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THE EXECUTIVE JOURNAL OF GOVERNOR  
JOHN SEVIER

EDITED BY SAMUEL C. WILLIAMS

(Continued from  
The East Tennessee Historical Society's Publications)

Mr. Speaker and Gentlemen of the the Senate, and  
Mr. Speaker and Gentlemen of the House of Representatives:<sup>1</sup>

It is with peculiar satisfaction I have the honor this day of meeting your august body in this House, where I have the pleasure of informing you, the State is blessed with peace and quietude, the fields of the husbandman are abundantly supplied with the fruits of the earth, our harvests have yielded to the labourer ample satisfaction for his toils, and the crops of grain are equally proportionate.

The laws and regular decorum, so far as they have come within my knowledge, I have reason to believe are duly observed and supported throughout the government. Emigration and population is daily increasing, and I have no doubt, under the propitious hand of Providence, your patronage, the wise and wholesome laws you in your wisdom may think proper to enact, that our State will become more and more respectable and conspicuous, and the Citizens enjoy all that happiness and comfort this human life in an ordinary course will afford them. The poor and distressed claim the first share of your deliberations, and I have not the smallest doubt your attention will be duly directed to that and every other object of worthy legislative consideration. Among other things, Gentlemen, permit me again to remind you, that the landed estates of your constituents in general appear to be verging on to a precarious and doubtful situation, and should a timely interference be neglected, it may become a subject of

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<sup>1</sup> The Third General Assembly of the State of Tennessee met on Monday, September 16, 1799. Alexander Outlaw, of the Senatorial district composed of the counties of Jefferson and Cocke, was elected Speaker of the Senate. William Dickson, of Davidson county, was chosen Speaker of the House of Representatives. Without opposition, John Sevier was re-elected governor. In his *Diary* he modestly and briefly noted: "Wed., Sept. 18: A committee from both Houses notified that they had convened and of my re-election (very cloudy day)."

great regret.<sup>2</sup> I therefore beg leave to recommend so far as may be consistent with the Cession Act, public and good faith, that you provide in the most ample manner for the security and peaceful enjoyment of all such property as may appear to be in jeopardy.

I now proceed to enjoin on you the great necessity of promoting and encouraging manufactories, the establishing of warehouses and inspections of various kinds. It will give a spring to industry, and enable the agricultural part of the community to export and dispose of all the surplus part of their bulky and heavy articles. Providence has blessed this State with a soil peculiarly calculated for the production of wheat, hemp, flax, cotton, tobacco and indigo; it abounds with ores and minerals and has navigable rivers amply sufficient to enable us to export to the best of markets. This being the case, Gentlemen, you may readily conceive how essentially necessary it will be, for the encouraging and promoting of all the advantages enumerated, for you to lend your early legislative patronage. With respect to the affairs of Europe, I am not able to give you much satisfactory information; the public prints seem to furnish contradictory accounts; but, so far as I am capable of judging, our affairs with France assumes a much less threatening aspect than heretofore. And I have the fullest confidence that the Executive of the General Government will use the greatest and wisest exertions to promote and secure the peace, safety and dignity of the United States.

I am deeply and sensibly impressed with the honor conferred on me by my fellow-citizens in being elected a third time to preside as the chief magistrate of the State. I earnestly wish I possessed greater abilities and talents to enable me to discharge the important duties, trust and confidence they reposed; but rest assured so far as I am enabled nothing will be lacking or neglected that will tend towards the interest, welfare and safety of the State. Before I close this address, I cannot forbear requesting a harmony of measures in your councils, and that you unite in endeavoring to promote our dearest rights and interests, and I have the fullest hope, that by your wisdom and policy you may secure to our Country the advantages and respect to which it is entitled and has a right to enjoy.

September 19th, 1799.

Mr. Speaker and Gentlemen of the Senate, and

Mr. Speaker and Gentlemen of the House of Representatives:

I have lately received a petition to your Honorable body from Mar-

<sup>2</sup>The reference, no doubt, is to the proposed removal of the original land-record books from Tennessee to North Carolina.

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tin Armstrong,<sup>3</sup> Entry Taker for the lands reserved for the officers and soldiers of the Continental line, together with a letter directed to myself, which I beg leave to lay before you.

Government House, October 1st, 1799.

Mr. Speaker and Gentlemen of the Senate, and

Mr. Speaker and Gentlemen of the House of Representatives:

I herewith send for your consideration a letter from His Excellency, Governor Davie,<sup>4</sup> of North Carolina, requesting the delivery of certain books and papers in the office kept by Martin Armstrong, unto commissioners appointed by that State for the purpose of receiving and conveying the same. I did not conceive it proper to suffer the books and papers to be removed out of the State, for many reasons which might be easily and readily enumerated; I have authorized the commissioners to take transcripts of the records and papers belonging to that office, which I conceived would enable the government of North Carolina to make discovery of all the frauds alleged to have been committed. Nevertheless, should you think proper to give any further or other directions they will be strictly complied with.

Government House, October 5th, 1799.

Knoxville, December 9th, 1799.

Gentlemen: By the inclosed law you will be informed that the Legislature which passed it have made it my duty to lay it through you before the President of the United States, and to request him to appoint persons of the description therein contained to mark out the road stipulated for by the fifth Article of the treaty of Holston, and in conformity thereto I instruct you to lay it before him, and to

<sup>3</sup> Martin Armstrong, of Surry county, N. C., had served as brigadier general of the Eighth N. C. Brigade in the Revolutionary War. He was deeply involved in land investments in various parts of Tennessee. In 1799, he was in Tennessee engaged in promoting the town of Clarksville, a scheme in which he and Col. John Montgomery were jointly interested. Martin was a brother of John Armstrong, and was charged with complicity in the "Glasgow frauds"—perhaps as the main instigator—which concerned lands in Tennessee. *Journal of the N. C. Assembly of 1798, passim*; K. P. Battle, *History of the University of North Carolina*, I, 378-384. For Martin Armstrong's immense holdings in West Tennessee, see S. C. Williams, *Beginnings of West Tennessee*, 43, 143.

