the proposed treaty. It was further enjoined that the treaty entered into shall in every other respect be limited in its duration, but in regard to the above two articles it should be final and perpetual. Our right to the navigation of the Mississippi from its source to where our southern boundary strikes it cannot be disputed. It is from that point downward only that the exclusive navigation is claimed by Spain—that is to say, where she holds the country on both sides. Leaving the Mississippi in *statu quo*, the Spanish court, it was believed, would without hesitation enter into commercial regulations with the United States on terms of reciprocal benefit to both nations. But it was declined on our part, until our right to the free use of the Mississippi should be most unequivocally acknowledged and established on principles never hereafter to be drawn into contestation. But as the mere naked right to navigate the Mississippi would not, from the pe-

cular circumstances attending the western waters, be completely beneficial without the use of a port or depot for importations or exportations somewhere upon the bank of that river, about the mouth of it, contiguous to the sea, the commissioners were instructed to endeavor to purchase or otherwise obtain on account of the United States, in a safe and proper position, the right of soil to as much land as would commodiously answer that purpose.

The documents requiring our resident at The Hague to repair to Madrid in the quality of a commissioner plenipotentiary for the purposes before stated having been attended in their transmission with considerable and very unfortunate delay, he did not arrive at that city as soon as was expected, which consequently retarded the revival of the negotiations. Mr. Short, however, reached the Spanish court in the early part of 1792, from which period, in co-operation with his associate (Mr. Carmichael), the most unceasing efforts were made by them to obtain the objects of their mission. There was a season after the commencement of this negotiation when the Spanish and English nations seemed to be on the verge of hostilities, in which it was hoped that the former, from motives of policy and self-interest—that most predominant motive of nations—would have been induced to have done an act of justice by restoring to the United States an unembarrassed participation in the use of the Mississippi. But this prospect of discord was but of short duration. A compromise of all disputes took place between these two courts, and Spain allied with England. They soon became parties in the confederation of despots against the liberties of France. The political connections existing at present between Spain and England will not, it may be apprehended, be an advantageous event to our negotiations at the court of the former; for it has rarely happened that the interests of the United States have been remarkably patronized in countries where British influence has preponderated. Notwithstanding the embarrassment which it was feared a combination of political incidents in Europe might produce, our commissioners were nevertheless unremittingly assiduous in pressing the Spanish ministry to enter fully into the leading principles of the negotiation which they had come to Madrid for the purpose of reviving. After some ceremonious delays, Mr. Gardoqui was re-appointed by the Spanish court to recommence the business.

The American commissioners brought forward our claim to the navigation of the Mississippi and the extent of our southern boundary, sustained by a memorial replete with well-arranged and irrefragable arguments drawn from the stipulations of treaties and the laws of nature and nations. To this memorial the Spanish agent did not return an answer, and the discussion of the merits of the above memorial, though not positively denied, has yet been cautiously and rather vexatiously avoided by the Spanish Minister by resorting to every species of evasion and procrastination which the pompous parade and ceremonies of European courts can readily supply.

This unwarrantable and dilatory conduct of the court of Spain was perceived and considered in its proper light by the executive of the United States, whose determination it had been from the first to pursue our claim to the Mississippi with temper and firmness, and to prevent, if possible, an abrupt schism of a negotiation which had been with so much difficulty re-instated on the tapis, until every principle of reason and argument appendant to it should be fairly discussed and exhausted. In order, therefore, to cut off all further retardments which might originate from ceremonious and formal exceptions, flowing from the alleged incompetency of powers and the dignity of diplomatic office, it was determined to dispatch an envoy extraordinary to the court of Madrid, most unexceptionably and copiously authorized in every particular, to bring this tedious negotiation to an end. To effect this, the concurrence of the Senate was necessary, which was at that time not in session. Yet the executive, anxious to procure in time a proper character for so important an undertaking, caused an application to be made, first to Thomas Jefferson, and next to Patrick Henry, two citizens equally illustrious for patriotism and great talents, and well known to be warmly devoted to the prosperity of the western country, to enter upon this embassy. They having both declined this offer for the sake of expedition, among other weighty considerations, Mr. Pinckney, the American Minister at the court of London, was ordered to hold himself in a state of preparation to repair most expeditiously to the court of Madrid, which it was probable was at that moment occupied in the arduous affair of the Spanish treaty. As his powers only waited for the sanction of the Senate, which had been at that

time long since convened, his instructions would be similar to those given to Messrs. Short and Carmichael. He will press not only our rights, but will derive all the aid to our interests which may arise essentially from the events of the present war in Europe, or any influence which other circumstances may give to the United States. At this distance, and in our present state of information, it will be difficult to assert what may be the immediate event of this negotiation, which seems to be capable of being affected by a variety of contingencies beyond the control of the American government. We had, indisputably, right on our side, which it was much to be wished, for the happiness of mankind should always form the rule of decision among nations. But perhaps there is much reason to lament that in the old governments of the world right is too often resolved into power. As a young nation, just taking our stand among the empires of the world before we have arrived at maturity of strength and vigor, which a thousand combined events promise we shall speedily attain, it has been deemed the wisest policy rather to establish our rights by negotiation than by a premature resort to the *ultima ratio*, the first being a safer and more certain mode of redress, and such a one as the present situation of the United States lays them under an almost paramount necessity to observe. The temporary abstinence from the exercise of a right which at this period a combination of political events renders it prudent for us to observe, can never be construed into a dereliction of the right. There is no man who will cast his eyes upon the immense and fertile vales which border on the western waters and mark the rapid progress which population, agriculture, and all the useful arts are making among them; that can one moment doubt but that these channels which beneficent nature has opened for the diffusion of the superabundance of all the necessaries and comforts of life, yielded by these happy regions among the poorer nations of the earth, must be applied to their great providential end, notwithstanding the obstructions at present opposed by an unjust, narrow, and short-sighted policy. It is an event which the interests of Spain herself desiderates, could she but view that interest through the proper medium. It is an event which the happiness of the human species requires. It is an event in which the United States are all interested. Jealous apprehensions are entertained that

some States in the Union are averse to opening the navigation of the Mississippi. This jealousy, as it extends to States, embraces too extensive a range; for little-minded, local, anti-federal politicians who infest, in a greater or smaller degree, every State in the Union, he could not answer; yet it may be safely affirmed that the interests of the Union at large coincide in the establishment of this important right, and that to whatever object their interests point, their government will endeavor to attain. There are two strong political considerations which will impel the United States conjointly to struggle without ceasing until the navigation of the Mississippi is attained—namely, the principles of national right and interest. The right of the United States to the navigation of the Mississippi being established, it is most incontestibly on the double basis of political contracts, and the title derived from the laws of nature and nations. It was not known on what more substantial grounds could rest their right to navigate the waters flowing through their territories into the Atlantic Ocean. To resign one right to the arm of power would be to establish a precedent by which the others might be claimed and taken.

All the motives, therefore, flowing from the considerations of political safety and national pride, aided by paternal incitements, would stimulate every State in the Union to make one cause, when the last necessity shall demand it, and to reclaim and vindicate this suspended and violated right. But the interests of the Atlantic States, in the unimpeded navigation of the Mississippi, stand on two principles. The result of the exports through the western waters will, with a very few exceptions, come into their ports, which will not only greatly augment national revenue accruing from the imports and duties on imported articles, but will be beneficial also to merchants and others residing at the particular ports of importation. Besides, the transportation of the commodities of the country on this side of the Appalachian Mountains, bulky in their nature, to the American and European seas, will furnish considerable employment to the seamen and ships of the maritime States, which it will be the interest of the western merchants rather to employ than to attempt building vessels proper for transmarine voyages on their own waters, amidst the almost insuperable difficulties that must attend such an undertaking, which, if even practi-

cable, necessary seamen would be wanting, who are always scarce in countries where lands are fertile and abundant, and easy to be acquired. In addition to this consideration, the situation of the inland navigation of the western waters will never furnish a nursery for sailors. The most expert navigator of the waters of the Ohio would find himself perfectly helpless and bewildered on the deep and boisterous elements of the ocean. The principles of national policy and interest thus combining to make the navigation of the Mississippi as much the common cause of the United States as any other right they possess, it ought naturally to be presumed until the reverse shall be shown—and which, it is believed, never could be done—that that right has neither ever been, nor ever shall be abandoned or neglected. That every measure compatible with the situation of the United States has been adopted to reclaim it will fully appear by recurring to the joint votes of assentation on that subject of the two houses of Congress. The energetic language of the popular branch of that body, the House of Representatives, cannot fail to strike the attention of the most cursory observer: “When, therefore, all the modes of honorable negotiation shall be pushed to their *ne plus ultra*, and fruitlessly tried, and the executive shall be found to have essayed in vain all the pacific measures belonging to the department of government, and no alternative remains, but resort must be had from the mode of an amicable adjustment of our claim to the means constitutionally belonging to the Legislature, let it not be forgotten that the united hearts and arms of the Confederate Republic of America, which achieved its independence, can alone vindicate and establish all the privileges adhering to it. Precipitation and unauthorized acts of violence will tend only to weaken our efforts, and, instead of accelerating, will undoubtedly retard the attainment of our end.” From this view of facts it will appear manifest that the wishes of this country, as expressed in the Governor’s letter, had been amply complied with, and that it has ever been considered as making a part of the American people and a component part of the American government; and that the same care has been taken of the just rights of Kentucky as of the acknowledged rights of any other part of the United States, among which no distinct and appropriate rights exist, they being made by their government the common property of them all.

This retrospective view of past transactions, it was hoped, would show that the government of the United States has, neither under its former or present organization, abandoned or been inattentive to our rights of navigating the Mississippi. That right was brought under negotiation at the very first moment in which the public circumstances of the United States would permit it to be done. The negotiation respecting it, although attended with some unlucky events, did not expire with the former Congressional government, but was turned over among the inchoate and uncompleted acts of that body to the new governmental system of America, since the operation of which it has never been one moment dormant. When, from uncontrollable circumstances, the subject may have rested for a short time from the absence of national agents who were to agitate it, to keep it still in action, the interference of the only foreign court on whose friendship America could depend, and the only one most likely to have weight with the court of Madrid, was solicited to give aid and effect to the exertions of our agents who have been instructed to treat with Spain on no other terms than the previous ratifications of the southern boundary and the right to navigate the Mississippi from the source to the ocean. A succession of political events has taken place in Europe, which has retarded the progress of the negotiation, and prevented it from being brought as yet to a favorable issue. To obtain it, however, measures correspondent to the importance of the object have been assiduously resorted to, and are now in action.

From the commencement of the administration of the present Chief Magistrate of America, which happened at a period when our national affairs were in a state of perfect disorganization, among the number of momentous considerations which have engrossed his attention, he has without cessation pursued the navigation of the Mississippi. No apology is required for his conduct. He has too fair a claim to our confidence to be accused of a partial inattention to any of our rights, and will, it was hoped, be boundlessly confided in and venerated till gratitude ceases in America to be a virtue.

These explanations operated as a powerful assuasive of those discontents which had disturbed the public tranquillity. The same spirit which had dictated the Lexington resolutions had

also crept into the south-western territory, and was beginning to effuse its baneful influence there. But now their jealousies were dismissed, and they resumed their wonted confidence in the government of the Union.

The Spanish negotiation from the commencement of this year proceeded with great vivacity under the conduct of Mr. Pinckney; and finally he had the good fortune, by the urgency and soundness of his arguments, to succeed in convincing the Spanish court that both our claim to the free navigation of the Mississippi and that of the position of the southern boundary were well founded. After a long course of tedious and very protracted negotiation, a treaty was at length formed, agreed to, and signed, on the 27th of October, 1795, which settled all matters in difference between the two nations, and left no food for dissatisfaction to feed on.

A part of the fourth article of this treaty was in these words: "And his Catholic Majesty has likewise agreed that the navigation of the said river Mississippi, in its whole breadth from the source to the ocean, shall be free only to his subjects and the citizens of the United States, unless he should extend this privilege to the subjects of other powers by special convention." The territorial limits between the two nations were agreed upon as claimed by the Americans. The Spanish government henceforward was less suspicious of unfriendly purposes toward her on the part of the United States, and in consequence no longer instigated the savages to act with enmity against them. The western people began to enjoy a respite from savage hostility, which circumstance formed a most striking contrast between their former and present condition. All ranks of people in the western country perceived plainly that the patience of the United States, under the sufferings of their western brethren, was the dictate of good policy, and not of indifference or insensibility, and that the government had acted wisely for their good through all the courses it had taken. A war with the Creeks, into which the Spaniards—their allies—might have been drawn, or in which they might have been repeatedly irritated, very probably would have placed them in a temper of mind preclusive of all the beneficial results which were to be expected from placidity unmoved by a perception of injury. The people of the United States should be instructed from this memorable exam-

ple in the annals of their own country that the government of the Union has at all times a better view of the subjects connected with the Union and its parts than any particular member can have, and can much better apply the remedies for an existing evil than the uninformed people of the country can, however honest and well-meaning their zeal may be; and that the latter cannot interpose, especially in the use of violent means, without greatly endangering the important ends which they have in view to achieve.

We now come to the Chickasaws. Early in January, 1795, Gen. Robertson received intelligence by runners from Colbert and other chiefs, of whom Underwood was one, that they, with seventy warriors and some women and children, would be with him with five Creek scalps, which they had taken near Duck River from the Creeks, on their way to kill and plunder the people of Cumberland. The leader of the Creeks was known to them, as was also his brother, and had been in the constant practice for some years of supporting himself and his party by thefts and massacres on the frontiers. The Chickasaws surrounded the whole party by night, and killed them in the morning. They desired that the Governor might be informed, and stated that his talks were as fresh in their minds as when delivered, and that they had wished ever since the conference to see him retaliate on the Creeks. The Chickasaws had now come to progress in building a block-house on the Tennessee River, and to assist in supporting them at the Creek crossing, which they said was not far from the line between them and the Cherokees, as stated in the President's parchment deed concerning the boundaries. They would not believe but that the Governor had power to send men with them to drive off the Creeks on the north side of the Tennessee River and to build block-houses; and they sent to the Governor to support them with provisions, ammunition, and artillery. They said they were then the people of the United States, and were commissioned by the President himself, which was the cause for their retaliating on his enemies for injuries done his people; and that they expected a long campaign that spring against the Creeks. Could the posts be established, they thought they could keep the Creeks from embodying against them till an army could be ready to invade their country. Gen. Robertson feared the loss of their friendship,

should the Chickasaws suffer much from the Creeks, and should they not meet with support from the United States. The general could only say to them in all their conferences that he expected an army would march against the Creeks that summer, which expectation he gave them to understand was founded upon the high opinion he entertained of the councils of the United States, and not upon any intimation he had received from the government. There were with him about this time upward of one hundred Chickasaws and their expenses. The people of Nashville gave Colbert an entertainment. The Governor wished, if possible, to avoid the expenses to the public which this visit occasioned, but was afraid to withdraw from their subsistence the necessary supplies, lest they might take offense and be converted into enemies.

The Creeks now committed comparatively but few atrocities on the frontiers of Mero, fearful unquestionably of the Chickasaws, whose valor they seemed to dread more than that of any other people. By the 5th of March, 1795, the Chickasaws had killed and scalped ten Creeks, besides the five before mentioned. Open hostilities were commenced between them, without the hope of peace unless purchased by war. The sympathies of the white people, and their good wishes, were enlisted on the side of the Chickasaws. A strong disposition prevailed among all ranks to aid the Chickasaws rather than suffer their extirpation by the Creeks. The latter, without intermission, had spilled the blood of the white people for twenty years, and now were levying war against the only red people upon earth who were friends of the United States, and who had lately fought by their sides in the army of Gen. Wayne and in two preceding campaigns, and had shed their blood in defense of the white people. They had become the objects of Creek vengeance for their partiality to white men. The public voice called loudly for assistance to be sent to them. Before this war broke out between the Creeks and Chickasaws, and during the time of peace between them, a number of Creek men had married Chickasaw wives. Upon the breaking out of the war the Creeks killed the women and children. They count relationship only on the mother's side. Hence the children were as much Chickasaws as their mothers, and equally the victims of Creek vengeance. Some of the Chickasaw men had also Creek wives, particularly Maj. Colbert; but

the Chickasaws were too humane and civilized to entertain for a moment a thought so horrid.

In the month of April the Cherokees sent a deputation to the Creeks to urge them to make peace with the Chickasaws, or rather to recommend a cessation of hostilities, and the Creeks acceded to the proposal. But the Cherokee deputies had hardly returned home before they were followed by Creek runners with a war club, and with an invitation to join them against the Chickasaws. "The Turkey" desired the runners to return to their nation, and to tell them to forbear to make war on the Chickasaws until they made peace with the United States, to which the Creeks agreed also, so changeable were they in all their purposes. The Choctaws also sent a talk to the Creeks, declaring the remembrance they still had of the troubles they experienced in former wars, and their wish for peace. But, nevertheless, they could not promise for the conduct of their young warriors. And as the Creeks knew that the disposition of the young Choctaws toward them was not friendly, particularly to those of the five towns, the Choctaws were not free from apprehension, if the Creeks should prosecute the war against the Chickasaws, that the young Choctaws, and eventually the whole nation, might join the Chickasaws. It began to be thought from these circumstances that the Creeks would not immediately carry on a war against the Chickasaws till the breach between them should become wider, except by small parties of Creeks, such, for instance, as the relatives of those who had been killed by the Chickasaws.

Maj.-Gen. Colbert had waited for some time at Nashville for the President's answer, which he expected to his application for assistance against the Creeks. Having not received it, he set off for home about the 20th of April.