<sup>4</sup> William Richardson Davie, brigadier general in the Revolution, member of Federal Constitutional Convention of 1787, and minister to France in the latter part of 1799, had for a time practiced law (admitted Nov. 23, 1779) at Jonesborough, Tennessee. *Am. Hist. Mag.* (Nashville), VI, 54.

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request him to make an appointment of such persons as are therein described, and for the purpose therein contemplated.<sup>5</sup>

This is all that is positively enjoined on me as a duty, yet I think it necessary to appraise you that it is probable that some persons who are acquainted with its contents will make statements to the President against his making such an appointment. The statements alluded to, I am taught to believe, will be to the following effect, "that at the treaty of Tellico in the talks public or private between the Commissioners of the United States and the Cherokees, the latter were given to understand that the present ferry across Clinch, which is much to their emolument, should in future be the ferry across that river under the fifth article of the treaty of Holston."

The answer to such statements is, that nations are governed in their intercourse with each other by the treaties formed between them, and not by the conversation that passed between the negotiators while they are forming.

If the President should say to you "since the people of Tennessee are dissatisfied with the passing of Clinch at the present ferry, which way do they wish it to pass," the answer is to be found in the Act itself namely, "The levellest, paying as much regard to distance as shall accord with the conveniency of the water course at fords and the mountains at the gaps most easy of ascent," and such, certainly, is the true construction of the article of the Treaty, and such I trust will be the execution of it.

But should the President ask, "what are the particular objections to passing Clinch at the present ferry," the answer is, first, that a toll or ferriage is exacted under military coercion for the benefit of the Cherokees in violation of their stipulation for a free road. If they have a right to exact any sum, however small, they may exact any other sum, however large, and thereby deprive the citizens of the United States of the benefit of the stipulation for a free road. The principle is the same, extended to a cent, a pound or a million. Secondly, that it takes cash from the pockets of those who are compelled to pay this ferriage for the benefit of the Indians, and is singularly oppressive to the movers to Mero District with their families, wagons, baggage and stocks so much so that many of them, heretofore, have been compelled to sell a part of their stock or other property under its value.

<sup>5</sup> The Treaty of Holston, concluded at White's Fort, site of Knoxville, July 2, 1791, in its fifth section provided that "the citizens of the United States are to have free use of a road from Washington District to Mero District," over the Cumberland Mountains.

to pay it. Thirdly, the delay unavoidable attending the passing ferries with families, wagons, baggage and stock, and the consequent expense of such delay. Fourthly, the dangers incident to a deep and wide ferry. Fifthly, that the road leading by it is no more hilly and circuitous than that it could be marked out to pass the Clinch at a very good ford only about two miles above it, and at this ford the Indians claim the land only upon the north side, their claim upon the south having been extinguished by the treaty of Tellico.<sup>6</sup> These reasons must convince you, if you did not already know it, that the people of Tennessee would feel a great grievance removed in the road only being changed from the ferry to this ford, which is generally passable about eight months in the year. I would not be understood by the above observations to give an opinion that this ford is the place where persons authorized to lay out the road the levellest and shortest was, as the Act contemplates, would take it across the Clinch. I only mean to say, if no more can be obtained that the road crossing at the ford in preference of the ferry will be a great relief to the people and for the above reasons. And, again, if the President will not make an appointment of commissioners to lay out the road in the latitude as contemplated by the Act, nor order that it shall pass at the ford in preference to the ferry, can't a middle ground be taken, namely, for the Indians to keep their ferry, and their road open to, and from it, and for the treaty road to be opened by the ford.

This would afford a choice to monied travelers and give great relief to movers and poor people. But observe I do not advise this, only suggest it in case nothing better can be done.

And, again, should the President have reasons, which I cannot discover or think possible, for the present passing from Washington to Mero district by way of the ferry being in future considered as the road established by the fifth article of the treaty of Holston, and you will in my judgment consult the true interest of the people of Tennessee in pointing out to him the propriety and necessity of his appointing commissioners to straighten and mark it. For you will observe, unless he does appoint persons to mark the road, that the commissioners appointed by the Act have no authority to act under it, in other words they will have no authority to open it, or exact a toll upon it for keeping it in repair. In its present state it is passed with

<sup>6</sup> Concluded Oct. 2, 1798. See preceding notes under text of accordant date. The ferry was at or near Kingston, Tenn. In a treaty concluded with the Cherokees at Tellico, Oct. 27, 1805, it was finally stipulated: "The Cherokees cede the section of land at Southwest Point, extending to Kingston, reserving the ferries and the first island in Tennessee River above the mouth of Clinch River."

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difficulty and must be daily growing worse, so long as there shall be no law to authorise the opening and repairing it. That this is a subject in which the Legislature and people of Tennessee feel much affected is well known to you all; hence, you will see the propriety of giving me the earliest and fullest information of your proceedings, and of the determination of the President thereon. It may not however be unnecessary to remind you, that the Legislature of 1797 complained of the ferry across Clinch as a grievance in their memorial to the President and Congress,<sup>7</sup> and that the Legislature of 1798 presented the subject to you again in their instructions by resolutions, and now in 1799, it comes again before you in form of the present Act. This cannot but convince the President that the people consider themselves labouring under a great grievance, from which they have a right, founded on treaty, to be relieved and redressed. Knowing that you will have a multiplicity of business before you, which will perhaps put it out of your power to deliberate as fully on the subject, on which

<sup>7</sup> The memorial evinced bitterness towards Col. Thomas Butler, in charge of a Federal military force, and Benjamin Hawkins (see earlier notes). "Upon the arrival of Mr. Hawkins, he assumed the right over said ferry for the benefit of the Indians, that it was *Indian water*, and that the Indians owned the lands on both sides of the river (notwithstanding the said road was authorized by treaty) and rented it out to James Richardson at about three hundred dollars per annum, whereupon the said Richardson demanded and received one-fourth of a dollar for the ferrriage of a man and a horse, and for other services in proportion; whereas considering the great number of horsemen, wagons, and stock that daily pass it, and the perfect security accorded to that ferry by the state of peace with the Indians, and a strong garrison at Southwest Point (within half a mile of it) one-eighth of a dollar for such service is an extravagant price.