Gen. Robertson was not authorized by the orders of government to direct the raising of men for this service; but, penetrated with the justice and propriety of interfering to save them from ruin, he ventured to encourage it. He even requested Capt. David Smith to enlist as many volunteers as he could, and to set out immediately with Gen. Colbert. He even went so far as to advise Smith to tell his recruits there was no doubt but that they would be paid by the government, for so he was persuaded they would eventually be, and that besides they

would receive the thanks of the government. He at the same time declared that he could not order the expedition, as he had received no authority so to do. Gen. David Smith was of the same opinion. All the leading men at that time in this part of the country concurred in the same sentiments. Capt. Smith proceeded forthwith to raise as many men as he could to rendezvous at Nashville, and to commence the expedition in April. The men higgled about their pay. Gen. Robertson once more assured them of his opinion that the government would certainly pay them. Gen. Colbert added, as Capt. Smith says, that if the United States would not pay them the Chickasaw nation would, and that they should be paid at all events. With these assurances the men were satisfied; and they proceeded, some by land and some by water, with necessaries for the campaign and for the support of the troops while they should be out. Those who went by water were attacked as they went down the Cumberland by a party of Creeks, and lost one of the provision boats; and they all came back but one man and some Chickasaws, who saved a boat and went on to Fort Massac, and there disposing of its contents, returned home. Gen. Colbert, Capt. Smith, and about fifteen men who went by land, arrived safe in the Nation without any desertion. After they marched, Gen. Robertson recommended to Col. Mansco and Capt. John Gwyn to embark in the same cause, to raise all the men in their power, and to follow those who had already gone to the assistance of the Chickasaws. They did so, and arrived in Log Town about the 10th of May, just ten days after the arrival of Capt. Smith and his men, having with them thirty-one or thirty-two men. The troops began to grumble for want of provisions, and Capt. Smith agreed to furnish them with provisions, which he did during the time they continued in service and until their return home. On the arrival of Col. Mansco, Capt. Smith surrendered the command to him, and acted as lieutenant in Capt. George's company, there being not more than enough for two companies. On the 28th of May the Creeks made their appearance in view of Log Town. Meeting with two women who had gone out for wood, they killed and scalped them. The number of the Creeks was said to be two thousand. Capt. Smith proposed to Gen. Colbert that he (Smith) would take the white men, and Colbert the Indians, and make a sortie upon them.

Colbert replied that is what they want; and that, after drawing the men out of the fort, they would get in and kill all the women and children, and that it was most proper, in the first place, to take care of the fort. Nevertheless, a party of Indians, being the kindred of the two women who had been killed, rushed out. They got among the Creeks before they were seen by them, and one of the Chickasaws was killed. This induced Capt. Smith and Gen. Colbert to fly to their relief with a small detachment. The Creeks, observing their approach, retired precipitately, carrying with them the scalps of one man and two women. There was much blood on their trail, and many arms were left on the ground. It was believed that they suffered severely. The Chickasaws thought that the Creeks would not shortly again return to give them disturbance, and were content that Col. Mansco's troops should go home, which they did about the 7th of June. The Creeks continued in the vicinity till the 1st of June, killing their cattle and taking their horses, Mansco and Smith assisting the Chickasaws to defend themselves. These men had embodied themselves in the District of Mero, generously determined to join and aid the Chickasaws in defense of themselves against the Creeks, and no man withheld his applause from the magnanimous deed.

Such was the strong current of feeling in favor of the Chickasaws, who had been drawn into the war in consequence of their attachment to the people of the United States, that the troops, perhaps, could not have been restrained had the attempt been made; and therefore, they were permitted, with some little encouragement, to act as they pleased. The people of Mero were greatly attached to the Chickasaws by various acts of friendship, and were exceedingly unwilling to leave them undefended against the Creeks. So certain were the Chickasaws of their being entitled to the consideration of the government that they confidently expected orders from the President to the people of Mero to aid them, and would not be convinced that such orders would not be forwarded till after some of them had waited at Nashville expecting the answer from the President till the 30th of April. Gen. Robertson knew of the instructions to the Governor from the Secretary of War, and therefore did not authorize the raising of troops in defense of the Chickasaws. He had been furnished with a copy of the letter which contained them,

and his honest soul lamented in silence the unapproved restraint. With pleasure he continued to perform for the Chickasaws such good offices as he was not precluded from by the government. He was authorized to send them more corn, and to order for the Chickasaws who might visit him victuals, drink, and salt. The corn was not to be sent in boats belonging to the white people, but in boats of the Choctaws and Chickasaws, for otherwise there would be an infraction of the state of neutrality. Under the cover of this authority the general sent to them, on the 27th of April, 1795, five hundred stands of arms, powder, lead, vermilion, whisky, corn, and other articles for the use of the Chickasaws, which were landed at the Chickasaw Bluffs, and from thence were carried and deposited in the magazines of the Chickasaw nation. In the boats which carried the above articles were fifteen Chickasaws and twenty of the white people, who had determined to go into the Chickasaw Nation with Maj. Coffield. The boats were fired upon at Dyer's Island, twenty-five miles below Clarksville, by a party of Creeks. They wounded Maj. Coffield, James Lindsay, and another. Gen. Robertson stated in a letter to the Governor that he was unauthorized by the government to order out a detachment of the militia for the protection of the Chickasaws, and lamented this circumstance because the Chickasaws, he said, were reduced to their present distressed situation by their friendship for the people of the United States. Underwood, a chief of the Chickasaws, was the person who was killed in the late skirmish. On the 9th of May, 1795, the goods promised to be given to the Chickasaws in this year were about to be sent on, and the Secretary of War, Mr. Pickering, gave directions about them. He thought that to make up the sum of three thousand dollars, the cost of transportation might properly be added to the price of the goods. "But in the present instance," he said, "this has not been so much regarded as the making up of a useful assortment of articles for our friends, the Chickasaws." He sent to Gen. Robertson an invoice, with the prices inclosed, and remarked that if purchased at Nashville their cost would have been six thousand dollars. These goods being a free gift, and not furnished in consequence of any stipulation by treaty, in which case the nation would have a right to dispose of them, they were ordered to be distributed in a manner in which Gen. Robertson believed

they would produce the most beneficial effects. If delivered all at once, and divided among all the people, it was apprehended that the portion of each individual would be so small as to make no useful impression. At the northward it was remarked that supplies to the chiefs, to widows, orphans, and others, any way distressed, had appeared to give great satisfaction. It might be proposed to the chiefs of each tribe to receive and distribute their respective proportions among the most needy of their tribe, who are incapable of supplying themselves by hunting or other means. The chiefs will always expect to be remembered. Should this idea be adopted, then the bulk of the goods might be delivered so soon as the chiefs of the respective tribes should be ready to receive them, reserving an assortment for contingent demands until the next annual supply. "For it does not appear," said he, "that there will henceforward be occasion for indefinite supplies. Peace will undoubtedly be made," he said, "the ensuing summer, with the Indian nations northwest of the Ohio, and of course no war parties of Chickasaws or Choctaws will be required to join our troops." What proportion of the goods now sent should be reserved for contingent demands, it was left to Gen. Robertson to determine. If, however, some additional supplies should be found to be necessary, Gen. Robertson was authorized to order them to be furnished; but it was hoped and expected that this would be very small. The agent of the United States was to be instructed in what manner to procure the additional supplies which circumstances should make indispensable in the opinion of Gen. Robertson.

On the 1st of July, 1795, Col. Henly appointed Mr. Overton to take into his possession sundry articles which the Secretary of War and of the Treasury had ordered to be delivered to Mr. Anthony Foster, to be conducted to the Cumberland River, and to be placed, on their arrival at Nashville, in the hands of some agent to be appointed by Col. Henly, subject to be issued to the order of Gen. Robertson. These articles were six three and one-half inch howitzers, ten quarter casks of rifle powder, five hundred pounds of lead, one thousand flints—ammunition for one hundred rounds complete for each piece, including twenty-five grape or case shot—four plow irons, with a quantity of dry goods, amounting in all to \$2,713.44. The howitzers, farming utensils, and goods were, he said, for the Chickasaws, and that

it lay with Gen. Robertson to order them to be delivered; and as for the warlike articles, he was of the opinion that they should be delivered to the Chickasaws on their arrival at Nashville.

The Cherokees had solicited Gov. Brown to preserve peace between them and the Chickasaws, which he promised to attempt. He also endeavored to bring about a peace between the Creeks and Chickasaws. On the 8th of May he had requested Gen. Robertson to proceed to the Chickasaw nation to dispose them to peace with the Creeks, to procure from them the Creek prisoners whom they had taken, and to inform them that if they would not make peace with the Creeks the United States would not any longer furnish them with powder or ball or other munitions or implements of war. The Governor attributed to the Chickasaws the peaceable disposition of the Creeks and Cherokees at this time toward the people of the Territory. He wished a military post to be established at the Creek crossing, and as that was claimed both by the Cherokees and Chickasaws, he instructed the general to apply to the Chickasaws for their consent; and stated that he would cause application to be made to the Cherokees at their great council, which was to be held at Estanaula. Gen. Robertson, in compliance with this request, soon afterward set off for the Chickasaw Nation, and was there when the Creeks made the attack on the 28th. The Creeks were not idle, nor were they deficient in zeal for prosecuting the war with the Chickasaws. They sent runners to the Shawnees and other northern tribes, reminding them that for several years past the Chickasaws had joined the armies of the United States against them, and inviting them to unite in the destruction of this nation.

In the latter part of May, 1795, Gov. Gayoso went to the Chickasaw nation, and recommended to them in the most persuasive terms to signify to the Creeks their willingness to be at peace, and that satisfaction for any wrongs that had been done should be made by the offending to the offended nation, as had been agreed upon at the Walnut Hills between the Creeks, Cherokees, and Chickasaws, under the superintendence of the Spanish agents. Following his advice, a Chickasaw assembly was held, in which it was agreed to address the Creeks and to offer a peace upon the condition that all former offenses should be put

in oblivion, and that their former friendship should be renewed. This address, on the 13th of June, was transmitted to the Governor of New Orleans, to be laid before the Creek nation, with a roll of tobacco in token of friendship, until without fear they could smoke together and be in peace as brothers. On the 27th of July the Creeks returned their answer: "We have smoked your tobacco in token of friendship; it is the wish of the Creek nation that the war hatchet should be buried forever, and that war among the red people should cease." The Chickasaws were desired to deliver their prisoners to Gen. Robertson as a proof of their sincerity in wishing for peace, and to restrain the young men from rash acts.

The Governor of New Orleans forwarded to the Choctaws a Creek talk, with beads and tobacco, which they smoked on the 10th of June, and had brightened the chain of friendship with that nation, and held them fast by the hand, and remembered the times of old, when they buried the hatchet, never, as they hoped, to rise again. But the Choctaws greatly lamented that the Creeks and their elder brothers, the Chickasaws, were at war, when they might be much better employed in hunting and planting for their families. "The Great Father," said they, "made us all red people and desired us to live in peace, but, instead of following his advice, we take bad council and kill one another. We wish," continued the Choctaws, "to make peace between you and the Chickasaws. We send you white beads, and we have sent a talk to the Chickasaws to advise them to kill no more red men and to be at peace. We know that they are sorry for what they did. They will take our talks, and we hope you will take them also. Therefore make peace and spill no more blood. Give us your answer, and send it to our father, the commandant at Mobile. Our father in Orleans has told us that the Americans have sold us and our lands. They may do so; but if we continue united, they can never take them away from us. If we kill one another, who will be left to defend them? When you shall have thought of these things, remember the good advice our fathers, the Spaniards, gave us every day. They have promised us guns and ammunition to defend ourselves, if we should be attacked. Send peace talks to this place for the Chickasaws, and receive the white beads in token of everlasting peace between you and us. And send this talk

to your brothers—the Cherokees—that they may make peace also.”

The Chickasaws were active in their endeavors to procure allies for the support of their quarrel. William Colbert visited Gov. Blount on the 22d of July, 1795, had a day appointed by the Governor for his audience, and addressed him. He mentioned the visit of Pioningo to the President in the summer of 1794, and the document respecting boundaries which the President gave him. He mentioned also the information given to the Chickasaws that there was a league of friendship between them and the United States, and that the one was to assist the other against their enemies. Having a commission from the United States, and seeing Creeks going to war against the people of Cumberland, he killed them; and hearing of no assistance from the United States, he had come here to know the reason why it was so. He reminded the Governor of what was delivered at Nashville, in the summer of 1792, that both bloods were to be the same; that in killing the enemies of the United States he expected immediate assistance; otherwise, his being a small nation, he should have reflected before he proceeded to extremities. He considered the United States and the Chickasaws as brothers, and that they ought mutually to assist each other. He was a warrior, he said, and was entitled to speak; and he declared that had it not been for the confidence he had in the white people he should not have acted the part that he had. His business with the Governor, he said, was to claim assistance. He blamed the representatives and Mr. Seagrove, the Creek agent, and attributed to them his failure to get assistance before. “The Creeks,” said he, “have made peace with the United States, by the advice of the Cherokees, that they might have leisure to fall on the Chickasaws and extirpate them.” Then they would renew the war with the white people. The frontiers would not now enjoy peace, said he, but for the war of the Creeks with the Chickasaws.

On the following day he requested to be informed by the Governor in pointed terms whether any troops would be raised to join the Chickasaws in their war against the Creeks. The Chickasaws, he observed, were too small a nation to fight them without assistance. He could not return without a definite answer. If he could not obtain it here, he must go to the Presi-

dent of the United States. He dwelt upon the smallness of the Chickasaw nation, their friendship for the people of the United States, and the perpetual enmity of the Creeks; that many years ago the Chickasaws refused to join in a league of the red nations against the United States, and that they declined the invitations and offers of the Spaniards and English; that they had fought the enemies of the United States on the Ohio, while a part of the Creeks and Cherokees were with their enemies. They had stolen their negroes and led them off, had killed several of the Chickasaws and several white men who lived among them—because they were the friends of the Chickasaws—with the assistance of the northern tribes. The Spaniards, he said, had long endeavored to effect a junction of the Chickasaws with the Creeks and Cherokees against the United States, and had taken advantage of their then present perplexities to build forts upon their lands at the Chickasaw Bluffs. They had built forts also in the Chickasaw Nation, said he, to help them to annoy the Chickasaws. He anxiously wished to know why a garrison of the United States had not been stationed on the Tennessee, as requested by his nation, which would keep the Creeks in check. Unless there was something done to intimidate them, he feared that Log Town, the place of his residence, would be cut off before he could return. The President could not be fully informed, or otherwise a visit to him would be unnecessary. "He must be ignorant," said he, "of the enmity of the Creeks, and of the friendship and sufferings of our people."

Gov. Blount, in reply, explained the Presidential document and the military commission in a different sense from that in which the Chickasaws understood them, and he informed him of the orders of the President that six howitzers, powder, and ball should be sent to the Chickasaws, and offered to provide horses for his visit to the President. Not being satisfied with this reply, he set off to visit the President; and having previously intimated that his wife and family had not been well supplied with provisions, and having requested that their wants in his absence should be attended to, the Governor promised compliance, and immediately recommended to Gen. Robertson the performance of that duty. He recommended, also, that some presents should be taken from the Chickasaw goods, and be made to such of the Chickasaws as had returned from Knoxville.

In the summer of this year the Spaniards had been careful to inform the Creeks that three hundred Americans had lately taken up their residence among the Chickasaws, with a view to erect a fort at the bluff, for the purpose of protecting boats coming down the river with arms and other supplies for the Chickasaws, their enemies. Of this the Creeks complained to the Governor, and he assured them that the people of the United States, or any detachment of them, had not, as the Spaniards represented, taken up their residence in the Chickasaw country with a view to erect a fort at the Chickasaw Bluffs, for the purpose of protecting the boats which should go down the Mississippi with corn and other supplies for the Chickasaws. He acknowledged that some white people in the spring went from Cumberland to the Chickasaws, but had returned. They had not gone by the authority of the government, or for the purpose of assisting the Chickasaws, but happened to be there when the Creeks came; they belonged to the eastern States, and had long since gone home; that Gov. Gayoso had taken possession of the bluff himself. The Creeks, however, secretly resented the aid sent to the Chickasaws in the spring, and meditated a blow both upon them and the people of Mero District. The Creeks, about the time of Colbert's application to the Governor, were making great preparations in their own nation to prosecute the war against the Chickasaws. They had resolved to raise five thousand troops, and expected to have an augmentation of their numbers by the accession of a corps of Cherokees of from five hundred to a thousand men. But they agreed to desist from their operations in consequence of letters from Mr. Seagrove, from the Choctaws and Chickasaws, and in compliance with the wishes of Gov. Blount, expressed by Col. Titsworth, who had gone to the nation to recover his daughter, who was there in captivity.

The Creeks deceitfully professed a desire for peace, and the Governor believed them. He directed Gen. Robertson to go to the Chickasaws, and to assure them of the desire which the Creeks had for peace, and to request them as an introductory step to the commencement of a negotiation for that purpose to deliver to him the Creeks who were prisoners in their possession, that he might in their behalf deliver them to the Creeks at the ensuing conferences, which were to be held with them at

Tellico on the 10th of October, 1795. Gen. Robertson was directed to detain the howitzers, powder, and ball destined for the Chickasaws, the Creeks being no longer in a state of warfare. And, moreover, the general was instructed explicitly to declare to Piomingo and his nation that if they persisted in war against the Creeks they were not to expect supplies from the United States during the continuance of it. He was further instructed to inform the Chickasaws, should they make inquiries of him upon the subject, that the President would not long suffer the fort to remain at the Chickasaw Bluffs which the Spaniards had lately erected there, and to explain to them the nature of the sale of lands which the State of Georgia had lately made, and to assure them that their rights were in no shape affected by these sales. To the Creeks themselves he wrote in very conciliating terms; appointed the 10th of October as the day on which he would meet them at Tellico; promised to obtain their countrymen who were in captivity with the Chickasaws; stated to them that he had sent Gen. Robertson on that business as being the one who could most probably effect it, and had directed him to say to the Chickasaws that the Creeks would be at peace with them upon their giving up the prisoners and ceasing from all further hostility.

The Governor was soon awakened out of the security into which he had been lulled by Creek dissimulation. He was informed by a confidential agent in the Creek Nation, upon whom he could rely, that the Creeks were preparing another expedition against the Chickasaws with all possible secrecy and activity, and that the peace talks to the white people and Chickasaws were designed to draw the latter from their strongholds, and to disarm the former of their vigilance. The Creeks had deceptively called for the mediation of the United States, and Gen. Robertson had been sent to give assurance of their pacific disposition. It was now not concealed from the Creeks that if they still persevered in hostilities the United States would interfere, and would march an army into their country. This communication was made by Gov. Blount to Cornell, a chief of the Creeks, with a request that it should be laid before the Creek council. The Governor, who never before departed from that smoothness of deportment and suavity of expression which are so indispensable to the successful management of affairs,

concluded with this strong declaration: "The Creeks must be at peace with the Chickasaws."

On the 1st of September, 1795, the Choctaws had given notice to the Chickasaws that the Creeks would shortly be upon them. Piomingo sent men to Gen. Robertson, to conduct boats with supplies for the nation to the Chickasaw Bluffs. He stated to the general that as the assistance which the Chickasaws had expected was out of his power, he (Piomingo) still hoped that he had by engaging the Creeks in war contributed to the relief of the people of Cumberland, though difficulties were brought on themselves. "But you shall hear," said he, "that I died like a man."

The lower towns of the Creeks abhorred the duplicity which the other Creeks were practicing, and not one of them joined those others in their expedition against the Chickasaws. And moreover, they transmitted to the upper towns a spirited remonstrance against the course they were taking. After the arrival of the two Creek women who will be presently mentioned from the Chickasaws, and the delivery of their story to the Creek warriors, there was no lenient which could assuage their raging displeasure. They marched; but by the 16th of September several squads had returned, without having made any successful attempt. The Creeks were willing to make peace with the Chickasaws, but deemed it a point of honor previously to obtain some satisfaction for the wrongs supposed to have been done by them.

On the 19th of September the Chickasaw chiefs had returned from visiting the President; and so much was the Governor pestered by these people that, losing hold of his usual equanimity, he sincerely wished to his confidants that this might be the last of his red brethren that he should ever see on their way to visit their great father. They returned in bad humor, and many condescensions and compliances were necessary to keep them from being more so. These he directed Gen. Robertson to see made. He wished a report from the general previous to the 10th of October, showing how far he had executed the orders to obtain from the Chickasaws the Creeks who were prisoners in their country; "and in case," said he, "the Creeks have fallen upon the Chickasaws, you are to take care of them," adding by way of repetition: "I say, take care of them; for they must not be injured."

In a few days after the address of the Governor to the Creeks, in which he tells them they must be at peace with the Chickasaws, he received indubitable information that the Creek warriors were collecting from all quarters of the Nation to make a descent upon the Chickasaws; that they were to rendezvous in the woods, and were to leave the Creek Nation on the 4th of September. Their number was estimated at one thousand. Instantly he wrote to Piomingo, the great chief of the Chickasaws, and dispatched an express to him stating this information, and he desired Gen. Winchester to give it all possible acceleration.

On the 15th he received ample confirmation of these facts by Col. White, who was directly from the Creek Nation with Capt. Singleton. The mediation of the United States, they had learned from the Creeks, was intended to throw the Chickasaws off their guard and to draw them from their fastnesses, that they might be taken by surprise and that satisfaction might be taken for the sixteen Creeks whom they had killed. The Creeks had been marching in the Nation in small detachments from the 22d of August to the 7th of September, and were to rendezvous on Cedar Creek, a hundred and forty miles from the Creek Nation and sixty from the Chickasaws. Their number was supposed to be two thousand. "The Mad Dog," a Creek chief, said in the council that it was a war between the red people, with which the whites had no concern, and ought not to intermeddle in any respect. Other members of the council, and a great part of the Creek nation, strongly reprobated the measures which the Creeks were then pursuing. It had been represented by two Creek women, who had recently escaped from the Chickasaws, that the latter, in speaking of the Creeks and of the late attack upon the Chickasaw towns, had said that they were not men, but women; and that they would appropriate them to the same uses, an indelicate expression, to be sure, but implying, according to the ideas of these savages, the most contemptuous imputation that could be made. A great part of the nation was exasperated even to madness, as far more civilized nations have sometimes been by contemptuous language. The Creeks inquired of the number of men who had gone with Gen. Robertson to the Chickasaw Nation, and upon being answered that they were only an escort, they desired to know what that was. Col. White told them it consisted of from twelve to twenty men.

They gave orders not to molest or injure Gen. Robertson in the Chickasaw Nation, nor any of the escort. Col. White had urged to them the great impropriety of carrying on hostilities when Gen. Robertson was there in the character of mediator, at their request, to bring about a peace. Gen. Robertson arrived at Log Town on the 8th of September. On the day before the Creeks had attempted to kill some of the Chickasaws, and on the latter day the Chickasaws were so provoked that they determined to detain the prisoners.

On the 29th of September Piomingo, by letter, communicated to Gen. Robertson an affair which had recently taken place between the belligerents. About a thousand Creeks had come to break up the Chickasaw nation. They brought white people with them, and drums and ammunition for a long siege. A great number of them were on horseback. As they gave way, the warriors of Big Town attacked them and put them to the rout. The Chickasaws pursued them about five miles, their horsemen upon the flank and their foot upon the rear. The Chickasaws took from them all their baggage and clothing, except their flaps, the only clothes they had on when they began the attack. The baggage consisted of their blankets and other clothing, except their flaps, their ammunition, kettles, and their provisions. The loss of the Chickasaws was six men killed and one woman. Of the Creeks were found twenty-six men killed, and many more must have been wounded. About two hundred Chickasaws were engaged in defeating this great army of the Creeks. In a few days afterward the Chickasaws presented a memorial to the Creek nation. In it they accuse the Creeks of perfidy in coming to attack them when Gen. Robertson was there obtaining the prisoners from the Chickasaws which they had agreed to deliver. Gen. Robertson, they said, believed that the Creeks were in earnest for peace, but the next morning he heard their guns. "If you want peace, send your flag; your prisoners shall come." "The Mad Dog," in council, said they, had no tongue for peace, but the Creeks had not lost the use of their legs, for the Chickasaw horses had not been able to overtake them. They had not pursued far, for they returned to consult with Gen. Robertson on the peace which they so much desired. "We are willing for peace," said the Chickasaws, "but not afraid of war. If you thirst for blood, we will sell ourselves

dearly." They set forth the advantages and blessings of peace, and the madness of rushing into war. "We are a small nation, and the Creeks have long insulted us. If war continue, we will send out our war parties and head them, but we seek sincerely for peace." They finally besought to bury in oblivion all former heart burnings.

At the conference on the 10th of October were present the Cherokees, some chiefs of the Chickasaws, and some of the Creeks. The differences between the Creeks and Chickasaws were fully discussed, and it was agreed that Gov. Blount should send a proper person into the Creek Nation to lay the foundations of peace between them, and Chisholm was selected.

Four hundred dollars had been left by the Secretary of War in the hands of Mr. Foster to purchase provisions for the Chickasaws, in case the Governor approved of it. He, on the 13th of November, approved the purchase, and instructed Gen. Robertson, agent to the Choctaws and Chickasaws, to forward the provisions to the Chickasaw Nation at the least possible expense to the United States. The Governor at this time entertained very sanguine hopes that Capt. Chisholm with the Creeks, and Col. McKee with the Chickasaws, with the address and influence of Gen. Robertson, would restore peace between them; on which event, as the Chickasaws might turn out and hunt, any further necessity for furnishing them with supplies would be superseded. On the 30th of November Chisholm, in full council of the Creeks, read to the chiefs the instructions he had received. "The Mad Dog" and the other chiefs lamented the late disturbances. They said that forty of their men had never returned from the Chickasaw Nation; but they imputed no blame to the Chickasaws, who did not seek them, but were sought by them. They sent beads and tobacco by him, one of them a string of black beads connected with another string of white beads. The Chickasaws were requested, if for peace, to separate the black ones and to throw them away, and to keep the other to be brightened as the chain of friendship; but if for war, to send both back. They proposed to meet the Chickasaws at the river Sipsey, there to take them by the hands as brothers. They now looked to the white people with clear eyes and straight hearts, and wished for peace with all mankind. They reminded the Chickasaws of the happy days they had passed in the time

of their old chiefs, now dead, and exhorted them to follow the good examples which were then set them. These dispositions and overtures were soon laid by Capt. Chisholm before the Chickasaws. They closed with the proposal, and soon afterward concluded a peace with the Creeks. In their conferences with Capt. Chisholm, on the 2d of December, they rejoiced at the firm friendship which he informed them subsisted between the British and Americans, and at the mutual interchange of good offices between them. And "The Mad Dog" remarked: "Now my father, the king, will take back the towns"—meaning New Orleans, Pensacola, and the Floridas generally—"which the rogues, the Spaniards, stole from him while he was quarreling with his children, the Americans." The Creeks, as early as the beginning of June in this year, being terrified and kept in a state of constant alarm by the war which the Chickasaws waged against them, and being not now encouraged and backed by the Spaniards, began to profess a strong desire for peace with the whites, and their circumstances procured them credit.

The President ordered a treaty to be held with the Creeks, and he directed inquiry to be made into the causes of that dissatisfaction which they had manifested ever since the treaty of New York, by the numerous and distressing depredations which they had committed on the south-western frontiers. Those on the Cumberland River, he observed, had been so frequent and so peculiarly destructive as to induce an apprehension that they must have originated in some claim to the lands on that river. The cause he proposed to trace, whatever it might be; and the commission, said he, will be instructed to inquire into the causes of the hostilities to which he referred, and to enter into such reasonable stipulations as will remove them and give permanent peace to those parts of the United States. He nominated as commissioners Benjamin Hawkins, of North Carolina; George Climer, of Pennsylvania; and Andrew Pickens, of South Carolina. This nomination and appointment was made on the 25th of June, 1795; and the commissioners made a treaty in behalf of the United States on the one part, with the kings, chiefs, and warriors of the Creek Nation on the other, which settled their boundaries and all other matters in difference, and restored peace. It was dated on the 29th of June, 1796, but hostilities were suspended in 1795.

About the 31st of July, 1795, the wagon-road from Knoxville to Nashville was completed so far that a wagon with a ton weight had then actually passed on it; and the commissioners had entered into a contract for its thorough completion in the month of October, in whose hands ample funds were provided for the purpose. A day or two before this, two wagons arrived at Knoxville from South Carolina, having passed through the mountains by way of the Warm Springs of French Broad; so that a wagon-road may be said to have been then opened from Georgia, South Carolina, North Carolina, and other Atlantic States, by way of Knoxville to Nashville. Torrents of population were expected, and actually began to flow through these channels, and it was now confidently expected that the new census would show a population of at least sixty thousand inhabitants.

Man continually prays to be at rest from all his labors, but such is his restless temper, whether it be his lot to live in small or large communities, that no sooner is he relieved from disquietude in one quarter than he begins to search for new troubles in another; no sooner is an external enemy pacified, than instantly he looks internally for some one to whom he may oppose himself and give employment to his active powers. Accordingly, symptoms of political and personal disunion now began to checker the face of affairs. Moneys had been placed, in the month of May, in the hands of Col. Henly to pay for the military services which had been performed by the people of Tennessee, and some misunderstanding arose in regard to payments claimed by virtue of powers of attorney. Col. Henly did not like to pay to applicants with powers, for in some, and indeed in many instances, such powers might be forged so as not to be detected by his inspection, in which case he would lose the sum paid to the applicant, and have to pay it over again to the true debtee. This produced some sensation, and caused the Governor to state to the colonel his opinion upon the subject, which was that payments should be made to well-authenticated powers, and at all events to those who applied in person. Suggestions were afterward made that everybody was paid except Gen. Robertson, but that no moneys were retained for the satisfaction of his services. It seemed as if two parties, hostile to each other, were already about to be formed in the

bosom of the country, which might thereafter give disturbance to the community as well as to each other. But the truth is that such differences are not to be regretted by the great body of the people, though sometimes hurtful to the parties concerned; for like strong currents of wind upon the face of the waters, which, by putting them in motion, render them salubrious, whilst stagnant waters become putrid and injurious to health, so in politics, where the noisiness of faction is hushed by despotism or too much confidence in those who govern whilst the public doze, corruption creeps in; and in a little time, by the combinations which it forms, becomes too potent to be removed. He who knows that the town bell will ring, even upon suspicion of his motives, will take care not to give cause for alarm by his conduct.

At the close of this eventful year the Spaniards had become reconciled to the people of this Territory. Their limits on our borders were fixed, the free navigation of the Mississippi was yielded to the United States, the northern and southern Indians had suspended their incursions, emigration flowed in full tide upon the country, the people were about to make for themselves a new Constitution and to assume the rank of an independent State. James Robertson, the first settler both of East and West Tennessee, and the political father of the latter, who had shared in all the dangers and sufferings of the first settlers, still lived; and saw the country, which he had fostered with so much care, smiling for the blessings it enjoyed, and for the still greater blessings which Providence seemed to have in store.

CHAPTER X.

Cherokee Conferences—Peace—Intruders Removed—Cherokee Protected Who Had Killed a Creek—Scalp Dance—Moneys Appropriated for Trade with the Cherokees—Jack's Claim—Cherokee Chiefs—Their Address to the Governor—His Advice to Them—Cox and His Party—Grantees of Lands Threaten to Take Possession—Trespassers upon Indian Lands Removed—Goods Deposited for the Indians at Tellico—Indians Come to Hunt Near the Cumberland Road—Indians Killed—The Nation Irritated—Persons Killed or Wounded—Mrs. Mason; Her Heroic Behavior—Troops Kept Up—Invasion of the Creeks Recommended by the Governor—Reasons in Support of This Measure—The Secretary of War Opposed to It—Declares against Offensive Operations—Troops Who Acted Offensively Refused Pay—Grand Jury at Knoxville; Their Sentiments upon This Subject—Wish to Be Formed into a State—Unpleasant Remarks of the Secretary of War—The Chickasaws Not to Be Assisted—Blames the Governor and Gen. Robertson—War with the Creeks Condemned by Him—Prescribes the Conduct to Be Observed toward the Indians—Post at the Creek Crossing Recommended—Settlers on the Indian Lands to Be Removed—Creeks Coming to Rob or Steal Not to Be Prevented by the Cherokees by Force—Numbers of the Inhabitants Greatly Increased—Variety of Events Unfavorable to the Creeks—Gen. Wayne's Victory over the Northern Indians—Plundering Parties of Creeks Pass through the Cherokee Nation—Creeks Inclined to Peace—Preparations Made by Them to Bring It About—The White People They Promise Shall Not Be Molested—Begin to Surrender Their Prisoners—Again Resume a Disposition for War—Appoint a Meeting at Tellico—Gen. Robertson Sent to Obtain the Creek Prisoners from the Chickasaws—Col. Titsworth Goes into the Creek Nation—The Spaniards Intercede with the Creeks to Be at Peace with the United States—Indians Desire That the Whites Should Educate Their Children—Enumeration of the Inhabitants Called For—The Necessary Number for a State Believed to Be in the Territory—Gen. Robertson's Resignation—The Assembly Called to Decide on the Question Whether a New State Shall Be Formed—A Law Passed for the Enumeration of the Inhabitants—Provide for a Road through Buncombe County, in North Carolina, into the Territory—The Number of the Inhabitants Ascertained—Proclamation Issued by the Governor for the Election of Members to Sit in Convention—Constitution Formed—Tennessee Admitted into the Union—Writs Issued for the Election of Members of Assembly and Governor—John Sevier Elected Governor—The Assembly Meet.

AFTER the conferences of Gov. Blount with the Cherokees, which terminated on the 3d of January, 1795, and had been attended by fifteen hundred Cherokees and by a great number of whites, the general opinion was that peace was again

restored as between them and the United States. The Governor received private assurances from the chiefs that their warriors could be engaged to protect the frontiers, though they could not publicly say so, for fear the Creeks would fall on them before they could be prepared for their reception. "The Bloody Fellow" and John Watts made part of the representation from the lower towns; and, besides the assurances of peace given on the part of their nation, pledged themselves to use their exertions to prevent the hostile Creeks from plundering and killing the people of Cumberland and Kentucky, and to remove all obstacles inconsistent with the harmony and good understanding which ought to subsist between people at peace. The Governor, by his proclamation issued on the 8th of January, gave orders for the removal of all those who had settled upon lands guaranteed to the Cherokees by the treaty of Holston, between the Cumberland Mountains and the Clinch River and that part of the territory called Powel's Valley; and, considering the treaty as in full force and operation by the existing state of peace, he demanded, on the 27th of January, that the Indians who had killed a man should be delivered up to be tried according to its provisions, and if Creeks that they should be seized wherever they could be found in the Nation. Considering, also, that the Cherokees were under the protection of the United States, he directed that one of them who had killed a Creek as he was going to the frontiers to rob and murder should come to his house if in danger; and after the meeting at Allejoy to come to Tellico block-house, where he would receive as much powder and lead as would be necessary for his defense against the Creeks. This Indian was one of the warriors who accompanied Double Head, in the summer of 1794, to Philadelphia to visit the President. He was called Chiccunee, or "The Stallion." With nine others, about the 20th of December, he fell in with a party of Creeks approaching the frontier of Georgia with hostile intentions, as he and his party supposed, and killed one of them. With his scalp he and his associates appeared at Tellico block-house, where the scalp dance was that night held by several of the principal chiefs and warriors of the Cherokees, in the presence of many of the frontier and other citizens of the United States. These and other appearances gave sure indications of a permanent and general peace with the Cherokees, and in April the

Governor announced that peace with the Cherokees was in reality completely restored. He was directed to procure from them their assent to the establishment of a trading-post on the north bank of the Tennessee, near the Creek crossing-place, and he ordered the application to be made to them at the next meeting of their general council, which was to be at Estanaula on the 7th of May; and they were to be informed that Congress had appropriated \$50,000 to extend trade to the Indians, and that the goods could be conveniently sent by water to the place proposed, from which they could easily be conveyed to the Cherokees, Chickasaws, and Choctaws; and that a small military post would be established, at which the hunters might sell their meat.

The Cherokees were very much disturbed in the latter part of May by a report which some maker of mischief had put in circulation, purporting that another visit was to be made to them by the people of Kentucky and Cumberland, but on this head their fears were quieted.

A part of the Cherokees felt some uneasiness respecting a claim of Col. Jacks; and at the conferences in October, when upon the subject of lands formerly ceded which were to remain as the several cessions placed them, "The Bloody Fellow" delivered a medal to the Governor, which Col. Patrick Jack had given to him with a desire that it should be sent to the President with an explanation of the intent of the donor. The Governor said he had understood the intention of the giver of this medal, and promised to explain the matter and to send it to the President. The explanation given by the Governor was this: "Patrick Jack, at that time of Pennsylvania, who gave the medal to 'The Bloody Fellow,' reports himself to have been an armorer in Fort Loudon, and that a deed was made to him by the Cherokees for fifteen miles square of lands upon the south bank of the Tennessee, including that fort, for a valuable consideration. Certain it is that he has an instrument of writing, signed about the time that the British possessed that fort by Alla cullee cullee, or 'The Little Carpenter,' great chief, if not the head of the nation, the object of which appears to have been to convey the above-described tract of land to him. It was also signed by Arthur Dobbs, the then Governor of North Carolina, and by others whose names Gov. Blount did not recollect, for the paper

was not in his possession when he gave the information; he had only incidentally seen it. Within the limits of this tract of land, in October, 1795, were a number of Indian towns. The object of Col. Jack in giving medals to several of the leading chiefs was no doubt to purchase their good-will, to the end that he at some future day might the more easily claim the possession of the land. Gov. Blount assured the Indians that they had nothing to fear from the claim of Jack, nor from cunning white men making purchases unauthorized by the government, and that the government would protect the land against such purchases. Jack, it is said, petitioned Congress respecting his claim, and Gov. Blount informed him that he never would obtain possession until the Indian claim should be extinguished by treaty, and that then he would have an opportunity to try the legality of his title in a court of law."