"Observe how far the principle will extend. If the Indians or their Agent, Mr. Hawkins, in whom the people of this Country have less confidence than in the Indians themselves, have a right to demand a price for ferrriage they may demand such a price as will amount to a prohibition of the use of the road altho' secured by treaty.

"Travellers, finding themselves thus imposed upon, determined to resort to a ford two miles above, to which upon the south side they could approach upon lands to which the Indian claim is extinguished, and might proceed half way across the river the Indian claim being that far also extinguished; but upon their attempting to pass, they were opposed by a military guard posted by Col. Butler on the north bank, or Indian side, and compelled with violence at the point of the bayonet to return and cross at the ferry at such prices as Mr. Hawkins had been pleased to impose. . . . The Indians yearly and daily hunt upon millions of acres of land to which their claim has for years been extinguished, unmolested by the white people. Contemplate whether such restrictions will not produce if not compel a retaliation." *House Journal of Second General Assembly* (Mrs. John Trotwood Moore, ed.) 251-53. Would Hawkins county have taken that name after 1797?

The ferry passed from Richardson to Thomas N. Clark, a wealthy merchant of Kingston, who paid the Indians six hundred dollars per annum as rental. For glimpses of the ferry and of Clark who married a first cousin of Dolly Payne Madison, wife of President James Madison, and founded a remarkable family, see S. C. Williams, ed., *Early Travels in the Tennessee Country*, 312, 500; E. M. Wells, *History of Roane County*, 160.

this letter is written as I have had an opportunity of doing since the rise of the Legislature, therefore have taken the liberty to state my ideas on it, and hope you will not conceive that I mean to dictate to you in discharging the duties of your office.

I embrace the occasion to request you to present me respectfully to the President.

The Honorable William Cocke and Joseph Anderson, Senators, and William Charles Cole Claiborne, Representative, for the State of Tennessee in the Congress of the United States.

Knoxville, 25th February, 1800.

Gentlemen: Since my last I have learned that Bowles<sup>8</sup> is gaining influence over the Creek tribes, and his conduct becoming more and more menacing towards this State. I say this State because it is so much more subject and liable to the depredations of those southern nations than any of the other States, Georgia not excepted. It is to be recollected that we have in the past Indian wars suffered much more (at least ten to one) than any other State. I pray you to make every exertion in order to have our frontiers as formidably protected as possible, and by all the means in your power endeavour to have the military strength in this State augmented at least double the present numbers; which would scarcely afford a protection sufficient, should hostilities be commenced; and, in case there should not, the troops could readily be removed after discovering there was no danger to be apprehended.

Honorable William Cocke, Joseph Anderson  
and William Charles Cole Claiborne.

Knoxville, 20 March, 1800.

Gentlemen: I have the honor of acknowledging the receipt of your several letters dated 20 February Ultimo, in which you give me information of a resolution being offered in both Houses of Congress respecting the right of the United States to the vacant land lying within the State of Tennessee. I am sorry to observe that myself, and I presume the delegation is wholly uninstructed by the Legislature on this very important matter. You will permit me to observe that

<sup>8</sup> William Augustus Bowles, a native of Maryland, at the age of eighteen enlisted in the British army and served against his native country in the Revolutionary War. At Pensacola, deprived of his rank, he threw his uniform into the Gulf and joined the Creek Indians; married the daughter of a Creek chief, and gained a considerable ascendancy in the nation. He had a spectacular career. W. A. Bowles, *Authentic Memoirs*; Ferrin du Lac, *Travels*; "Life of Gen. W. A. Bowles" in *Public Characters of 1802* (London).



this is a subject of high importance, and requires mature and well digested consideration, and what part is most proper for the delegation to act in the present crisis, is very difficult for me to undertake to hazard an advice or opinion upon. However, I will take the liberty of suggesting that in the first place you do not concede to one single point wherein the Government will stand committed, and that you will scan decidedly every measure attempted to be taken by the General Government to divest the State of Tennessee of the vacant and unappropriated lands. Secondly, I know of no clause in the Federal constituted compact, or indeed the North Carolina Cession Act, that would warrant a decree of the supreme judiciary of the United States unfavourable to Tennessee; but, when circumstances are duly considered, it is very problematical what might be the event of such an issue.

You will please suffer me further to say, that was there some immediate mode adopted by which the dispute could be determined, it would be more advancing the interest of the State than to let a great portion of the landed property lie in a doubtful situation; provided the adjustment of our claim was not immoderate. Would not the Legislature of the United States refer the dispute to commissioners to be appointed by the parties whose decision should be a full and complete determination. I have thought some measures like the latter would probably be most likely to bring about and produce an amicable adjustment and reconciliation between the parties concerned. Your own knowledge of the subject is competent to every thing necessary to be done, and your exertions on the occasion will not be lacking I have full confidence.

The Honorable William Cocke, Joseph Anderson and William Charles Cole Claiborne.<sup>9</sup>

Daniel Smith, Esquire, Chairman of the Committee, held at Nashville on the 2nd of June, 1800:

Sir: I had the honor of receiving your address and have duly and maturely considered every part of the same.

<sup>9</sup> There is a break in the Executive Journal at this place. The next entry is in July, 1800, following this entry of Sevier's letter to the Tennessee delegation in Congress. No mention appears of the fact there had been a Congressional investigation of the trading houses of the federal government in Tennessee and Georgia, as appears by a printed report: *Operation of Trading Houses with the Indians in Tennessee and Georgia*. Report of Congressional Investigating Committee, April 22, 1800, 18 pp. (N. Y. 1800) with two folding charts, "In re Cherokee Indian Trade." The trading house in Tennessee was at Tellico Blockhouse, erected under Gov. William Blount in 1794; first factor, J. W. Hooker, succeeded in May, 1798, by James Byers.

I have long lamented the critical situation in which our most essential and important interests (to wit, our landed property) were involved; neither is it, I presume, unknown to you that I have frequently recommended it to the serious consideration of our Legislature, particularly at their last session.

You have justly observed, the Cession Act of North Carolina secures the perfecting of our titles conformable to the regulations of law in force at the time of passing said act; that under the authority of that act, the executive of North Carolina continued to perfect titles upon all entries made either before or since the passage thereof, until the fall of 1797. I coincide with the committee, that the authority to perfect the titles on the subsequent entries, could only be derived from an acquiescence of this State.

I regret much that the mother State has undertaken to make so many alterations and subsequent amendments, which particularly regards this State, that has so interwoven and complexed the land laws, that it has become in a manner almost impracticable for the citizens of this State to procure titles, be their claims ever so simple and just. In the Cession Act, and eighth provision of the same, it is expressly stipulated: "That the laws in force and use in the State of North Carolina at the time of passing of 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."

In adverting to the foregoing part of the compact, it evidently appears that no alterations could or ought to be made, excepting by our own legislature; that should any be attempted by the parent State it may be considered as a manifest infraction of one of the most essential articles of the separation; nor ought there be any impediment thrown in our way. The people of this country have wrestled and struggled with incomparable difficulties and dangers. How frequently have many of them been bereaved of their wives and children, their dearest friends and relations? Not a horse left to draw the plough, nor a cow to give the infant milk, their houses, barns and fences wantonly burnt and destroyed by the most barbarous savage and inveterate enemy!

How few were they among us in the year 1778 when there was a land office first opened in this country, that had confidence enough in the Government to enter one acre of land? The few that did, did they not with their swords in their hands? And how little are the claims of those few patriotic adventurers respected; and how soon

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would their titles be invalidated, could the least form or omission, in obtaining them, by the most scrupulous and argus eyed investigation, be discovered and deemed deficient?

When the first office was opened in this country, and entries made agreeably to that law, the Assembly of North Carolina by a subsequent act passed in the same year declared a number, out of the few made, to be illegal and void; notwithstanding it was opened on all lands that had or should accrue either by treaty or conquest: see the first land law. On renewing and again opening a land office in the year 1783, there were received into the office, kept by John Armstrong, entry taker, immense sums of money for the lands then entered; yet in the year 1785<sup>10</sup> there was a treaty entered into with the Indians, in which it was inimically concluded against the interests of the people of this country, and the limits so prefixed, that the Indians were again reinvested with the greater part of the lands last entered; and, notwithstanding two subsequent treaties since held, much the greater portion of the land is now guaranteed to the Indians, and the purchasing claimers prevented from making or having any use of the same.

Those embarrassments and repeated disappointments are great and insurmountable difficulties and obstacles, were we to say nothing about its cause of preventing and obstructing the emigration to, and the population of the State; and such have been the measures by which means we are greatly deprived of the most useful part of our navigable streams, and those in our vicinity which directly lead into harbours belonging to the most wealthy nations. Thus locked up is a great part of our State, one of the most healthy and convenient countries in the west: To prevent I suppose encroachments from being made on claims of some Indian hordes; are they not composed of the little tawney murdering tribes that were our earliest and most poisonous enemies; and what kind of enormities was it that escaped them during the whole course of our struggles for American liberty and independence? Was not their insignificancy such that the British nation, in their treaty with the United States, neglected to mention or make any provision for them? I hope our Government will ever be attentive to the welfare and interests of her own patriotic and virtuous citizens who have so liberally sacrificed their blood and treasure in support of their distressed and grossly injured country in the times of deep and unspeakable affliction. Let us repair, as much

<sup>10</sup> The Treaty of Hopewell. See as to its effects on Westerners, S. C. Williams, *Lost State of Franklin*, *passim*.

as possible, the losses of our own household and family before we begin to provide for a degenerated set of savage murderers and assassins of American liberty, not only so, but of innumerable numbers of our wives and children, and dearest friends and connections. I need not mention the foregoing misfortunes that have attended this country, well knowing that yourself and many of the honorable committee I have the honor to address are but too well acquainted with the melancholy circumstances. I should have complained (though painful so to do) in a much greater degree was I not consoled with the flattering expectations we have a right to look for in the great and parental care of our illustrious President, who is about to set another treaty on the carpet, which will be the second in the short time of his administration, and from the nature of our involved situation, and the just and necessary provision that ought to be made, affords us ample reason to suppose that he intends facilitating and removing every obstacle that may be in the way or prevent us from the peaceable enjoyment, and the benefits of our lands, and all the other natural and local advantages that we have a right to look for, and expect.

I trust that so very respectable and enlightened a State as North Carolina will throw off every embarrassment and incumbrance that will in any manner be detrimental in preventing the people of this State from obtaining their just and legal titles. If it should otherwise act (which I am led to believe and hope it will not) your own legislature is fully competent to the remedying and removing every defect. And tho' we may suffer some temporary inconveniencies, yet it must afford us the highest consolation when we reflect and consider that in our own State is to be found the paramount tribunal that can, and is in duty bound to, relieve and rectify all the evils that may respect the property of the citizens lying within the bounds of the same.

I now beg leave to return to the requests you have been pleased to make, and take the liberty of observing that to arrest any office, or suspend any law, is a matter of the highest importance and magnitude, and am sorry to add that I know of no clause in our Constitution that would warrant and authorise such a measure, (excepting it was done through legislative direction). I have observed how earnestly it was recommended to the last Assembly to take our landed matters into their serious consideration; and, that body having failed so to do, it would be extremely hazardous indeed for the executive to take upon himself so great and weighty a responsibility, assuring you, sir, that he does, with every deference, venerate and highly

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respect the opinion and deliberations of so respectable and enlightened a body in which you had the honor to preside. I therefore hope and flatter myself that, from the reasons and observations I have stated, you will excuse, your devoted, and obedient servant.

Knoxville, July 6th, 1800.

Knoxville, 7th July, 1800.

Sir: A. M. Kilpatrick<sup>11</sup> lately informed me that he had applied to you as agent for the Department of War respecting his son and Kyser, who, it is supposed, were murdered by the Indians in March last. Will you be so good as to inform me what information you have received from Mr. Lewis and the Indians on the subject and whether, or not, the perpetrators are likely to be discovered.