The engaging manners and fascinating address of the Governor had captivated the hearts of the Cherokees, and when they heard in the latter part of that year that he was about to resign his office, the chiefs were deeply affected at the information, and addressed him on the subject. He answered them very affectionately that the Territory was about to become a State, which would elect its own Governor as other States did, at which time his office both as Governor of the Territory and as Indian Agent would expire. He noticed that peace was at length happily re-established, and recommended to them in the most obliging terms a continuance of it by all the means in their power, as upon that depended their happiness and existence as a nation. War, he observed, was a destroyer, and many nations, both white and red, had perished under its influence. The high opinion which they had of his talents and benevolence, and the softened feelings which the occasion produced, had prepared their minds for lasting impressions. The advice he gave sunk deep into their souls, and never has it since been erased from their remembrance. But the Governor himself had great difficulties to encounter to preserve the peace which he so earnestly pressed upon the Cherokees. A report was circulated in August that Cox and his party again talked of making the attempt to establish a settlement on the lands they had purchased from the State of Georgia, and Gov. Blount recommended a regular military force to prevent them.

Some time in January, 1796, in the early part of it, some persons arrived from Georgia whose business was said to be a passage to the Muscle Shoals, and to keep possession there till a settlement could be established by a part of the Tennessee company for them. It was some time before the Governor could get possession of their secret designs, and he then immediately took such steps as appeared to him most likely to defeat them. He wrote to the chiefs of the Cherokees, on the 18th of February, 1796, that four weeks before the date of his letter, a boat with many men, who came from Georgia—forty in all—had left Knoxville, as they pretended, for Natchez, but as he since understood for the Muscle Shoals, to settle upon their lands in the great bend of the Tennessee. He assured them that if this were a fact the United States would remove them, and not to be uneasy.

He was no less perplexed with another set of land purchasers bent upon acts subversive of a state of peace with the Indians. Many of the grantees under the laws for opening John Armstrong's office, and the office for the appropriation of the lands laid off for the officers and soldiers, came in December, 1795, into the south-western territory, and threatened to take possession, notwithstanding the Indian treaties, having obtained legal advice to that effect.

If it were truly said, some centuries ago, "Uneasy is the head which wears a crown," the experience of our own times shows that the head is not less uneasy which has to regulate the concerns of a man's own fellow-citizens. Being in less danger of punishment for setting the government at defiance, they are less submissive to its injunctions than the subjects of a crowned head. How many instances have we seen in this Territory in the course of a few years of undertakings deeply affecting other States, and our relations with them, not only unauthorized, but directly in the face of authority! Such have been the symptoms of the politic body, so as to make it discernible, and clearly so, that in some time of difficulty and danger the whole engine may fall to pieces unless both the cement of the Union shall be of a more binding quality and the government itself enabled to act with more promptitude and more efficacy against the refractory, whether States or individuals, who refuse the observance of their federal duties; and in time, while the danger is yet afar off, pro-

vision should be made to prevent the recurrence of meetings for desperate purposes, whether of land-mongers or conventions. Taking into view the magnitude of the evil, and of the public misfortunes which are likely to spring from it, forfeiture of life and fortune and perpetual outlawry could not be deemed a punishment with too much tincture of severity. Like the lightning from heaven, its stroke should be sudden, and should first fall upon objects of the highest elevation. As machinations to disturb the peace with the Indians were multiplied the efforts of the government to maintain it were proportionately invigorated.

About this time the United States purchased goods, and sent them to the Territory to be disposed of to the Indians for costs and charges. Gov. Blount directed them to be delivered at Tellico. He also directed Col. Kelly and the sheriff of Blount County to remove those settlements which began to be formed between Clinch River and the Chilhowee Mountain upon the lands of the Indians, and he issued a proclamation for the removal of the trespassers in Powel's Valley upon the Indian lands.

It was understood in the Cherokee Nation and by the people of Cumberland that peace was firmly established. And an Indian by the name of Shoeboots, of Hightower, with his company, came and encamped near the Cumberland road, and hunted without molestation, determined to suffer no mischief on their part to be done to the white people; and, with a request, communicated through Mr. Dinsmore, to be treated as friends, and that the white people would meet and talk with them in peace. They had, previous to this request, they said, been well treated by the white people, and had invited them to their camps and used them like brothers; and it was hoped that the white people in traveling would not mistake and fire upon them as enemies. Some of them intended to go to the ferry on the Cumberland to see if goods were there for which they could exchange their skins, meat, or oil; and to trade for them if such goods were there. If there were no goods that suited, they wanted permission to return with their property without interruption. In this company of hunters were nine head men and two hundred others. If Gen. Robertson had an interpreter, they wished to hold a talk with him, and to assure him of their friendship, and to learn the price of goods before the removal

of their skins from camp. The general readily accorded to them all that they requested, but the unruly passions of foolish individuals continually struggled again to embroil the Indians and white people.

On the last of February, 1796, the Cherokees complained that four of their nation had been killed; and demanded satisfaction agreeably to treaty, and declared that if satisfaction was not given they would take it. They had hardly made this complaint before they had cause to make another. On the 1st of March they stated that one of their nation was probably killed, for they had heard the report of a gun, and one of their comrades, who was then separated from them, not returning, they took his track and went on it as far as they could, found blood, and could trace him no farther. Gov. Blount promised to make inquiry, and to punish the offender. Peace, so necessary for the well-being of the community, and so long and so anxiously desired, had scarcely been established before the frenzied imagination of ignorant individuals assumed to know better what to do than the constituted authorities; and, without foreseeing a single effect to be produced by their rashness, blindly committed the most provoking injuries, and exposed the whole country to a renewal of their former sufferings. Such behavior deserved detestation, and that the law should be so framed as to brand it with the mark of infamy. If it be despotism for one man in a country to act as he pleases, free from the restraints of law, how much greater despotism is it for five thousand to act in the same way, either against the State or the individuals who compose it, in divergent or opposing directions, without redress to be had for the wrongs they do, and without the means of preventing them? Freedom, like religion, must be governed by reason, or as the one degenerates into fanaticism so will the other into anarchy, which calls for a master to quell it.

The Creeks yet kept up hostilities, and some of the refractory Cherokees were suspected of co-operating with them in an underhand way.

On the 5th of January, 1795, John Tye, Jr., was killed; and John Tye, Sr., John Burlinson, Sherrard Mays, and Thomas Mays were wounded by Indians on the frontier of Hawkins County, about fifty miles above Knoxville, on the waters of the Clinch.

On the 27th of January a party of Indians killed George Mason on Flat Creek, about twelve miles from Knoxville. In the night he heard a noise at his stable, and stepping out, his return to the door was instantly cut off by Indians. He sought safety by flight, and was fired upon and wounded. Nevertheless he reached a cave, a quarter of a mile from his house, out of which they dragged and killed him, and then returned to the house in which were his wife and children. As they returned, Mrs. Mason heard them talking to each other, and at first supposed they were neighbors coming to see what was the cause of the firing they had heard, but understanding both the English and German languages, and observing that they spoke in neither of these, she instantly perceived that they were the Indians returning to the house. She had that very morning inquired and learned how the double trigger of a rifle was set. The children were luckily all of them asleep, and she had taken care not to awaken them. She shut the door, and barred it with benches and tables, and took down the rifle of her husband, which was well charged. She placed herself directly opposite to the opening which would be made by pushing the door from its connection with the wall and the receiver of the bolt of the lock which was fastened to it. Upon her own fortitude now solely rested the defense of her own life and the lives of her five little children. She stood in profound silence. The Indians came to the door and shoved against it, and gradually forced it wide enough open to attempt an entrance. The body of one of them was thrusting itself into the opening, and prizing the door still farther from the wall; another stood behind him pushing him forward, and another again behind him pushing the middle one forward. She set the trigger of the rifle, put the muzzle near to the body of the foremost, and in a direction for the ball, after passing through the body of the foremost, to penetrate those behind. The rifle fired, the foremost fell, the next one to him screamed. They were both dangerously wounded. She uttered not a word. It occurred to the Indians that armed men were in the house, and, not knowing what their number might be, they withdrew without any further attempt on it. They took three horses out of the stable and set it on fire. Their trail was searched for and found. Their number was at least twenty-five.

Shortly before the 11th of June two parties of whites were

attacked by Indians on the road leading to Kentucky, and eight of them were killed, wounded, and missing.

About the 27th of December George, of Chilhowee, a Cherokee, killed Mr. Black, of Sevier County, and was himself immediately followed and killed by the white people.

The Creeks did not yet abate the proofs which they had so long given of their rooted enmity against the United States. The threatening aspect which they presented induced the Governor, on the 13th of February, to give orders to Gen. Robertson to keep up the infantry which had been formerly stationed for the protection of Sumner County, and particularly the post on the ford of the Cumberland, during the present year, if not otherwise ordered; the other to the 22d of July. And about the same time he wrote to the Secretary of War on the subject of Indian affairs, and recommended that an expedition be carried into the heart of the Creek territory, proposing likewise the plan and time of invasion. He asserted that the upper Creeks had killed and robbed the citizens of the United States from the day of the declaration of independence to that day, without cause or provocation, and regardless of the treaty of New York ever since its formation, with impunity; except that some few of them had been killed by the citizens in defense of themselves, their wives, and children, their houses, and their property, or in their flight, with scalps and horses in their possession, which had brought them to believe and to boast that they were superior to the citizens of the United States in war. And until the upper Creeks were made in turn to feel the horrors of war, and thereby learn the true value of peace and a sense of their inferiority, "I see," said he, "no reason to hope that they will observe a more peaceful conduct than they have hitherto done, except so far as they shall in a greater degree be restrained by defensive measures. One certain effect of the upper Creeks having so long killed and robbed with impunity the citizens of the United States has been that more or less of the Cherokees—generally of the lower towns—and of the lower Creeks too, have attached themselves to the upper Creek warriors, and aided them in the perpetration of murders and thefts. And a probable effect will be, if they are suffered to pass on with impunity, notwithstanding the present friendship which exists between the United States and the Choctaws and Chickasaws, that they, find-

ing the upper Creeks enriching themselves with the spoils of the citizens of the United States, acquiring the reputation of warriors, while the United States confine themselves merely to defending their citizens when they can, will more or fewer of them be induced to follow their example, which could terminate only in a hostile confederacy or union of the southern tribes. On the contrary, should an expedition be carried on against the upper Creeks, and should the whole of them be exterminated, it would be but justice as respects them—a nest of murderers and thieves—and would serve as an example to such of the lower Creeks and Cherokees as have been hitherto hostile to the United States. It would confirm the Chickasaws and Choctaws in that friendship which they profess.” The upper Creek towns he stated to be the source of all the acts of hostility suffered by the citizens of the United States resident on the southwestern frontier, the root of the evil. Destroy them, and peace would be the consequence to those citizens. He had attentively and successfully studied the Creek character, and his opinion was that the Creeks, after the invading troops had left the country, would not immediately fall on the frontier citizens for revenge; for all experience proved that the evils of war had taught the Indians, as well as other people, the value of peace, and they had conducted themselves toward their neighbors accordingly.

The government of the United States by no means concurred in these sentiments. The new Secretary of War, Mr. Pickering, inquired when the line could be run, and made it known to the Governor that all ideas of offensive operations were now to be laid aside; and to make this purpose the more striking and impressive, money was sent to Col. King in the spring of this year to pay the militia, excepting that part of Gen. Sevier's brigade in service in the year 1793, who did pursue the Creeks and Cherokees, meaning those who killed Cavet's family; and except those who were at Nickajack and the Running Water in 1794. The government believed that the whites on the frontiers were the aggressors, and that the Indians stood more in need of protection against them than they against the Indians. These steps were taken to check the inordinate propensities of the people for embodying and devastating the Indian towns and settlements. In ordinary cases the corrective might have been a sal-

utary one, but in that conjuncture its propriety might with great plausibility have been doubted. For one of the consequences then to be apprehended was that the people might listen to the dictates of nature rather than the prudential lessons of authority, advising the giving up their heads to the scalping-knife and to die with resignation in hopes of better times. The truth is that the worried patience of the people began to spurn the inanimate recommendations of the government, and to question its title to the character of wisdom. Symptoms of this opinion displayed themselves in a presentment of the grand jury for the District of Hamilton, at Knoxville, the place of the Governor's residence, in the April term of this year. They presented as a grievance that the executive officers of the government had withheld the pay of the militia which in 1793 followed the trail of the Indians who had killed Cavet and his family, under the pretense that such pursuit, although authorized by the person exercising the office of Governor, was an offensive operation. And also they presented as a grievance, among other things, that this Territory had not received the same protection as those States which were represented in Congress. The Governor, it was suspected, was in nowise displeased to perceive the unfolding of these sentiments; for his perpetual thesis was, when speaking of the Creeks, "*Delenda est Carthago*," and for more than a year it had been inserted in every *Gazette* which issued weekly from the printing-office in Knoxville, which was understood to be under his patronage and direction. He constantly urged the same topics to the Secretary of War. He wished the people of the south-western territory to be erected into a State, that, having a representation in Congress, they might acquire the same degree of consideration and the same protection that the neighboring States had. He stimulated the people to do themselves justice on this subject, for otherwise he thought they would never receive their due share of protection. The new Secretary of War began his communications with less suavity than the Governor had been accustomed to, and adverted to some passages in a letter implying, as he said, a disapprobation of the steps pursued by the government; to which the Governor answered that he could give him a better exposition. The exception seemed to be more querulous than useful, and to develop a captious predisposition which promised but little ac-

cordance with the Governor's views or those of the south-western people. Besides informing them that all thoughts of offensive operations must be laid aside, he declared to them, also, that no assistance should be given to the Chickasaws. After enumerating many improprieties in the conduct of the Governor and of Gen. Robertson, he used the following expression of his opinion: "Upon the whole, sir, I cannot refrain from saying that the complexion of some of the transactions in the south-western territory appears unfavorable to the public interests. It is plain that the United States are determined, if possible, to avoid a direct or indirect war with the Creeks. Congress alone is competent to decide upon an offensive war, and Congress had not thought proper to authorize it. The acts of individuals, and especially of public officers, apparently tending to such an event, ought not to be silently overlooked." But permission was given, in order to protect the Cumberland settlers, to establish a post on the Tennessee at or near the Creek crossing of the same Chickasaw limits, and with the assent of the Cherokees, if they had any claim. He allowed a guard of Cherokees and Chickasaws while the works were erecting, and while the troops would be otherwise insecure, and no longer. Should the Cherokees behave well until the next conferences, and should then desire it, the posts advanced into their country were to be removed. The Chickasaws were to be asked for their consent to the establishment of a post on the Tennessee, which, at the same time that it would be convenient for trading with them and the neighboring Indians, was well adapted to the security of the people of Cumberland. A station and ferry were to be kept up at West Point, if the Cherokees could be induced to consent to the measure; and a written article was to be proposed to them, declaring the object of the station to be for the accommodation of travelers, and should never furnish a pretense for claiming or settling on the lands. To satisfy them that such was the real object, a withdrawal of the garrisons from Tellico block-house and Fort Grainger was suggested. Settlers upon the lands of the Indians were to be immediately removed by military force, if necessary, and all such intrusions for the future were to be abated and prevented. In order to prevent the Indians from stealing horses the south-western people were not to steal their lands. The Creeks, when passing through the Cherokee country to rob and murder,

were to be prevented, if possible, by the Cherokees; but not by force, for that might bring on war; in which case the United States would be in honor bound to support the Cherokees, and thus have to encounter an open war with the Creeks. That part of the Cherokee treaty which stipulates that their lands are not to be hunted on nor their game killed by the white people was to be most strictly observed. The opinion of Gov. Blount, delivered in December last to Gen. Robertson, and by him communicated to the Chickasaws, was censoriously reprov'd, as it would eagerly be caught hold of by them, who might be incited by it to more rash acts than otherwise they would have committed.

These animadversions were shown to the people of Cumberland. The acerbities, so profusely scattered through the whole of this document, were supposed to be but illy adapted to the feelings of a bleeding people; and were the more poignant as they came from the quarter whence was expected at least the balm of consolation, when it did not furnish the redress to which the much-injured people of the south-western territory were entitled. They asked for bread, and a serpent was given; they prayed for a blessing, and received a curse. Such, they exclaimed, was their comfortless condition, now made more hopeless than ever. Although copies of this instrument were not permitted to be taken, yet one copy taken by the Governor was put into the hands of Gen. Robertson, and was circulated through all the Cumberland settlements, so as to meet the eye of everybody. It was remarked that there were several articles in it providing against an actual existing state of hostility on the part of the Creeks, and yet they were in no case to be considered as enemies; and because they were secret and undeclared enemies, therefore, they were to be exempted from all punishment; and, furthermore, when so much caution was used not to embroil the Creeks and Cherokees, lest the United States should be bound in honor to take part with the latter, it was sarcastically asked: "Why, then, does not your honor bind you to support the Chickasaws?" The people throughout the Territory were greatly disgusted, and wished to be elevated above the domination of departments, to which, by their territorial character, they were subjected. The Creeks, though still rioting in the spoils they had taken from the slaughtered inhab-

itants of the Territory, began to experience vicissitudes which were soon to detach from their aid all those who had been their former abettors, and to leave them to contend single-handed with the people whom they had so long and so grievously harassed. The number of the territorial inhabitants had become formidable. The Chickasaws, whom they greatly dreaded, were at war with them. They had heard that the Spaniards were likely to desert them; they knew of the defection of the Cherokees. The people of the south-western territory had become so much inured to war that they searched all places through which the Indians could pass, or in which they could lurk, and never failed on sight to inflict on them a dreadful chastisement. There was now danger in passing through the Cherokee country, lest, in obedience to the Governor's orders, they might be arrested and brought before him. And to all this may be added that the northern Indians were beaten and ruined, and had signed preliminary articles of peace; in consequence whereof, Gen. Wayne, on the 22d of February, had proclaimed a cessation of hostilities. The pillars of war were everywhere crumbling into ruins, and the rage of discord was dying away. As well calculated, however, as these circumstances were to make the desired impressions, they did not immediately do so; but, on the contrary, the Creeks could not bear to give up that valuable branch of trade—the taking of hair and horses—whereby they had so long enriched themselves, and which, like the Arabs and the Algerines, they began to have the authority of prescription for believing to be a lawful occupation. Their depredations, therefore, were continued; and intelligence was received in the month of March from the council of the whole Cherokee nation, convened at Allejoy, that a party of Creeks, sixteen in number, headed by a half-breed fellow by the name of Bill McIntosh, returned in the month of February, 1795, through the lower Cherokee towns, from the frontier of the Territory, with thirty-seven stolen horses. One of the party was wounded by a ball in the thigh. But the fortitude of the Creeks was not long able to withstand the shocks which so many untoward events gave to it. They began to waver in their purposes and to be disunited as to the courses the most proper to be pursued for the good of their nation. On the 3d of April the chiefs of the upper and lower Creeks caused an address,

which they called a talk, to be written to Gov. Blount in their meeting at Oakfusky, in which they made known to him and to all the citizens of the territory that they had set about the business of collecting the horses, white persons, and negroes, and all other property in their land belonging to the citizens of the United States, whether from Cumberland, Kentucky, or any other part of the western territory, with which they should set off in a few days for Georgia at the place appointed by Mr. Seagrove; and deliver to him all the said property, and white prisoners to be forwarded by Mr. Seagrove, such part of it as belonged to the western territory to that place; and that they should request him to write fully their intentions to all the several Governors of the Western Territories. They assured the Governor that he might put full confidence in what they said. "And we are," they said, "determined from this time to bury the hatchet, gun, and all other sharp weapons, and to take all the white people by the hand like brothers, and never to spill each other's blood any more;" and that Gov. Blount and all his people may in future, on the receipt of this communication, work on their farms without the least dread, and hunt their stock and pass from place to place without the least apprehension of danger or molestation. They at this time delivered Brown, a son of Mrs. Brown, formerly a prisoner in the Creek Nation. On the last of this month they affected to desire peace, because, said the Governor, they had their hands full of the Chickasaws. But he was willing to accede, let the cause be what it might. As a proof of their sincerity, he required that they should give up their prisoners; and in May was mortified with the information that they had invited the young warriors of the lower Cherokee towns to join in their war against the Chickasaws and people of Cumberland. But again in June they returned to a desire for peace. Their varying purposes indicated a want of perseverance which they had never before shown, and was received as a good presage that they would shortly settle down in peaceful resolutions. Before the middle of June they sent peace talks to the Governor, the first of the same sort that he had ever received from them, upon which he observed that the Chickasaws had taught them good manners.