Colonel David Henly, Agent for the Department of War.

Knoxville, July 8th, 1800.

Sir: Some time since a Mr. Kilpatrick informed me that he had reason to suspect some of the Cherokee Indians for the murder of his son and a young man by the name of Kyzer; he also informed me that he had communicated his suspicions to yourself and Colonel Henly, that you had promised him that every measure should be adopted to discover and apprehend the murderers. Under the foregoing information I have rested fully satisfied the officers of Government would exert themselves in having the perpetrators pursued, apprehended and brought forward to be dealt with in the manner established by law, and the existing treaty with that Nation of Indians, what success you have had in accomplishing the discovery of the murderers I have not as yet the pleasure of being informed. I hope if you have not been successful, that you will nevertheless continue by every means in your power to have them brought forward. Mr. Kilpatrick informs me that he has received information that a certain John Lawson, a white man, carried into Kiookee, (an Indian town) Kyzer's horse, which was a pacing sorrell with white in his face. Perhaps, if enquiry was made how Lawson became possessed of the horse, it would lead to a discovery of the murderers.

Colonel Thomas Butler.

<sup>11</sup> Kirkpatrick (see letter next following). Perhaps this was Kirkpatrick of the Hawkins county family of that name from which Judge Samuel Kirkpatrick of Jonesboro derived.

Knoxville, July 17th, 1800.

Sir: Yours of the eleventh Instant, with a copy of your letter to the chiefs of Cooso Watee<sup>12</sup> inclosed, I am duly honored by Colonel Henley. I am very sensible of your good disposition to have the murderers apprehended and brought to justice, but suffer me to remark it always requires time to effect a matter of such importance among the Cherokees. Nevertheless, I have no doubt your perseverance in the demand will compel a compliance in the surrender.

Was I capable of giving any advice on the occasion I would offer it freely; but sir, I am well persuaded your own knowledge in such cases is fully adequate and competent to every measure necessary to be taken.

Lieutenant Colonel Thomas Butler.

Knoxville, 10th September, 1800:

Sir: Your favor of the fourteenth of February, Ultimo, with its inclosure came forward to this place in June, but unfortunately I was absent on a tour for about two months,<sup>13</sup> which has prevented me the honor of acknowledging the receipt thereof as early as wished.

I cordially coincide in opinion with you that the opening of communication and laying out a road between the two States, the most convenient and nearest route, will contribute very importantly to the commercial and political interests of each. It is a measure I have long wished to take place, and am extremely sanguine in my expectations of the great utility whenever effected, which is by no means critical or hazardous. I do myself the honor of inclosing a copy of the act passed at our last session, and am sorry the powers left in the County Court of Cocke are not more ample and extensive. I flatter myself that body will exert their powers in co-operating with the commissioners of Georgia in facilitating so desirable and interesting a project; and have no doubt but that our Legislature at their next meeting will give it a full and complete support. The state of Kentucky is also embarking in the plan, and through our joint efforts I have full confidence we shall shortly have the pleasure to see trade and intercourse flourish in a very extensive and beneficial degree, which will no doubt very soon more than sufficiently remunerate for all the labour and expenditures that may be attended thereon.

<sup>12</sup> In this year Sevier made up a memorandum of the several villages of the Tennessee Cherokees with their chiefs and warriors, the latter numbering 510. The tribe was in decline. Draper MSS 11 D D 149.

<sup>13</sup> To the upper counties of Carter, Sullivan, Jefferson, and Washington, with a stay at the Plum Grove home on the Nolachucky River, in Washington county.

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July 17th, 1800.

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Permit me, sir, to remark that the boundary line of your state borders nearly on our frontier settlements in the counties of Blount and Sevier, and in case the Commissioners of Georgia should find it expedient to lay out a road the most direct way, which is supposed by many well acquainted to be through the Cherokee Nation directly to Tellico Blockhouse, and is also the way contemplated by Kentucky, you will then, I presume, find that your boundary line will bring you on the west side of the mountains, and nearly to an Indian town called Old High Wasee, about thirty miles distant from Tellico Blockhouse, and from which place to this there is a very level and convenient way for a road. You will also find that near the same spot will be in the vicinity of the main High Wasee river about thirty miles from the main Tennessee, into which boats of large burdens can descend, and from thence can ascend and descend throughout the States of Kentucky and Tennessee. It would be superfluous for me to say more on the advantages to be derived, well knowing that one of your honorable colleagues, and also many other gentlemen of respectability belonging to your State, are sufficiently acquainted with all the advantages that may be obtained. You will perceive, by the tenor of the enclosed act, that the road contemplated from Cocke County will have a different direction from the one last mentioned, but will afford equally in my opinion as many, if not superior, advantages; and beg leave to give it, as my farther opinion, that neither by any means ought to be neglected; the contiguity of the two States is such as affords to each very great innumerable advantages; and systems may with great ease be formed of such a contexture as will forever fix on a permanent basis the mutual interests and inseparable advantages of both countries.

The Honorable Thomas P. Carnes, Georgia.

Knoxville, 10th September, 1800.

Gentlemen: I do myself the honor of inclosing a copy of a resolution entered into by the Georgia Assembly, and also a letter from the Honorable Thomas P. Carnes, on the subject of opening a communication, and laying out a road between the two States; together with a copy of my letter to the Honorable Thomas P. Carnes. The great utility of such a measure I know you are sufficiently acquainted with, and I have no doubt you will exert your utmost endeavors in cooperating with the Commissioners appointed by the State of Georgia in accomplishing so desirable an object, so far as your powers will enable you.

The Worshipful Court of Cocke County.

Knoxville, 8th December, 1800.

Gentlemen: I find that it is almost impracticable to have the Assembly convened; the resources to meet such an occasion is doubtful and difficult in the extreme; monies levied by our Assembly have only been contemplated to serve biennial meetings, and the emergencies since the organization of the present government have occasioned several extra calls of the Legislature, which has entirely drained our treasury. So far as I have been able to collect information, the mass of the citizens are opposed to a call of the Assembly, and give as their reasons that a doubt cannot be entertained of Congress laying over the landed business so far as respects this State, until a statement of the claim is sent forward from our Legislature, which can't be done before that body convenes agreeably to the constitutional meeting in next September. I am authorized to say that it is the wish of our members to have an amicable adjustment of the landed claim, and have no doubt, that, when they meet, matters will be so arranged as to bring on an immediate decision of the business to the satisfaction of both Congress and the State of Tennessee. I therefore beg leave to give it as my opinion that you will take such measures as to you may seem most expedient to have every matter relative to the claim of the vacant lands postponed until the next meeting of Congress, before which time our Legislature will be in session, and will no doubt adopt the necessary measures for accommodation.

Permit me again to solicit your attention to the renewal of your application on the subject of the road through the Cumberland Mountain into the district of Mero; the present road by way of the South West Point is a very bad one, and you are all well acquainted that some part of it is almost impassible with carriages, particularly that part called Spencer's Hill.<sup>14</sup> The present road crosses Clinch much too near its mouth and out of the nearest direction, also subjects the travellers to a ferriage and the dangers attendant, when good fords are to be had above, and a way through that will, in all probability, cut near or quite a day's travel with a wagon, and not one hill or mountain to cross that is difficult until you pass the Crab Orchard; this way can be best made by crossing Clinch near Davidson's ford, then down by Poplar creek to the Big Emmery, up the same as it runs through Walden's ridge, which is level, and a

<sup>14</sup> Named for the celebrated Thomas Spencer who was killed on the spot by the Indians. For a graphic account of the "ill-renowned Spencer's Hill," see S. C. Williams, ed., *Early Travels in the Tennessee Country*, 503. A modern concrete, state highway has conquered the "hill" at last.



December, 1800.

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is killed on the spot by "Spencer's Hill," see S. 503. A modern con-

good way can be had by crossing this small river two or three times. When through the ridge, you have a level way in the Barrens until you strike the present road near the Crab Orchard, the remainder you know. This way has lately been discovered by Colonel William Davidson,<sup>15</sup> two of the Dearmonds<sup>16</sup> and several others, whose veracity can be depended on; and I am very confident that, was there suitable persons appointed to explore and view the way, a very good and convenient road may be had through the Cumberland Mountain without crossing one single hill of any magnitude. I know much of the way from a personal knowledge, and so much, that I am very certain that the present road now used, is neither the nearest nor the most convenient, and that very great and essential alterations for the better can be made. The alterations of the road proposed in this, from that of my letter on the subject at last session of Congress, is occasioned by the recent information I have received on the subject.

The Honorable William Cocke and Joseph Anderson, Senators, and William Charles Cole Claiborne, Representative, of the State of Tennessee in the Congress of the United States.

Knoxville, 5th January, 1801.

Gentlemen: Permit me to remark to you how necessary it will be to remind the President on the subject of the expected treaty, which has for some time been held out, for which an appropriation law passed the last session of Congress.<sup>17</sup> I hope that some person among ourselves acquainted with Indian affairs, and who has the interest of this State at heart, will be appointed to assist in the negotiation otherwise I fear we shall not be much benefited.

The Honorable William Cocke, Joseph Anderson, and William Charles Cole Claiborne.

<sup>15</sup> William Davidson, who in 1793 lived on Little River, Blount county, is probably referred to. His name was given to the ford mentioned in the text. Listed as Revolutionary soldier: E. M. Wells, *History of Roane County*, 30.

<sup>16</sup> For Dearmonds: E. M. Wells, *History of Roane County*, 19, 21, 73, 168. The first to settle in Tennessee seems to have been John Dearmond who located (1787) south of Holston River, Knox county, near Churchwell Ferry. J. G. M. Ramsey, *Annals of Tennessee*, 375; see, also, Richard Dearmond, in *ibid.*, 565.

<sup>17</sup> Congress on May 13, 1800, made an appropriation to defray the expenses of treaties with Indians south of the Ohio. The president named Gen. James Wilkerson, William R. Davie, of N. C., and Benjamin Hawkins as commissioners, but the appearance in Washington and the remonstrance of Chief The Glass of the Cherokees caused a halt. Gen. Andrew Pickens of S. C., was substituted for Davie (declined). The commissioners failed in the accomplishment of the purpose, no part of which was to purchase more land of the Cherokees. The next treaty with that nation was not concluded until October 24, 1804.

Knoxville, 21st June, 1801.

Sir: Your favour of 17th March Ultimo inclosing an address from the board of trustees,<sup>18</sup> I am honored with. My absence from this place some time before and after the arrival, I hope may apologise for not having done myself the honor of acknowledging the receipt of the same on a more early day.

Assure yourself, sir, that the same shall without delay be laid before our Legislature, when the period arrives for that body to convene, and that the Executive will exert such measures as may be thought most prudent in availing himself of giving the address every support that the nature of the same may require.

Benjamin Williams, Esquire, President of the board of trustees, of the University of North Carolina.

Knoxville, 21st June, 1801.

Sir: I have the honor of acknowledging the receipt of your Excellency's letter dated 3rd January, Ultimo, with a copy of the Act of the General Assembly therein inclosed, authorising the Governor to appoint commissioners for the purpose of viewing a road from your state to intersect the road leading from the States of Georgia and Tennessee. Permit me to inform you that the Legislature of Tennessee have not as yet passed any law to co-operate with the States of Georgia and Kentucky in cutting and opening such a road. The great utility and promising future advantages to be derived from such a road will unquestionably engage the attention of our Legislature, which will convene in September next. It is with much pleasure I have seen the measures adopted by the States of Kentucky and Georgia, for the purpose of opening this communication; and be assured that the advantages and prospects likely to be obtained from such an intercourse will induce the executive of this State to impress in strong colours the next assembly with the necessity and propriety of engaging immediately in co-operation in the measures.

I was from this place some time, after the arrival of your Excellency's letter; otherwise I should have done myself the honor of replying on an earlier day.