On the 15th of June great numbers of the Creek chiefs had conferences with Mr. Seagrove, and resolved on the observance

of peace for the future, and to deliver up the white persons and slaves whom they had taken from the people of the United States. But it was said that the Creeks would make an exception of the people of Cumberland, because of the partialities they had shown for the Chickasaws.

On the 12th of August he agreed to a proposal of the Creek chiefs to meet them at Tellico to strengthen the relations of amity between the United States and the Creek nation, and they appointed the 10th of October for that purpose. At their request, he had directed Gen. Robertson to go in person with an escort to the Chickasaw nation, and to prevail upon them, if possible, to give up the Creeks who were prisoners in their possession; and to inform them that the Creeks would be at peace with them upon their desisting from further hostilities and delivering up the prisoners, and that he understood himself to be authorized to say so by a letter to him from the Creeks. He assured the Creeks they might rest satisfied that the United States would not take possession of any lands that belonged to the red people. He explained and palliated the expedition under Mansco and Smith to the Chickasaw Nation. The Spaniards, he said, had told this story to render less offensive the occupation of the Chickasaw Bluffs by Gov. Gayoso. He took notice that peace was then perfectly established between the Creek nation and the United States, and he hoped that Col. White and Capt. Singleton would meet with no obstacles in accomplishing the objects of their mission. Gen. Colbert, he informed them, had gone to the President, and would be told positively that he must be at peace with the Creeks. The Governor was so perfectly satisfied that there was no delusion in the appearances before him that on the 24th of August, in a letter addressed to Gen. Robertson, he congratulated the citizens of Mero District upon the arrival of peace which they have conquered, and declared that he had a well-grounded hope of its continuance. In this month Col. Titsworth went with a passport into the Creek Nation, and was informed where his daughter and negro were. They were delivered without price, and had been taken by the Creeks who belonged to the hickory ground, and who had fired upon the whites and Chickasaws as they passed the Cumberland Mountain. The Creeks who had formerly had them lived at Tuskega, the old Alabama fort. Mr.

Titsworth believed they had desisted from war at the intercession of the Spaniards, Mr. Seagrove, and the Choctaws.

In September Col. White had been in the nation to procure the restoration of his niece, Sally Wilson. He was satisfied that the nation generally were more sincere in wishing for peace than they ever had been since the commencement of the American war.

On the 11th of October the Governor stated to Mr. Dorris, who applied for a guard to escort him through the wilderness, that peace with the Creeks and Cherokees then existed not only in name and upon paper, but in reality.

On the 18th of October, at a very full meeting of the Cherokee and Creek chiefs, conferences were begun and continued for several days between Gov. Blount and them. A universal peace was agreed upon in the most solemn manner, and a dereliction of all claims to lands thereto ceded by any of the four southern tribes. They agreed, upon the last day of April, 1796, for running the line. Scolacutta held a belt of beads to the Creeks to take hold of, which they did. He strongly recommended to the Creeks to persevere in peace. "All people," said he, "are making peace. The northern people are forced to it, from whom you used to receive the bloody tobacco and to smoke it." He presented them with beads to distribute in the towns as they went home, and tobacco; and desired them, when smoking, to think of the good talks held at that place. He also presented them a pipe to take home; when smoking with it he desired them to think of peace with the Chickasaws. The Tuckabatchie king said that it was with his young warriors at home to make peace with the Chickasaws. All that he could promise was that an answer should be given to the proposal for peace with the Chickasaws. He had only taken them by the hand, not by the arm. He had been like a tree about to fall, and Gov. Blount seemed determined to raise him up; and that at an early day an answer should be given in respect of peace with the Chickasaws. Kattagiska, a Cherokee chief, said that he was of the same blood with the Chickasaws. He wished the Creeks to be reconciled to them.

The conferences began on the 18th of October, 1795, and ended on the 20th. Many applications were made by the Indians for their children to be educated at the expense of the

United States. Gov. Blount recommended to the government to educate them on the frontiers, to bring them up in friendly habits with the youth of the country; by which means prejudices would be eradicated, and they might receive in time of peace lessons of charity and benevolence from the clergy intrusted with their education—a better way of diffusing the blessings of the gospel, he observed, than that of destroying them by war, which in times of hostility the clergy had sometimes copiously recommended. And with respect to the further protection of the frontiers, he recommended the establishment of forts, at proper intervals, upon the north banks of the Tennessee. In his letter to Gen. Lee, the Secretary of War, he said that peace already existed, and for the preservation of it he advised posts of regular troops upon the frontiers, and proposed a plan for the civilization of the Indians. “The enumeration already made, he observed, “shows that the territorial government will shortly be at an end. Perhaps,” said he, “it will not last longer than the last day of January.” He recommended the then present Indian Agents as men of worth and merit, Gen. Robertson being one of them as Agent for the Chickasaws. Hearing in November that the six howitzers which had been brought to Nashville by Mr. Foster were sent down the river to the Chickasaws, notwithstanding his orders on the 10th of October to detain them, he was greatly dissatisfied for fear of the umbrage it might give to the Creeks, and he immediately requested of Gen. Robertson to inform him whether he (Gen. Robertson) had given orders to that effect, observing at the same time that he had heard that Col. Henly had given them. The Secretary of War had stated that these howitzers were never intended for the Chickasaws, and were originally provided by Gen. Knox for the defense of Mero District. The Governor informed the Secretary of War that probably the howitzers had been sent down by the Agent of the War Department (Col. Henly), and believed that he was acquainted with the Governor's orders to Mr. Robertson to detain them at Nashville.

With respect to the internal affairs of the Territory, Gen. Robertson, on the 13th of May, 1795, finding that the public safety no longer required the arduous military labors which he had so long sustained, and seeing withal that the Nickajack expedition, though it actually put an end to the war of the Cher-

okees, was snarled at by the Secretary, requested that the Governor might consider his office of Brigadier-general resigned from and after the 15th of August ensuing.

The Governor by his proclamation called upon the members of the Assembly to meet together on the last Monday of June, 1795. The object in view was that they might deliberate on the question whether the Territory should be formed into a State, and to take measures to bring it about. In their address to him they approved of his object in convening them, and were convinced that the great body of their constituents were sensible of the many defects in their then present mode of government, and of the great and permanent advantages to be derived from a change and speedy representation in Congress. The General Assembly, they said, during its then present session, would endeavor to devise such means as might have a tendency to effect the desirable object. They rejoiced that the calamities of Indian warfare had then in a great measure ceased to exist, and so long as a remembrance of past sufferings should continue they declared that they should entertain a grateful sense of the Governor's unwearied struggles to promote a general peace with the Indian tribes, the good effects of which they now experienced. They passed a law for enumerating the inhabitants, to see whether they amounted to sixty thousand or not, and made the new county of Blount. They appointed commissioners to confer with those from South Carolina upon the practicability of a road from Buncombe County, in North Carolina, into the Territory, and upon the means to be adopted for procuring the same to be cut and opened.

On the 28th of November the Governor certified that the enumeration of the inhabitants, taken under the act of the 11th of July, 1795, amounted to seventy-seven thousand two hundred and sixty-two persons. He issued his proclamation for elections to be held on the 18th and 19th of December, for choosing five persons in each county to represent them in a convention, to meet at Knoxville on the 11th of January, 1796, for the purpose of forming a constitution or permanent system of government.

On the 11th of January, 1796, the convention began its session at Knoxville; and these, on the 6th of February, 1796, in the name of the people of the Territory of the United States

South-west of the River Ohio, having a right of admission into the general government as a member State thereof, consistently with the Constitution of the United States and the act of the cession of the State of North Carolina, recognizing the ordinance for the government of the Territory of the United States North-west of the River Ohio, did ordain and establish a Constitution or form of government, and did mutually agree with each other to form themselves into a free and independent State, by the name of the State of Tennessee.

On the 9th of February Gov. Blount forwarded to Mr. Pickering, as Secretary of State, a copy of the Constitution formed for the permanent government of the State of Tennessee. The General Assembly was appointed to commence on the last Monday in March, 1796. The copy of the Constitution was sent by Mr. McMinn, and he was instructed to stay long enough at Philadelphia to ascertain whether the members of Congress from this State would be received; and he instructed Mr. White, the territorial Representative in Congress, to have an act passed as soon as possible for the admission of this State into the Union, which act accordingly passed on the 6th of June, 1796.

Writs of election issued from the convention on the 6th of February, 1796, for the election of Senators and Representatives to represent their counties in the General Assembly, the session whereof was to commence on the last Monday of March; and also for the election of a Governor of the State of Tennessee.

The members of the Assembly were elected pursuant to the mode which the Constitution prescribed, and the people elected John Sevier Governor. At the appointed time the Assembly met at Knoxville, and the State of Tennessee there assumed the rank and exercised the authorities of a free and independent State.

APPENDIX.

REPORT

Of Messrs. Walker and Smith to the Legislature of Virginia, on the Boundary Line between the States of Virginia and North Carolina.

To the Honorable the Speaker, and Gentlemen of the House of Delegates.

IN obedience to an Act of Assembly entitled "An Act for Extending the Boundary Line between Virginia and North Carolina," we, the subscribers, proceeded to run said line. The gentlemen from North Carolina did not meet so soon as had been agreed, and after they came many accidents happened which protracted the business.

The place where Messrs. Fry and Jefferson ended their line on Steep Rock Creek could not be found, owing, we suppose, to so much of the timber thereabouts being since dead. We proceeded to observations in order to fix upon the spot on Steep Rock Creek where we should begin. On Monday, September 6, 1779, having agreed with the Carolina gentlemen in observations, the following memoranda were entered on their journal, as well as ours, as proper preliminaries agreed upon, necessary in finding the line, viz.: That the sun's meridian altitude was this day fifty-nine degrees fifty-two minutes; that the place of observation was one minute and twenty-five seconds north of the proper latitude, or one mile two hundred and one poles and a half; that at Steep Rock we were in superficial measure three hundred and twenty-nine miles west of Currituck Inlet; that a degree of longitude in this latitude was forty-eight and twenty-three one hundredths geographical miles, or of statute miles fifty-five and one thousand eighty-three yards; that Currituck Inlet was in seventy-five degrees thirty minutes west longitude, this being the average of three different accounts, and of course, that the longitude we were then in was eighty-one degrees twelve minutes west of London; we measured off the one mile, and two hundred and one and a half poles, on a due south course, and the beginning of the line was thus fixed to the satisfaction of all. We should not have troubled you with these particulars, but for some subsequent events which make us think it our duty. After running the line as far as Carter's Valley, forty-five miles west of Steep Rock Creek, the Carolina gentlemen conceived that the line was farther south than it ought to be, and on trial it was found that the variation of the needle had altered a little, which must have happened very lately, and was owing, we believe, to our being just then near some iron ore; because, on observing the sun's meridian altitude, the line was not too far south, as the Carolina gentlemen by their observation made out, otherwise they proposed that the surveyors on both sides should observe and try to fix the latitude. This was agreed to by one of us, influenced by a knowledge of the small change of the variation, and was not dissented to by the other,

as most of the observations on the part of Virginia had been made by him, but quite contrary to our expectations, they agreed that we were more than two miles too far south of the proper latitude, which distance was measured off directly south, and the line run eastward from that place superintended by two of the Carolina gentlemen and one of us, while from the same place it was continued eastwardly superintended by the others, for the sake of expediting the business. The instruments proper for ascertaining the latitude were mostly taken back on the eastern part of the line, in order that those who superintended it might be farther satisfied; but after going back more than twenty miles, and observing every day on this line, his judgment was unalterably fixed that the line was wrong, although the Carolina gentlemen would not seem to be of this opinion; and he returned and overtook his colleague on the western part of the line, on Black Water Creek, or thereabouts, to whom he imparted his sentiments, proposing that he also should observe for some days, which he did. The result was that we concluded our first line right, and we brought it up accordingly from Carter's Valley, where it had been left, and continued with it to the westward.

It was once after this proposed by us, and agreed to by the Carolina gentlemen, that as we differed so much in observation, we would each run his own line, encamp as near together as we could, and let future observers hereafter to be appointed determine which was right, which might be done at a small expense. But this they afterward declined, although they carried the line as far as Cumberland Mountain; protesting against our line. This protest we received in a letter after we crossed Cumberland Mountain. We continued, however, as far as Deer Fork, being one hundred twenty-three and three-fourth miles from Steep Rock Creek, marking a poplar and two hackberry trees with the initials of our names, and with November 22, 1779, and had serious thoughts of going no farther; but when we considered that perhaps three-fourths of the whole expense was already incurred, that a number of people were settling to the westward, who imagined they were in North Carolina, while we thought they were on lands reserved for our officers and soldiers; these and some others of the like considerations made us think it more conducive to the good of the State in general that we should keep on than that we should return. But as the season was far advanced, and the country before us, as far as it was known, was very mountainous and barren, not yielding a sufficient quantity of cane for our pack-horses, which had for some time been their principal support; these among other reasons made us judge it best to leave off running the line here, and go farther to the westward into a better country, where, by reason of many people being about to settle, it might be of importance to run the line speedily. The map will show our route to a place on the Cumberland River, where we built canoes to carry our baggage and rest the pack-horses, which were too much reduced to do service that way, and to add to the number of our difficulties and misfortunes we were frozen up more than forty days in a river never known to have been frozen before. We went by water from this place until we got into the proper latitude (as we judge one hundred and nine miles west of the Deer Fork), and began the line against two beech trees, marked with our names, and February 25, 1780, on the west bank of the

Cumberland River, a creek coming in about a mile above us on the west side, and another somewhat smaller about half a mile below us on the east side. From this place we extended the line across the heads of Green River and Red River, through a country called the barrens, from there being little or no timber on it in many places; crossed the Cumberland again at one hundred and thirty-one miles, where there is a cliff on the north-east side, and a bottom about three-quarters of a mile broad on the other side; and at the end of one hundred and forty miles one quarter and eighty poles from the two beech trees, on the 23d day of March, found ourselves on the bank of the Tennessee River, and of course had run the line as far as we were authorized to do. Notwithstanding the difficulties and hardships we had to contend with, one of us kept through the woods with the surveyors, while the other went down by water, by which means a tolerable map of the Cumberland River is taken; a fine river navigable at least seven hundred miles from the mouth. When we had returned homeward about one hundred and sixty miles, we met with orders from his Excellency, the Governor, to do another piece of service, which we suppose he has made you acquainted with. We have also since seen Col. Henderson, one of the North Carolina Commissioners, who, with another one of his colleagues, had been examining our line, and he has repeatedly given us much reason to believe that their State will establish the line as we run it.

THOMAS WALKER,
DANIEL SMITH.

AN ORDINANCE

For the Government of the Territory of the United States North-west of the River Ohio.

Be it ordained by the United States in Congress assembled that the said Territory, for the purpose of temporary government, be one district, subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

Be it ordained by the authority aforesaid that the estates, both of resident and non-resident proprietors, dying intestate, shall descend to and be distributed among their children, and the descendants of a deceased child in equal parts; the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them; and where there shall be no children or descendants, then in equal parts next of kin, in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have in equal parts among them their deceased parent's share; and there shall in no case be a distinction between kindred of the whole and half blood, saving in all cases to the widow of the intestate her third part of the real estate for life, and one-third part of the personal estate; and this law, relative descents and dowers, shall remain in full force until altered by the Legislature of the district. And until the Governor and judges shall adopt laws as hereinafter mentioned, estates in the said Territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be (being of full age), and attested by

three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed, and delivered by the person (being of full age) in whom the estate may be, and attested by two witnesses; provided, such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved and be recorded within one year, after proper magistrates, courts, and registers shall be appointed for that purpose, and personal property may be transferred by delivery; saving, however, to the French and Canadian inhabitants, and other settlers of the Kaskaskias, St. Vincents, and the neighboring villages, who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance of property.

Be it ordained by the authority aforesaid that there shall be appointed from time to time, by Congress, a Governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress. He shall reside in the district, and have a freehold estate therein in one thousand acres of land, while in the exercise of his office.

There shall be appointed from time to time, by Congress, a Secretary, whose commission shall continue in force for four years, unless sooner revoked. He shall reside in the district, and have a freehold estate therein in five hundred acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the acts and laws passed by the Legislature, and the public records of the district, and the proceedings of the Governor in his executive department; and transmit authentic copies of such acts and proceedings every six months to the Secretary of Congress. There shall also be appointed a court, to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in five hundred acres of land, while in the exercise of their offices; and their commissions shall continue in force during good behavior.

The Governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary and best suited to the circumstances of the district, and report them to Congress from time to time; which laws shall be in force in the district until the organization of the General Assembly therein, unless disapproved of by Congress, but afterward the Legislature shall have authority to alter them as they shall think fit.

The Governor, for the time being, shall be commander in chief of the militia, appoint and commission all officers in the same below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

Previous to the organization of the General Assembly the Governor shall appoint such magistrates and other civil officers in each county or township as he shall find necessary for the preservation of the peace and good order in the same. After the General Assembly shall be organized, the powers and duties of magistrates and other civil officers shall be regulated and defined by the said Assembly; but all magistrates and other civil officers not herein otherwise directed shall, during the continuance of this temporary government, be appointed by the Governor.

For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the Governor shall make proper divisions thereof. And he shall proceed from time to time, as circumstances may require, to lay out parts of the district, in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the Legislature.

So soon as there shall be five thousand free male inhabitants of full age in the district, upon giving proof thereof to the Governor, they shall receive authority, with time and place, to elect Representatives from their counties or townships, to represent them in the General Assembly; provided, that for every five hundred free male inhabitants there shall be one Representative and so on progressively with the number of free male inhabitants shall the right of representation increase until the number of representatives shall amount to twenty-five, after which the number and proportion of representatives shall be regulated by the Legislature: provided, that no person be eligible or qualified to act as a representative unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and in either case shall likewise hold in his own right, in fee simple, two hundred acres of land within the same: provided, also, that a freehold in fifty acres of land in the district, having been a citizen of one of the States, and being resident in the district, or the like freehold, and two years' residence in the district shall be necessary to qualify a man as an elector of a Representative.

The Representatives thus elected shall serve for the term of two years; and in case of the death of a Representative, or removal from office, the Governor shall issue a writ to the county or township, for which he was a member, to elect another in his stead to serve for the residue of the term.

The General Assembly, or Legislature, shall consist of the Governor, Legislative Council, and a House of Representatives. The Legislative Council shall consist of five members, to continue in office five years, unless sooner removed by Congress, any three of whom to be a quorum. And the members of the council shall be nominated and appointed in the following manner, to wit: As soon as Representatives shall be elected the Governor shall appoint a time and place for them to meet together; and when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress, five of whom Congress shall appoint and commission to serve as aforesaid: and whenever a vacancy shall happen in the council, by death or removal from office, the House of Representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress, one of whom Congress shall appoint and commission for the residue of the term. And every five years, four months at least before the expiration of the time of service for the members of the council, the House shall nominate ten persons, qualified as aforesaid, and return their names to Congress, five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the Governor, Legislative Council, and House of Representatives shall have authority to make laws, in all cases,

for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills having passed by a majority of the House, and by a majority in the Council, shall be referred to the Governor for his assent; but no bill or legislative act whatever shall be of any force without his assent. The Governor shall have power to convene, prorogue, and dissolve the General Assembly, when, in his opinion, it shall be expedient.

The Governor, judges, Legislative Council, Secretary, and such other officers as Congress shall appoint in the district shall take an oath or affirmation of fidelity and of office: the Governor before the President of Congress, and all other officers before the Governor. As soon as a Legislature shall be formed in the district, the Council and House assembled (in one room) shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating, but not of voting, during this temporary government.

And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws, and constitutions are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said Territory; to provide also for the establishment of States and permanent government therein, and for the admission to a share in the Federal councils, on an equal footing with the original States, at as early periods as may be consistent with the general interest—

It is hereby ordained and declared by the authority aforesaid that the following articles shall be considered as articles of compact between the original States and the people and States in the said Territory, and forever remain unalterable, unless by common consent, to wit:

ARTICLE I.

No person demeaning himself in a peaceable and orderly manner shall ever be molested on account of his mode of worship or religious sentiments in the said Territory.

ARTICLE II.

The inhabitants of the said Territory shall always be entitled to the benefits of the writ of *habeas corpus* and of the trial by jury, of a proportionate representation of the people in the Legislature, and of judicial proceedings according to the course of common law. All persons shall be bailable, unless for capital offenses where the proof shall be evident or the presumption great. All fines shall be moderate, and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property but by the judgment of his peers or the law of the land; and should the public exigencies make it necessary for the common preservation to take any person's property, or to demand his particular services, full compensation shall be made for the same. And in the just preservation of rights and property, it is understood and declared that no law ought ever to be made or have force in the said Territory that shall in any manner whatever interfere with or affect private contracts or engagements, *bona fide* and without fraud previously formed.

ARTICLE III.

Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed toward the Indians. Their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall from time to time be made, for preventing wrongs being done to them, and for preserving peace and friendship with them.

ARTICLE IV.

The said Territory and the States which may be formed therein shall forever remain a part of this Confederacy of the United States of America, subject to the Articles of Confederation and to such alterations therein as shall be constitutionally made, and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said Territory shall be subject to pay a part of the federal debts, contracted or to be contracted, and a proportional part of the expenses of the government, to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of the Legislatures of the district or districts or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The Legislatures of those districts, or new States, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations that Congress may find necessary for securing the title in such soil to the *bona fide* purchasers. No tax shall be imposed on lands the property of the United States, and in no case shall non-resident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways and forever free, as well to the inhabitants of the said Territory as to the citizens of the United States and those of any other States that may be admitted into the Confederacy, without any tax, impost, or duty therefor.

ARTICLE V.

There shall be formed in the said Territory not less than three nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession and consent to the same, shall become fixed and established as follows, to wit: The western State in the said Territory shall be bounded by the Mississippi, the Ohio, and Wabash Rivers, a direct line drawn from the Wabash and Post Vincents due north to the territorial line between the United States and Canada, and by the said territorial line to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash from Post Vincents to the Ohio, by the Ohio, by a direct line drawn due north from the mouth of the great Miami to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last-mentioned direct line, and the Ohio, Pennsylvania, and

the said territorial line; provided, however, and it is further understood and declared that the boundaries of these States shall be subject so far to be altered that if Congress shall hereafter find it expedient they shall have authority to form one or two States in that part of the said Territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And whenever any of the said States shall have sixty thousand free inhabitants therein such State shall be admitted by its delegates into the Congress of the United States, on an equal footing with the original States in all respects whatever; and shall be at liberty to form a permanent Constitution and State government, provided the Constitution and government so to be formed shall be republican and in conformity to the principles contained in these articles; and so far as it can be consistent with the general interest of the confederacy such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

ARTICLE VI.

There shall be neither slavery nor involuntary servitude in the said Territory, otherwise than in punishment of crimes, whereof the party shall have been duly convicted; provided always that any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.

Done by the United States in Congress assembled, the thirteenth day of July, in the year of our Lord one thousand seven hundred and eighty-seven, and of their sovereignty and independence the twelfth.

WILLIAM GRAYSON, *Chairman.*

CHARLES THOMPSON, *Secretary.*

AN ACT

For the Purpose of Ceding to the United States of America Certain Western Lands Therein Described.

Whereas the United States in Congress assembled have repeatedly and earnestly recommended to the respective States in the Union, claiming or owning vacant western territory, to make cessions of part of the same, as a further means as well of hastening the extinguishment of the debts as of establishing the harmony of the United States; and the inhabitants of the said western territory being also desirous that such cession should be made in order to obtain a more ample protection than they have heretofore received. Now this State being ever desirous of doing ample justice to the public creditors, as well as the establishing the harmony of the United States, and complying with the reasonable desires of her citizens,

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the Senators of this State in the Congress of the United States, or one of the Senators and any two of the Representatives of this State in the Congress of the United States, are hereby authorized, empowered, and required to execute a deed or deeds on the

part and behalf of this State, conveying to the United States of America all right, title, and claim which this State has to the sovereignty and territory of the lands situate within the chartered limits of this State, west of a line beginning on the extreme height of the Stone Mountain, at the place where the Virginia line intersects it; running thence along the extreme height of the said mountain, to the place where the Watauga River breaks through it; thence a direct course to the top of the Yellow Mountain, where Bright's road crosses the same; thence along the ridge of said mountain between the waters of Doe River and the waters of Rock Creek, to the place where the road crosses the Iron Mountain; from thence along the extreme height of said mountain to where the Nolichucky River runs through the same; thence to the top of the Bald Mountain; thence along the extreme height of said mountain to the Painted Rock, on the French Broad River; thence along the highest ridge of the said mountain to the place where it is called the Great Iron or Smoky Mountain; thence along the extreme height of the said mountain to the place where it is called Unacoy or Unaka Mountain, between the Indian towns of Cowee and Old Chota; thence along the main ridge of the said mountain to the southern boundary of this State, upon the following express conditions, and subject thereto—that is to say:

FIRST. That neither the lands nor inhabitants westward of the said mountain shall be estimated after the cession made by virtue of this act shall be accepted in the ascertaining of the proportion of this State with the United States in the common expense occasioned by the late war.

SECONDLY. That the lands laid off, or directed to be laid off, by any Act or Acts of the General Assembly of this State, for the officers and soldiers thereof, their heirs and assigns respectively, shall be and inure to the use and benefit of the said officers, their heirs and assigns respectively; and if the bounds of the said lands already prescribed for the officers and soldiers of the continental line of this State shall not contain a sufficient quantity of lands fit for cultivation to make good the several provisions intended by law, that such officer or soldier, or his assignee, who shall fall short of his allotment or proportion after all the lands fit for cultivation within the said bounds are appropriated, be permitted to take his quota, or such part thereof as may be deficient, in any other part of said territory intended to be ceded by virtue of this Act, not already appropriated. And where entries have been made agreeable to law, and titles under them not perfected by grant or otherwise, then, and in that case, the Governor, for the time being, shall and he is hereby required to perfect, from time to time, such titles, in such manner as if this Act had never been passed, and that all entries made by, or grants made to all and every person and persons whatsoever, agreeable to law, and within the limits hereby intended to be ceded to the United States, shall have the same force and effect as if such cession had not been made, and that all and every right of occupancy and pre-emption, and every other right reserved by any Act or Acts, to persons settled on and occupying lands within the limits of the lands hereby intended to be ceded as aforesaid, shall continue to be in full force in the same manner as if the cession had not been made, and as conditions upon which the said lands are ceded to the United States. And further, it shall be understood that if any

person or persons shall have by virtue of the Act, entitled, "An Act for Opening the Land Office, for the Redemption of Specie and Other Certificates, and Discharging the Arrears Due the Army," passed in the year one thousand seven hundred and eighty-three, made his or their entry in the office usually called John Armstrong's office, and located the same to any spot or piece of ground on which any other person or persons shall have previously located any entry or entries, that then and in that case, the person or persons having made such entry or entries, or their assignee or assignees shall have leave and be at full liberty to remove the location of such entry or entries to any lands on which no entry has been specially located, or any vacant lands included within the limits of the lands hereby intended to be ceded; provided, that nothing herein contained shall extend or be construed to extend to the making good any entry or entries, or any grant or grants heretofore declared void by any Act or Acts of the General Assembly of this State.

THIRDLY. That all the lands intended to be ceded by virtue of this Act to the United States of America, and not appropriated as before mentioned, shall be considered as a common fund for the use and benefit of the United States of America, North Carolina inclusive, according to their respective and usual proportion in the general charge and expenditure, and shall be faithfully disposed of for that purpose, and for no other use or purpose whatever.

FOURTHLY. That the territory so ceded shall be laid out and formed into a State or States, containing a suitable extent of territory, the inhabitants of which shall enjoy all the privileges, benefits, and advantages set forth in the ordinance of the late Congress for the government of the western territory of the United States; that is to say, whenever the Congress of the United States shall cause to be officially transmitted to the executive authority of this State an authenticated copy of the Act to be passed by the Congress of the United States, accepting the cession of territory made by virtue of this Act, under the express conditions hereby specified, the said Congress shall at the same time assume the government of the said ceded territory, which they shall execute in a manner similar to that which they support in the territory west of the Ohio, shall protect the inhabitants against enemies, and shall never bar or deprive them or any of them of privileges which the people west of the Ohio enjoy; provided, always, that no regulations made or to be made by Congress shall tend to emancipate slaves.

FIFTHLY. That the inhabitants of the said ceded territory shall be liable to pay such sums of money as may, from taking their census, be their just proportion of the debt of the United States, and the arrears of the requisitions of Congress on this State.

SIXTHLY. That all persons indebted to this State, residing in the territory intended to be ceded by virtue of this Act, shall be held and deemed liable to pay such debt or debts in the same manner and under the same penalty or penalties as if this Act had never been passed.

SEVENTHLY. That if the Congress of the United States do not accept the cession hereby intended to be made, in due form, and give official notice thereof to the executive of this State within eighteen months from the passing of this Act, then this Act shall be of no force or effect whatever.

EIGHTHLY. That the laws in force and use in the State of North Carolina at the time of passing this Act shall be and continue in full force within the territory hereby ceded, until the same shall be repealed or otherwise altered by the legislative authority of the said territory.

NINTHLY. That the lands of non-resident proprietors within the said ceded territory shall not be taxed higher than the lands of residents.

TENTHLY. That this Act shall not prevent the people now residing south of the French Broad between the rivers Tennessee and Pigeon from entering their pre-emptions on that tract should an office be opened for that purpose under an Act of the present General Assembly.

And be it further enacted by the authority aforesaid, that the sovereignty and jurisdiction of this State, in and over the territory aforesaid, and all and every of the inhabitants thereof, shall be and remain the same in all respects, until the Congress of the United States shall accept the cession to be made by virtue of this Act, as if the Act had never passed.

REPORT

Of the Committee of the Legislature of North Carolina, on Walker's Line at Their Session at Fayetteville, Which Began on the 2d of November and Ended on the 22d of December, 1789.

Mr. Person, from the committee to whom was referred the letter from his Excellency, the Governor of Virginia, on the subject of establishing the boundaries between this State and Virginia, reported that it is proposed on the part of Virginia that the line commonly called Walker's line be established as the boundary between us. Should this proposal not be acceptable to this State, they then will appoint commissioners to meet any persons who may be appointed on the part of North Carolina, empowered to confer on the propriety of establishing Walker's or Henderson's line, and to report to the Legislatures of their respective States their proceedings.

On examining the manner in which those lines were run by the commissioners in the year 1780, they find that the commissioners began and extended the line together about forty miles, when some difference took place, and the commissioners on the part of this State run a parallel line two miles north of the other line, for about half the distance, and extended the line no farther. Mr. Walker and the other commissioners from Virginia extended the line to the Tennessee River, and marked its termination on the Mississippi by observations, leaving the line from the Tennessee to that place unsurveyed.

As the difference between said lines would only be two miles, running most of the distance through a mountainous, barren country, and as they have great reason to believe, from the information of General Smith, that the commonly called Walker's line is the true line, your committee are of the opinion that the object is not worth the expense of sending commissioners to confer on the propriety of establishing Henderson's line in preference to that of any other, and do recommend that a law be passed confirming and establishing the line usually called Walker's line as the boundary between this

State and the State of Virginia, with a reservation in favor of the oldest grants from either State in deciding the rights of individual claimants in the tract of country between the two lines commonly called Henderson's and Walker's lines.

All which is submitted.

THOMAS PERSON, *Chairman*.

The House, taking the report into consideration, concurred therewith.

REPORT.

STATE OF NORTH CAROLINA, }
IN THE HOUSE OF COMMONS, December 11, 1790. }

The committee to whom the letter from the Governor of Virginia on the boundary line between this and the State of Virginia was referred report that it is the opinion of your committee that the boundary line between the States of North Carolina and Virginia be confirmed agreeable to a report of a committee, concurred with by both Houses last session of Assembly, and that a law be passed confirming the line commonly called Walker's line as the boundary between the States of North Carolina and Virginia, reserving the right of the oldest patents, grants, or entries made in either of the States.

All of which is submitted.

THOMAS PERSON, *Chairman*.

In House of Commons, 11th December, 1790.

Read and concurred with.

In Senate, 11th December, 1790.

S. CABARRUS, S. H. C.

Read and concurred with.

WILLIAM LENOIR, S. S.

AN ACT

Of the Legislature of Virginia Relative to Walker's Line, Passed the 7th of December, 1791.

Whereas official information has been received by the General Assembly that the Legislature of the State of North Carolina have resolved to establish the line commonly called Walker's line as the boundary between North Carolina and this Commonwealth, and it is judged expedient to confirm and establish the said line on the part of this State;

Be it therefore enacted by the General Assembly that the line commonly called and known by the name of Walker's line shall be, and the same is hereby declared to be, the boundary line of this State.

And be it further enacted that in all courts of laws and equity within this Commonwealth, the claims for lands lying between the line commonly called Walker's line and the line commonly called Henderson's line shall be decided in favor of the eldest title, whether derived from this Commonwealth or from the State of North Carolina.

CONVENTION

Entered into by the Commissioners of the States of Tennessee and Kentucky, Concerning the Boundary Line between the Same, on the 2d Day of February, 1820.

The States of Kentucky and Tennessee, desirous of terminating the controversy which has so long subsisted between said States in relation to their common boundary, and of restoring the most perfect good understanding and harmony between them, have for that purpose appointed their respective commissioners—that is to say, the State of Kentucky on her part has appointed John J. Crittenden and Robert Trimble, and the State of Tennessee on her part has appointed Felix Grundy and William L. Brown, who, after a reciprocal communication of their respective powers, have agreed upon the following articles and stipulations:

ARTICLE I.

The line of boundary and separation between the States of Kentucky and Tennessee shall be as follows, to wit: The line run by the Virginia commissioners in the years 1779 and 1780, commonly called Walker's line, as the same is reputed, understood, and acted upon by the said State, their respective officers and citizens, from the south-eastern corner of Kentucky to the Tennessee River; thence with and up said river to the point where the line of Alexander and Munsell, run by them in the last year under the authority of an act of the Legislature of Kentucky, entitled an "Act to Run the Boundary Line between This State and the State of Tennessee West of the Tennessee River," approved February 8, 1819, would cross said river; and thence with the said line of Alexander and Munsell to the termination thereof on the Mississippi River, below New Madrid.

ARTICLE II.

It is agreed and understood that from the point where Walker's line strikes the Tennessee River to the point where the line of Alexander and Munsell would cross the same the said Tennessee River shall be the common boundary of said States, and subject to their common use and concurrent jurisdiction. Any island or islands in that part of the river Tennessee which forms the common boundary between the two States shall be within the exclusive jurisdiction of Kentucky; but any appropriations thereof by individuals heretofore made under the laws of North Carolina or Tennessee shall be valid.