His Excellency, The Governor of the State of Kentucky.

<sup>18</sup> In 1789 the North Carolina General Assembly passed an act granting to the University of North Carolina all lands that might escheat to that state. Benjamin Williams was governor in 1801, as well as president of the trustees of the University. This communication was one in regard to the university's rights to lands in Tennessee under the act referred to.

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Knoxville, 30th June, 1801.

Sir: This will be handed you by Felix Walker, esquire, the same gentleman I have before named and recommended to you as a proper and suitable character to fill any deputy appointment relative to Indian affairs, should any such be authorised and found necessary. Mr. Walker has for some time, represented a very respectable county in the North Carolina Legislature; his standing in that State and acquaintance in this enable him to produce (should it become necessary) the most ample and satisfactory testimony of his upright demeanor and integrity.

I now beg leave to observe to you, sir, that there is yet remaining to be run that part, or at least a part of the line concluded on in our last treaty with the Cherokees, which runs through the bordering part of North Carolina, and also through one of her counties called Buncomb; the people have for some time past, and are still settling on the frontier of that county, and as the line has not as yet been extended. for reason I know not, it is very probable they may go beyond the line where the same may be found to run whenever the due direction may be ascertained and designated, which would occasion perhaps considerable disquiet in the Indians, and much trouble and inconvenience to those that may have so unfortunately settled.

Mr. Walker informs me that it is not only the wish of the settlers on that part, but the Government also, that there might be a comple-

<sup>19</sup> Felix Walker was in many respects a remarkable man, his career touching Virginia, North Carolina, South Carolina, Tennessee, Kentucky, and Mississippi. Born on the South Branch of the Potomac River in Virginia, July 19, 1753, he removed with his father, John Walker, to the present western North Carolina. His father was a colonel of colonial militia. Felix served as apprenticed clerk at Charlestown, S. C., in 1769. He then went into the Tennessee country and served as clerk of the court of the Watauga Association in 1775-76. He went with Richard Henderson and Daniel Boone to the Kentucky country and aided in the founding of Boonesborough and the government of Transylvania, 1775; in the early part of 1776, on a visit to his father's home, he accepted a commission as lieutenant in Capt. Richardson's company, Col. James Stuger's regiment, and passed over the Alleghanies and recruited a platoon of young Wataugans to go to the defense of Charlestown when attacked by the British, in the spring of 1776; this band of young westerners did good service around Charlestown. Later in 1776 and in 1777 he was captain of a company of dragoons or rangers on the Nolachucky River. He returned to North Carolina and served as clerk of the court of Rutherford county; he was six times a member of the House of Commons of North Carolina, 1792-1806; elected to Congress from Asheville or Buncombe district in 1817 and served three terms. When the Missouri question was being discussed in Congress, Walker addressed the House, and this was the occasion that gave rise to the familiar expression "talking Buncombe." An impatient member tried to stop Walker so that a vote might be taken. Walker parried: "I must make a speech for Buncombe," meaning his constituents (*Webster's Inter. Dict.*). He removed to Mississippi where he died in 1824. Walker married Susan, daughter of Col. Charles Robertson of Watauga; while Robert Sevier married another of Robertson's daughters.

tion of the line, or at least the course so accurately ascertained and demarked as would tend to prevent any mistakes in the farther settlement of that part of the country. I beg leave to submit the propriety of something to be done, on which I have taken the liberty to mention to you the subject of that part of the unextended line, and have no doubt that either your own powers, or your influence with the Executive of the United States, will be sufficiently competent to have the obstacle removed in time to prevent, perhaps, some disagreeable consequences. Any farther particulars beg leave to refer you to Mr. Walker.

Colonel Meigs.<sup>20</sup>

Knoxville, 15th August, 1801.

Brothers: I am sorry I have to inform you of so horrid, black and inhuman a deed committed by some of our white people, who have killed an Indian woman belonging to your Nation; but I know not from what part or town she belonged to; the woman was found when dead, and on the examination held over her it was discovered she had been shot with a ball through the body which wound had occasioned her death. Near the place there were several articles found, such as baskets, blankets, hats, petticoats and other things, which will be taken care of and kept safe for the owners. From such information as I have been able to obtain there were three other Indians in company, which I suppose and also hope made their escape and returned to their Nation, from which place as yet I have had no accounts.

Brothers, it has been and still is the sincere desire and wish of my heart that peace and friendship should subsist between my red brothers and the white people, and that the beloved chain of peace which has for some years past so strongly united and bound both Nations together, should never be broken, nor in the smallest degree

<sup>20</sup> Col. Return Jonathan Meigs had just been appointed (1801) agent of the Federal Government to the Cherokees, and had his first official residence at Tellico Blockhouse, nearly opposite the mouth of Tellico River on the Little Tennessee. A brief sketch of him appears in James Mooney's *Myths of the Cherokees*, 214-15; and a fuller sketch is in *Dict. of Am. Biog.*, XII, 508; but he deserves a yet ampler sketch, setting forth his Revolutionary War career and his extensive and commendable labors through many years in behalf of the Cherokee's advance in education, morals, and industry, and his work as treaty maker. He was a colonel in the Revolution; accompanied Benedict Arnold in the disastrous march towards Quebec, of which expedition he wrote a journal of the campaign. A grandson of the same name arose to distinction in Tennessee as lawyer, codifier of our laws, and author of a great digest of judicial decisions of the Tennessee courts of final resort. *Dict. Am. Biog.*, XII, 506.

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become rusty; and be assured, my friends, that every necessary measure shall be pursued to apprehend, and bring to condign punishment the perpetrator of this horrid and unprovoked murder. Let the friends of the woman know that I have reason to believe we shall find and apprehend the person who committed the murder, and in case we shall be thus fortunate, that they may depend the culprit shall suffer agreeably to the enormity of his crime.

The Warriors and Chiefs of the Cherokee Nation.

Knoxville, 15th August, 1801.