ARTICLE III.

Whenever the Governor of either State shall deem it expedient to have the boundary line between the two States which is east of the Tennessee River, or any part thereof, run and plainly marked, he shall cause a notification thereof to be communicated to the Governor of the other State; and thereupon, with all convenient dispatch, two surveyors shall be appointed for that purpose—one by the Governor of each State; and the surveyors so appointed shall have power to employ a competent number of chain-carriers and assistants; and they shall ascertain, survey, and mark said line plainly and durably, having due respect to the provisions of the first article hereof;

and it shall be the duty of said surveyors to make out and sign duplicate plats and reports of their surveys and proceedings, to be communicated by each surveyor to the Governor of his respective State, to be deposited and preserved in the office of the Secretary of State, for a testimony and memorial of the boundary between said States. And all cost and expense that may be incurred under the provisions of this article, and in surveying and marking said boundary line, shall be paid by said States jointly and equally.

ARTICLE IV.

The claims to lands lying west of the Tennessee River, and north of Alexander's and Munsell's line, derived from North Carolina and Tennessee, shall be considered null and void; and claims to lands lying south of said line and west of the Tennessee River, derived from Virginia or Kentucky, shall in like manner be considered null and void.

ARTICLE V.

All lands now vacant and unappropriated by any person or persons claiming to hold under the States of North Carolina or Tennessee, east of the Tennessee River and north of the parallel of latitude $36^{\circ} 30'$ north, shall be the property of and subject to the disposition of the State of Kentucky, which State may make all laws necessary and proper for disposing of and granting said lands or any part thereof, and may by herself or officers do any acts necessary and proper for carrying the foregoing provisions of this article into effect; and any grant or grants she may make thereof, or of any part thereof, shall be received in evidence in all the courts of law and equity in the State of Tennessee, and be available to the party deriving title under the same; and the land referred to in this article shall not be subject to taxation by the State of Tennessee for five years, except so far as the same may in the meantime be appropriated by individuals.

ARTICLE VI.

Claims to land east of the Tennessee River, between Walker's line and the latitude of $36^{\circ} 30'$ north, derived from the State of Virginia in consideration of military services, shall not be prejudiced in any respect by the establishment of Walker's line; but such claims shall be considered as rightfully entered or granted, and the claimants may enter upon said lands or assert their rights in the courts of justice without prejudice by lapse of time or from any statute of limitations for any period prior to the settlement of the boundary between the two States, saving, however, to the holders and occupants of conflicting claims, if any there be, the right of showing such entries or grants to be invalid and of no effect, or that they have paramount or superior titles to the land covered by Virginia claims.

ARTICLE VII.

All private rights and interests of lands between Walker's line, from the Cumberland River near the mouth of Oby's River to the south-eastern corner of Kentucky, at the point where the boundary line between Virginia and Kentucky intersects Walker's line on the Cumberland Mountain; and the

parallel of 36° 30' north latitude, heretofore derived from Virginia, North Carolina, Kentucky, or Tennessee, shall be considered as rightfully emanating from either of those States; and the States of Kentucky and Tennessee reserve to themselves respectively the power of carrying into grant claims not yet perfected; and in case of conflicting claims, if any such there be, the validity of each claim shall be tested by the laws of the State from which it emanated, and the contest shall be decided as if each State respectively had possessed the jurisdiction and soil, and full power and right to authorize the location, survey, or grant, according to her own rules and regulations.

ARTICLE VIII.

It is agreed that the foregoing articles shall receive the most liberal construction for effecting the objects contemplated; and should any disagreement arise as to the interpretation or in the execution thereof, two citizens of the United States, but residents neither of Kentucky or Tennessee, shall be selected—one by the executive of each State—with power to choose an umpire in case of disagreement, whose decision shall be final in all points to them submitted.

ARTICLE IX.

Should any further legislative acts be deemed requisite to effectuate the foregoing articles and stipulations, the faith of the two States is hereby pledged that they will unite in making such provisions and respectively pass such laws as may be necessary to carry the same into full and complete effect.

ARTICLE X.

The foregoing articles and stipulations, if ratified by the Legislature of Kentucky during their present session, shall forever be binding and obligatory on both States, and take effect from this day.

In faith whereof we, the respective commissioners, have signed these articles and have hereunto affixed our seals. Done in duplicate at Frankfort, the 2d day of February, 1820.

JOHN J. CRITTENDEN,
ROBERT TRIMBLE,
FELIX GRUNDY,
WILLIAM L. BROWN.

ARTICLES OF A TREATY OF PEACE

Made and Concluded at Fort Henry, on Holston River, near the Long Island, July 20, 1777, between the Commissioners from the State of North Carolina in Behalf of the Said State of the One Part, and the Subscribing Chiefs of That Part of the Cherokee Nation Called the Overhill Indians of the Other Part.

ARTICLE I.

That hostilities shall forever cease between the said Cherokees and the people of North Carolina from this time forward, and that peace, friendship, and mutual confidence shall ensue.

ARTICLE II.

That all white or negro prisoners among the said Cherokees (if any there be), belonging to said State, shall be given up immediately to the person who

shall be appointed to reside among the said Cherokees as agent for the said State, to whom also the said Cherokees are to deliver all the horses, cattle, and other property belonging to the people of the said State, which they have taken away since the beginning of the late war, that can possibly be discovered and procured.

ARTICLE III.

That no white man shall be suffered to reside in or pass through the said Overhill towns without a sufficient certificate signed by three justices of the peace of some county of North Carolina, or Washington County in Virginia, or to higher authority of any of the United States, to be produced to be and approved of by the said agent. Any person failing to comply herewith shall be apprehended by the Cherokees, and delivered to the said agent, whom they are to assist in conducting such person to the nearest justice of the peace, to be punished for the violation of this article; and the said Cherokees may apply to their own use all the effects such person shall then and there be possessed of at the time he is taken, in said towns or country, thereunto belonging.

And should any runaway negroes get into the Overhill towns, the Cherokees are to secure such slaves until the agent can give notice to the owners, who, on receiving them, shall pay such reward as the agent may judge reasonable.

ARTICLE IV.

That all white men residing in or passing through the Overhill country, authorized or certified as aforesaid, are to be protected in their persons and property, and to be at liberty to remove in safety. And the said State of North Carolina shall have liberty to send one or more traders with goods into any part of the said Overhill country or towns for the purpose of furnishing the said Cherokees with necessaries. If any white man shall murder an Indian, he is to be delivered up to a justice of the peace, in the nearest county, to be tried and put to death according to the laws of the State. And if any Indian shall murder a white man, the said Indian shall be put to death by the Cherokees in the presence of the agent at Chota, or two justices of the peace of the nearest county.

ARTICLE V.

That the boundary line between the State of North Carolina and the said Overhill Cherokees shall forever hereafter be and remain as follows, to wit: Beginning at a point in the dividing line, which during this treaty hath been agreed upon, between the said Overhill Cherokees and the State of Virginia, where the line between that State and North Carolina (hereafter to be extended) shall cross or intersect the same; running thence a right line to the north bank of Holston River, at the mouth of Cloud's Creek, being the second creek below the Warrior's ford at the mouth of Carter's Valley; thence a right line to the highest point of a mountain called the High Rock or Chimney Top; from thence a right line to the mouth of Camp Creek (otherwise called McNamas Creek), on the south bank of Nolichucky River, about ten miles or thereabouts below the month of Great Limestone, be the same more or less; and from the mouth of Camp Creek aforesaid, a south-east course into the mountains which divide the hunting-grounds of the middle

settlements from those of the Overhill Cherokees. And the said Overhill Cherokees, in behalf of themselves, their heirs, and successors, do hereby freely, in open treaty, acknowledge and confess that all the lands to the east, north-east, and south-east of the said line, and lying south of the said line of Virginia, at any time heretofore claimed by the said Overhill Cherokees, do of right now belong to the State of North Carolina; and the said subscribing chiefs, in behalf of the said Overhill Cherokees, their heirs and successors, do hereby, in open treaty, now and forever, relinquish and give up to the said State; and forever quitclaim to all right, title, claim, and demand of, in and to the land comprehended in the State of North Carolina by the line aforesaid.

ARTICLE VI.

And to prevent as far as possible any cause or pretense on either side to break and infringe on the peace so happily established between North Carolina and the said Cherokees, it is agreed by the commissioners and Indian chiefs aforesaid that no white man, on any pretense whatsoever, shall build, plant, improve, settle, hunt, or drive stock below the said boundary line, on pain of being driven off by the Indians, and further punished according to law; nor shall any man who may go over the line in search of any stray creatures be permitted on any pretense to carry a gun, on pain of forfeiting the same to the informer.

In testimony of all and singular the above articles and agreements, the parties aforesaid have hereunto set their hands and seals in open treaty the day and year above written.

Read, interpreted, and ratified on the Great Island opposite to the fort.

Memorandum before signing: That "The Tassel" yesterday objected against giving up the Great Island, opposite to Fort Henry, to any person or country whatsoever, except Col. Nathaniel Gist, for whom and themselves it was reserved by the Cherokees.

"The Raven" did the same this day in behalf of the Indians, and desired that Col. Gist might sit down upon it when he pleased, as it belonged to him and them to hold good talks on.

WAIGHTSTILL AVERY,	[SEAL.]
WILLIAM SHARPE,	[SEAL.]
ROBERT LANIER,	[SEAL.]
JOSEPH WINSTON,	[SEAL.]
OCONOSTOTA, of Chota, his X mark,	[SEAL.]
RAYETAEH or THE OLD TASSEL, of Toquoe, his X mark,	[SEAL.]
SAVANUKEII or THE RAVEN, of Chota, his X mark,	[SEAL.]
WILLANAWAW, of Toquoe, his X mark,	[SEAL.]
OOTOSSETEII, of Hiwassee, his X mark,	[SEAL.]
ATTUSAH or THE NORTHWARD WARRIOR, of the mouth of Tellico River, his X mark,	[SEAL.]
OOSKUAH or ABRAM, of Chilhowee, his X mark,	[SEAL.]
ROLLOWCH or THE RAVEN, from the mouth of Tellies River, his X mark,	[SEAL.]
TOOSTOOH, from the mouth of Tellies River, his X mark,	[SEAL.]
AMOYAH or THE PIGEON, of Natchey Creek, his X mark,	[SEAL.]

OOSTOSSETH or THE MANKILLER, of Hiwassee, his X mark,	[SEAL.]
TILLEHAWEH or THE CHESTNUT, of Tellies, his X mark,	[SEAL.]
QUEE LEE KAH, of Hiwassee, his X mark,	[SEAL.]
ANNA KE HU JAH or THE GIRL, of Tuskega, his X mark,	[SEAL.]
ANNECEKAI, of Tuskega, his X mark,	[SEAL.]
SKE-AHTU KAH, of Citico, his X mark,	[SEAL.]
ATTA KULLA KULLA or THE LITTLE CARPENTER, of Natchey Creek, his X mark,	[SEAL.]
OOKOO NEKAH or THE WHITE OWL, of Natchey Creek, his X mark,	[SEAL.]
KA TA QUILLA or POT CLAY, of Chillhowee, his X mark,	[SEAL.]
TUS KA SAH or THE TARRAPIN, of Chiles tooch, his X mark,	[SEAL.]
SUNNE WAUUI, of Big Island town, his X mark,	[SEAL.]
WITNESS: Jacob Womack, James Robins, John Reed, Isaac Bledsoe, Brice Martin, John Reed, John Kearns.	JOSEPH VANN, <i>Interpreter.</i>

As an uncommon interest is taken at this day in all that is intimately connected with the times in which in a weak and infantile state the people struggled for independence and freedom from oppression, and as the incidental occurrences of these times will give a lively view of the doings and sayings of the men who then acted on the side of the country, a succinct narrative of all that passed at this treaty can neither be unacceptable nor uninteresting, and therefore it is briefly inserted.

This treaty was appointed by Gov. Henry to be held at Fort Patrick Henry, near the Long Island on the Holston, some time in April, 1777. The parties then met and appointed another time—the 26th of June, 1777. The Governor of Virginia gave notice of the appointed treaty to Gov. Caswell, of North Carolina. The object of Virginia was to obtain an alteration of the boundary line run by Donalson, and to have the road to and through the Cumberland Gap included in a cession then to be obtained; for that was the passage through which the people of Virginia traveled to Kentucky. Provisions were ordered to be supplied to the Indians who might be attending on the treaty; and goods, ammunition, salt, and whisky were ordered to be distributed among them. They were directed to procure two persons to reside among the Indians, or otherwise to engage two traders resident in the nation to give the earliest intelligence in their power, from time to time, of occurrences which it was important to be informed of; and they were directed to employ a

gunsmith to reside among the Indians, for the purpose of dressing their guns; and they were further instructed, should the treaty succeed according to expectation, to disband the troops who were stationed in Washington County, Va. These instructions were directed to Col. William Christian, Col. William Preston, and Col. Evan Shelby, or any two of them. Col. Gist had been ordered by the government of Virginia to go into the Cherokee Nation, and to bring to the treaty to be held at Fort Patrick a number of Indians.

On the 30th of June Oconostota and others who accompanied him came to the fort on the Holston with Col. Christian. A few minutes afterward came the commissioners from North Carolina—Waightstill Avery, William Sharpe, Robert Lanier, and Joseph Winston, Esqs. Gov. Caswell appointed commissioners and instructed them on the 12th of June.

On the 2d of July an Indian warrior called "The Big Bullet" was privately killed by some rash person, which nearly put an end to the intended treaty. The Indians were greatly alarmed, and did not seem to have entirely recovered from their fears till after the lapse of some days and the most solemn assurances from the commissioners that the actor would be punished by death, could it be discovered who he was; and they offered by proclamation a reward of six hundred dollars for his apprehension.

The 4th of July came on, and was celebrated with considerable parade in the presence of the Indians; and they were informed in a written address of the cause of the festivity, and of the nature of the dispute between Great Britain and the United States. The chiefs continued to come in slowly till the 10th, on which day arrived "The Tassel," from Chota. On the same day "The Raven" arrived, and Willenewaw. In the evening old Tassel made a speech, in which he professed a desire for peace. Atta kulla kulla was present, as well as Oconostota. Some speeches were made by the Indians, and they still dwelt on the death of "The Big Bullet," saying, however, that they imputed no blame to any but the individual offender who committed the act.

On the 13th Col. Christian opened the conferences. As usual on such occasions, he was greatly desirous of peace, attributed the late war to the bad advice which they had received from evil-disposed white persons who lived in the Nation, and lament-

ed the sufferings which they had experienced in consequence of it. He invited them to open their hearts, and to lay before the commissioners, unreservedly, all the complaints they had. He spoke of a boundary to be made between them and the white people, and of the authority which he had received from the Governor of Virginia to make it. He regretted the absence of Judge Friend, "The Dragging Canoe," "The Lying Fish," and young Tassel. Mr. Avery followed in a speech of some length, which dwelt on similar topics.

On the 15th various papers were introduced and read, and among others a treaty which the people of Georgia and South Carolina had made with the Cherokees on the 20th of May, 1777, in which was contained the cession of an extensive territory. Oconestota on this day informed the commissioners that "The Old Tassel" and "The Old Raven" were speakers for him and the whole nation; that to them he had resigned his power on account of his age, but if they ever should speak contrary to his sentiments he would put them right. "The Raven" then rose and delivered them a speech. He rejoiced in the prospects of peace, and was grateful for the attention and good treatment which Oconestota and his attendants had received from the Governor and people of Virginia on his going and returning from Williamsburg. "My elder brother, of Carolina," said he, "will open the doors of peace, as well as Virginia, that we may see each other clearly, and that they may stand open everlastingly." He then adverted to the invitation he had received to make a free disclosure of his complaints, and then proceeded: "I believe that long before my remembrance this land was first found out; the time you know, as you have writings. But I do not know when the first settlements were made on these waters. I believe they were before my remembrance, by the time these medals were given to us [showing a medal]. Ever since these have been among us we have been more and more distressed; my grievances have been for several years." He spoke of the bad advice which Cameron or Stewart had given him, of his having followed it, and of the difficulties into which he had been led by it. He wished for a boundary to be fixed which could not be passed. He mentioned his own poverty and the commiseration which now the white people seemed to bestow on him.

“The Old Tassel” rose, and wished for a peace of eternal duration, and again adverted to the death of “The Big Bullet.” They were grieved at the proposal of Col. Williamson, of North Carolina, to have a considerable part of the lands which his people claimed, and he invoked the pity of the great men of Virginia and North Carolina, and begged that they would do him justice. The provisions of the Indians, he said, were nearly destroyed and themselves stinted for room, because of the encroachments made upon their lands.

Col. Christian replied, and brought unequivocally into view the necessity for fixing a boundary between them and Virginia, so as to prevent all future dissensions for want of known limits. He wished them to state who were the people who had settled on their land, and by whom and where they had been injured, to the end that it might be in the power of the commissioners to give them an answer the next day, when the commissioners intended to propose a boundary.

On the evening of the 15th “The Raven” spoke again. He hoped for justice from the commissioners. “We have been trespassed upon,” said he, “by bodies of people upon our hunting-grounds.” He wished the Long Island of the Holston to be reserved for holding their treaties and conferences with the white people upon; and after the boundary established, he desired that the white people settled upon the Indian territory might not be removed till their crops were gathered in, and he proposed a boundary. He specified the settlements which the white people had made upon the lands of the Indians; and when asked by Mr. Avery if the Indians in some instances had not consented to those settlements, he admitted the fact, but ascribed it to the fears they were under, and to an expectation of redress from the government. Oconostota denied an absolute sale of the lands to the people on Watauga and Nolichucky. He had told them before the war that he would send to the king, and if he agreed to it they might stay where they were, but that his consent must be had. “They gave us guns,” said he, “but as they made a great deal of grain, raised stock, and destroyed our hunting-ground,” he had told them that he could not take pay for the lands, but the rent only.

On the 16th Col. Christian spoke; ascribed the settlements to the orders formerly given by George the Second. He proposed

a boundary from a point in the river to a point two or three miles below Cumberland Gap, for the convenience, ease, and safety to the travelers to Kentucky. He exhorted them not to agree to any thing they did not approve of, and assured them that they had not been invited to that distance from their own settlements in order that advantages might be taken of their situation; and that, although they should differ in opinion, they should receive the most perfect protection, and be conducted in safety to their homes. He pressed them to utter their sentiments without fear or reserve. "The Old Raven" showed his great reluctance at the proposed boundary, and wished for time to consult with his people. Mr. Avery spoke of the boundary established by "The Big Wolf" (Gov. Tryon), and of the settlements on Watauga without the consent of the Governor of North Carolina, and of their great displeasure on hearing that the Indians had bargained away their lands to these settlers without consulting these Governors, who were neither pleased with the Indians nor with the settlers, and by this means place them between the inhabitants of Carolina and themselves. In this time of peace, he said, they were not driven away nor moved off, nor were they taken under protection by the Governor of North Carolina. They were let alone; no officers were appointed for them by the government, and no judge appointed to preside on seats of justice there. The Indians made no request to the Governor and council to have them removed; and when the Cherokees began the late war, they broke over the line between them and the white people agreed upon and fixed by "The Big Wolf" (Gov. Tryon), and they had killed our people on the head waters of the Catawba and Broad Rivers. "An army was raised and sent out upon the path which you had made dark and bloody," said he; "and at the same time, by the desire of these settlers on the waters of the Watauga and Nolichucky, they were taken under the protection of North Carolina, and were supplied with money, ammunition, salt, etc. They were received and taken in as a part of our people. We promised to support them in that place, and by the assistance and power of North Carolina they have lived there in time of war. Before the war, this power was restrained and kept back beyond the line fixed by 'The Big Wolf,' but now you have been the cause of bringing it to the Watauga and Nolichucky, and now our courts

must be established here. The power of North Carolina is able to remove this people as you request, but you made war, and then we took them for our people. You have made it very difficult for us to remove them, and it would be more agreeable to our Governor and great council that they should stay. Should a line be now established, we desire for the future that you will not consent to any settlements of the white men on your side of the line without the consent of our Governor and great council, or commissioners by them appointed; and we desire from you a promise that you will not hereafter sell, rent, or make any agreement whatever with private persons respecting lands on your side of the line in our range, or privilege of hunting there, for fear of the disturbances which may thence arise." He promised that the commissioners would recommend to the Governor and great council of North Carolina to make laws for the punishment of those who should encroach on the Indian lands. He wished a boundary for the perpetuation of friendship. He invited them to act freely in accepting or rejecting the proposed boundary line, and disavowed any intention to use compulsion. He proposed a boundary below the white inhabitants, beginning at the ford on the Holston where the path crossed at the lower end of the valley; thence toward a point about three miles below Cumberland Gap, until it intersects the line hereafter to be extended between the States of Virginia and North Carolina; and from the said ford, a direct line toward Nolichucky River, five miles west of the mouth of McNamas's Creek; thence south, crossing Nolichucky to the southern bank thereof; and thence south-east into the mountains which divide the hunting-grounds of the Overhill towns from those of the middle settlements. "The Old Tassel" expressed very great reluctance to the proposed boundary, and wished the commissioners to write a letter to Gen. Washington by Col. Gist.

In a speech which he made the next day, the 17th of July, he approved of every thing the commissioners had said, except the boundary which they proposed. He suspected from their asking for so much land that the commissioners meant to entrap them and draw them to a refusal so as to get an excuse for further hostilities. He doubted their authority to apply for a cession of so much land. He had not expected proposals for land, but only for peace. He was willing to leave the subject

of the cession to the Governor of Virginia. He alluded to much imposition which he had suffered on the subject of lands. "And," said he, "if this and another house were packed full of goods, they would not make satisfaction. In this speech he often repeated his dissatisfaction at the proposed boundary. It would spoil the hunting-grounds of his people. "I hope you will consider this and pity me; you require a thing I cannot do." He turned to the commissioners of Virginia, and expressed satisfaction at the appointment they had made of an agent to reside in his country, and promised him safety and kindness. Col. Christian wished that some of the Cherokee young men might accompany Col. Gist to Congress and the army of Gen. Washington. In passing through the country they would see its riches, grandeur, and population; the great council of America, and the greatest army which ever had been collected in America. "The Old Tassel" hoped that Gen. Washington would get him some redress for the great injury done him in taking away one of his principal towns, which he intimated had been done by the people of South Carolina.

The commissioners of North Carolina would not agree as proposed by those of Virginia to give any sums of money for lands, nor to any other boundary than that which had been already proposed, for that alone would include the inhabitants on both sides of the Holston River. North Carolina, they said, had been at the expense of protecting these settlements during the war, and that was consideration enough for the cession they suggested. Col. Christian, in a speech to the Cherokees, offered them for the small cession that Virginia wanted two hundred head of breeding cows and one hundred sheep. He promised to send an agent into their country, to reside at Chota, to write them letters, and deliver to them the communications from Virginia, and a gunsmith to repair their arms. With a little variation the line proposed by Virginia was agreed to by "The Raven," after consulting with the other Indians. He wished it to be as a wall to the skies, so that it should be out of the power of all people to pass it. He agreed to this boundary, in confidence that no man would be permitted to pass it, and to the appointment of an agent to reside in the Cherokee Nation, and to give intelligence of all that passed there. But upon the representation of Col. Christian that the line as proposed by the

Indians would leave out twenty of the white settlers, and that the line as the commissioners proposed it would include them, "The Raven" agreed to the line as proposed by Virginia. Mr. Avery spoke of the little disposition which the Indians seem to have had for some years past to cultivate and improve the friendship existing between them and North Carolina, and instanced the small attendance upon the treaty they were invited to come to in April, 1776, when there was a person appointed to hold conferences with them and to make presents to them. He proposed an agent to reside at Chota. He declared the sincerity with which the commissioners of North Carolina were seeking for peace. But he said that the peace could not be lasting if they would not settle a boundary line with the people of North Carolina, for want of knowing how far to go. The Governor of Virginia had nothing to do with the affairs of North Carolina, and no reference could be made to him; and it was mysterious, he said, that they had not expected an application for the establishment of a boundary, which was so necessary a part of the treaty. The voluntary withdrawal of the armies of the white people from the country of the Cherokees, when they might have remained there and have built forts, is full proof that the white people did not wish for an excuse to drive them away. The people of North Carolina wished to establish courts of justice on the Watauga, to keep bad men in order, and to punish with death such of them as could not be reclaimed and governed. The people on the Watauga and Nolichucky could not be removed, since they had been under protection in time of the war, which the Cherokees themselves by going to war had made necessary; and that it was now unreasonable for the Cherokees, under such circumstances, to demand their removal. "You claim," said he, "compassion for your distresses, and during the war you distressed the inhabitants of Watauga and Nolichucky; you destroyed their substance, and endeavored to kill them; North Carolina, seeing their distress, pitied them and gave them help and support. The damages they received were very great, and they are still in distress and entitled to the pity and protection of North Carolina, which you must think it is right to afford them." He pressed upon them to be friendly in order to have friends. He mentioned the non-restoration of the horses they had taken from the white people, which they

had promised to return, but had failed to do so. He then proposed another boundary, which they agreed to, and is the same which is inserted in the treaty. "The Tassel," after consultation with his people, agreed to the boundary, complaining at the same time that nothing was paid to them for it, and of the hardship of demanding their lands; "but," said he, "I give them up." He wished, however, that the concession should not be considered final till Gen. Washington's opinion could be obtained. This Mr. Sharp, in a speech made to them, objected to, as being a matter between North Carolina and the Cherokees, which none but themselves could settle. And he called upon them to remember that he promised them no reward but friendship. "The Raven" hoped that the Governor of North Carolina would take pity on them and make compensation for the land, for it had always been customary, when lines were run, to get something for the lands they included. He hoped for pity, but the line should be made as he gave up the land. The commissioners of North Carolina appointed Capt. James Robertson temporary agent for North Carolina, and in their written instructions directed to him to repair to Chota in company with the warriors returning from the treaty, there to reside till otherwise ordered by the Governor. He was to discover, if possible, the disposition of "The Dragging Canoe" toward this treaty, as also of Judge Friend, "The Lying Fish," and others, who did not attend it, and whether there was any danger of a renewal of hostilities by one or more of these chiefs. He was also to find out the conversations between the Cherokees and the southern, western, and northern tribes of Indians. He was to search all the Indian towns for persons disaffected to the American cause, and have them brought before some justice of the peace, to take the oath of fidelity to the United States, and in case of refusal to deal with them as the law directed. Travelers into the Indian Nation without passes such as the third article of the treaty required were to be secured. He was immediately to get into possession all the horses, cattle, and other property belonging to the people of North Carolina, and to cause them to be restored to their respective owners. He was to inform the government of all occurrences worthy of notice, to conduct himself with prudence, and to obtain the favor and confidence of the chiefs; and in all matters with re-

spect to which he was not particularly instructed, he was to exercise his own discretion, always keeping in view the honor and interest of the United States in general, and of North Carolina in particular. These instructions were dated on the same day the treaty was signed, the 20th of July, 1777. The commissioners addressed a letter to the chiefs and warriors of the middle, lower, and valley towns, on the 21st of July, informing them of the treaty of peace, which they had just signed, and of the intention of the commissioners to recommend to the Governor the holding of a treaty with them, of which he should give due notice to them of the time and place. They promised protection and safety to the chiefs and warriors who should attend it, and a suspension of hostilities in the meantime; and they requested that the messengers who should be sent from North Carolina to their towns might be protected from insult, be permitted to perform their business, and to return in safety. The commissioners of Virginia earnestly advised them to be at peace, reminding them of the sufferings which war had brought upon them, and of the blessings which peace bestows; and they were urged to meet the people of North Carolina in treaty, and to settle all differences with them. The commissioners of North Carolina, finding it impossible to procure hostages, encouraged five of the Indians to go to Rowan County to visit some of their friends there, who had been made prisoners in the late war, and to remain there until the treaty with the middle settlements. They were placed under the care of Maj. Wommack, and a written protection, with instructions for their safe conduct, was put into their hands. It stated the articles of peace which had been signed, and the names of these five Indians. The major was directed to conduct them in safety to the Quaker Meadows, and there deliver them to Col. Charles McDowel, who would have them safely conveyed to the house of William Sharpe, in Rowan County. They were recommended to the protection of all officers, civil and military, in the State of North Carolina, and the kind treatment of all the good people thereof. The motives for this recommendation were stated to be that whilst these Indians remained with the white people they would be a security for the good behavior of their people, and that good treatment to them would be the means of inducing others to come, who, when the like measures shall be necessary, may answer the same val-

nable purpose. The commissioners wrote to the persons who had the three prisoners in their custody to send them to the house of William Sharpe, that they might all be collected at one place, and remain there till further orders from the Governor.

Separate articles were made and signed by the commissioners of Virginia and the same Indians, on the same 20th of July, 1777.

Being about to introduce into the Appendix a document relating to the purchase of lands made by Henderson & Co., of the Overhill Cherokees, it is proper to preface it with the transactions of the company from the date of their purchase, on the 17th of March, 1775. Soon after the purchase Henderson & Co., in order to people the country they had acquired, and to which they gave the name of Transylvania, issued a proclamation offering favorable terms to settlers. By it every person who should settle in Powel's Valley, within the purchased territory, and raise a crop, in the year 1775, was to be entitled to five hundred acres in his own right, and each taxable person in his family to two hundred and fifty acres; and the company engaged to make the settlers good and sufficient titles for the quantities to which they might be respectively entitled. Joseph Martin was appointed entry-taker, to receive and make entries of the lands belonging to the company. Each person on making the entry was to pay the entry-taker \$1 as his fee, and to pay the proprietors, on receiving a grant, at the rate of 20s. sterling per hundred acres.

On the 31st of March, 1775, Richard Henderson, for himself and company, gave Martin a power of attorney, authorizing and empowering him to settle and people Powel's Valley, in conformity with instructions then furnished. He was directed not to sell lands to any persons, except such as should make corn in the valley that year, and should be honestly inclined to become industrious inhabitants and to promote the felicity of the community. He was restricted from selling after that spring, without further orders, and was authorized to determine all disputes between parties respecting their lands.

About the last of April, 1775, Martin arrived in Powel's Val-

ley, and opened an office to receive entries of such lands as the settlers became entitled to.

On the 18th of November, 1775, John Williams, one of the partners, for himself and as agent for the rest, by advertisement requested such persons as were entitled to lands by the terms of the proclamation of the company to come forward and make their entries, properly located, that surveys might be made and deeds issued. He at the same time gave Martin further instructions, specifying on what terms lands should be sold in Transylvania until the 1st of June, 1776. By the latter instructions no survey was permitted to contain more than six hundred and forty acres. Purchasers were required to pay for entry and survey, \$2, for surveying and a plat, \$4; for a deed with the plat annexed, \$2; and to the proprietors, at the time the title was completed, at the rate of £2 10s. for each hundred acres, and an annual quit rent of 2s. for each hundred acres to commence in the year 1780.

Any person settling before the 1st of June, 1776, was permitted to take up, on the above-mentioned terms, six hundred and forty acres for himself, and three hundred and twenty acres for any taxable person belonging to his family. Surveys were to be run to the cardinal points, unless rivers or mountains rendered it inconvenient, and on a navigable river were directed to be not more than one-third longer than wide; and on such water-course they must extend two poles back for one in front, and surveys approaching within eighty poles of each other were invariably to join.

The company watched over their concerns with the greatest diligence, nor did they suffer any opportunity to pass without manifesting a determination to use all the means within their reach for the support of their claim in all its parts. When the commissioners appointed to make peace were holding a treaty at Fort Patrick Henry, near the Long Island of the Holston, in July, 1777, on the 18th of the month, they presented a memorial to the commissioners, a copy of which follows:

To the Gentlemen Commissioners Appointed by the States of Virginia, North Carolina, and South Carolina to Negotiate a Peace and Settle a Boundary between the Cherokee Indians and the White People.

The memorial of Richard Henderson, Thomas Hart, Nathaniel Hart, John Williams, William Johnston, John Luttrell, James Hogg, David Hart, and Leo. Hen. Bulloch sheweth that your memorialists did, on the 17th of March,

1775, purchase of the said Cherokee Indians, in fair and open treaty, a large tract or territory of land, lying on the Ohio and the branches thereof, and immediately adjoining the line lately run by Col. Donalson as a boundary between the Virginians and the said Cherokees, which was at that time conveyed by two separate deeds from the Cherokees to your memorialists, by which said purchase and deeds all the lands below or on the south-east side of the Kentucky or Louisa River up to the head thereof, or to where Col. Donalson's line strikes or crosses the same; thence along said Donalson's line to the Holston River, six miles above the Long Island; thence down the said river to where the course of Powel's Mountain strikes or intersects the same; thence north-eastwardly along Powel's Mountain, or the course thereof, to a point from which a north-west course will strike the head of the most southwardly branch of the Cumberland River; thence down the said river, including all its waters, to the Ohio; thence up the Ohio to the mouth of the said Kentucky or Louisa River, were granted and conveyed to your memorialists with free liberty of forming immediate settlements thereon, without the least disturbance or molestation of them, the said Indians. And whereas the settling and agreeing on a boundary line between the said Indians and white people seems to be a principal object under your consideration, and what we suppose you have full power to perform, we hope regard will be had to our said purchase, so far as not to permit the Indians to reclaim the lands, or any part thereof, which by consent of the whole nation they so fairly sold and willingly gave up.

Your memorialists conceive, with great deference to the gentlemen commissioners, that the Cherokees cannot, nor in justice ought they, to enter on the lands on the north side of the Holston, nor hunt there, above where the course of Powel's Mountain intersects the said river, nor in any manner be permitted to enter on the land sold as aforesaid to your memorialists.

Your memorialists acknowledge that some of the good people of Virginia have given out in speeches that the lands so bought of the Cherokees were not the property of your memorialists, but belonged to that State or Commonwealth; that in consequence of such claim the matter is to be heard on the third Monday in their next session of Assembly, at which time your memorialists have no doubt but that the Assembly will disclaim all pretensions to the lands in dispute, and the title of your memorialists become firmly and indisputably established; as the treaty and purchase are matters of public notoriety, and the depositions respecting that matter are now in the possession of the Virginia Assembly, so that they cannot at this time be laid before the commissioners for treating and settling a boundary between the Cherokees and white people.

Your memorialists hope that the commissioners will not proceed to run a line through their purchase, or yield any part of the lands contained therein to the Indians, as it will be a manifest injury to private property, and what no law or policy whatever can require; as the Indians voluntarily and for a valuable consideration gave them up, and after a most deliberate consultation agreed forever thereafter to restrain themselves from reclaiming or demanding the lands in question.

This memorial was dated on the 18th of June, 1777, and was signed by all the members of the company.

The commissioners, after the perusal of the memorial, unanimously accorded in the opinion that as they had no instructions from their respective governments to inquire into the validity of private purchases from the Cherokees, and as they were fully satisfied that should the commissioners then interfere with the Indians to support the private claims mentioned in the memorial it would at that critical time be attended with bad consequences to the treaty of peace then carrying with that nation, and as the matter did not properly come before them, that they ought not to take any notice of the memorial in any of their conferences with the Indians.

In the month of May, 1783, the company presented a lengthy memorial to the Assembly of North Carolina upon the same subject, and procured the report of a committee upon it, which eventuated in the act of Assembly above mentioned that secured to them the two hundred thousand acres of land in Powel's Valley, before described.

The committee who were appointed to consider their memorial reported that they had purchased a large tract of country from the Indians, that the purchase was illegal, and that attempts to monopolize lands were dangerous and injurious to society. But as by means of this purchase peaceable possession of the country might be obtained from the Indians, the company ought to be compensated for their trouble and for the great expense and risk which they had incurred. This report being concurred with, the act was passed for giving them two hundred thousand acres of land in Powel's Valley, and pursuant thereto a grant issued for the tract which it specified.

THE COPY OF A LETTER

Left by the Cherokees at Gillespie's Station, Which They Took on the 15th of October, 1788.

OCTOBER THE 15TH, 1788.

To Mr. John Sevier and Joseph Martin, and to You, the Inhabitants of the New State.

We would wish to inform you of the accident that happened at Gillespie's Fort, concerning the women and children that were killed in the battle. "The Bloody Fellow's" talk is that he is now upon his own ground. He is not like you are; for you kill women and children, and he does not. He

had orders to do it, and to order them off the land; and he came and ordered them to surrender, and that they should not be hurt; and they would not, and he stormed it and took it. For you beguiled the head man,* that was your friend and wanted to keep peace; but you began it, and this is what you get for it. When you move off the land, then we will make peace and give up the women and children; and you must march off in thirty days. Five thousand men is our number.

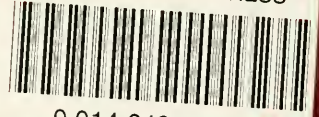
BLOODY FELLOW,
CATEGISKEY,
JOHN WATTS,
GLASS.

*"The Old Tassel."

THE END.

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