Sir: About the 12th Instant, four Indians passed through the neighbourhood of Willis's Mill,<sup>21</sup> not more than six or eight miles from this place, having with them some baskets and other small articles, appearingly for traffic. It is made known to me that on the same evening near the house of a certain Tarwater's on Stock Creek, one of the Indians (a woman) was shot through the body, and of the wound shortly expired. The others, it is supposed from appearances, ran off to their towns, and left behind them some of their goods, such as petticoats, blankets, and other Indian articles, which I have ordered to be kept safe for the owners.

I should as little suspicion the neighbourhood as any in the State; but, nevertheless, the fact is, the woman is murdered in the manner related, and it has been committed by some murdering miscreant in that settlement; I am extremely sorry that such an unprovoked, pitiful, despicable, paltry, and wretched murder, not only in the present crisis of affairs but at any other time, should have taken place in Tennessee, or disgraced any country whatever. You may rest assured, and also beg you to assure the Indians that I will exert every means in my power to have the perpetrator apprehended and brought to condign punishment. I have strong hopes the assassin will be discovered; considerable inducements will be offered for that purpose, and I have flattering prospects the wretch who has committed this abominable act will not escape the punishment his crime may justly merit. I have wrote the Indians on the subject, and beg you will be pleased have the same promulgated among them.

Colonel Meigs, Agent of Indian Affairs.

Knoxville, 17th August, 1801.

Gentlemen: I am this moment honored with yours of the 16th Instant per your express. I lament much the murder lately commit-

<sup>21</sup> James Willis' home is mentioned in the act of the legislature which defines the boundaries of Blount county. J. G. M. Ramsey's *Annals of Tennessee*, 742.

ted on the Cherokee woman, and more if possible at the present juncture of affairs, than at any other time such a baneful piece of barbarity could have been perpetrated.

You may rest assured, I have not been inactive on the occasion, and do with pleasure assure you that I have flattering hopes I shall succeed in discovering and bringing to justice, the perpetrator of the horrid crime. I have wrote to Colonel Meigs, and the Chiefs on the subject, which letters I expect ere this have reached the point, and make no doubt you have been made fully acquainted with the contents. I beg leave here again to repeat that I shall exert every means in my power to accomplish a discovery and apprehension of the guilty person. I am sensible of the effect this will have on the minds of the Indians, and the necessity of a speedy exertion to have the offender brought to justice.

Permit me, gentlemen, to congratulate you on your safe arrival in Tennessee, wishing you every success in your mission,<sup>22</sup> and that your conference may terminate agreeably to the wishes of yourselves and fellow Citizens.

Brigadier General Wilkinson, and  
Benjamin Hawkins, esquire.

Gentlemen of the Senate, and  
Gentlemen of the House of Representatives:

The period has again arrived which by our Constitution requires your convening in General Assembly, in order to discharge these important trusts and duties confided to your care by your Constituents, the free and independent citizens of the State of Tennessee; the period has also arrived by which the same instrument has limited the time to which the Executive who has now the honor of addressing you is to cease and expire; and as a successor is in a very short time to take place, I shall not trouble your honorable body with a lengthy and tedious address.

I have the honor of informing you, as far as the most recent information has been received, that a profound peace and tranquility abounds through our young and rising republic. It has been my sincere wish and ardent desire from the first day I entered into office, until the present, that such a pacific state should exist and continue to be cherished as one of the greatest objects which would be most likely to prosper, promote and render respectable the interest and welfare of the State of Tennessee. And I thank Providence I have so

<sup>22</sup> See note 17.

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far been successful; that for the last six years, comparatively speak-  
ing, little or no disturbance has taken place in any quarter between  
our frontier citizens and the neighbouring tribes of Indians. The  
laws of the government have been duly obeyed and strictly complied  
with in every instance so far as I have been able to obtain informa-  
tion. As to the agricultural prospects, Providence has been bountiful  
and propitious in an extensive degree; so far as respects the produc-  
tions of the earth they abound in great abundance, and in a manner  
that promise the most ample supply of all the necessaries of life for  
the inhabitants, and an abundant overplus and redundancy for market  
and exportation. I now consider it my duty to remind you that it  
is to be feared that all Commonwealths sooner or later must be pro-  
tected by a military force; which last to be respectable depends alto-  
gether on order and discipline, without which the greatest number of  
men are mobish and contemptible. A handful of regular trained  
troops can easily disperse them. It follows then that the citizens at  
large ought to submit to order and discipline, or otherwise commit  
the safety of their lives and property to a distinct body of men who  
will naturally set up (as have been observed by able writers) a pro-  
fessional interest separate from the community at large. To this  
cause alone, it may be truly alledged, has been the subversion of  
many free states. Therefore let every citizen of the State be a soldier  
in fact, as well as in name, and all be rigid observers of military  
discipline and institutions. Every State ought to be extremely cau-  
tious to have efficient laws to their militia and I am induced to  
believe and hope that every good citizen will take pride in paying the  
most sacred and solemn regard to those laws upon which their lives,  
liberties and property so materially and essentially depend. A well  
regulated militia is the great and natural strength of the State, and  
will be forever absolutely necessary for its safety and preservation.

Permit me next to request your attention to the improvement of  
roads and inland navigation. It is extremely flattering to find that,  
on examination, and the ways being somewhat explored, that roads  
can so easily be made passable for carriages to travel into the States  
of South Carolina and Georgia and the distance comparatively short.  
A small support and patronage of the Government would sufficiently  
complete this desirable and lucrative intercourse and communication  
with these two States, who have the same much in contemplation as  
may be discovered from their Acts and no doubt from their liberal  
and philanthropic disposition, they would readily yield their support  
and hearty concurrence in so beneficial and advantageous an object.

I shall now submit to your honorable consideration a participation in the navigation of those rivers which are the natural and inherent right of this State, and am sorry to add that the citizens of this country have so much right to complain and lament the shameful neglect of this all important and interesting subject, without the attainment of which it is almost impossible that the State of Tennessee can long exist in any degree of credit and political respectability. Therefore, let me intreat you gentlemen to take immediate measures for the attainment and improvement of all such parts of the exportable rivers, so far as they may pass through the chartered limits of this State; and for such exterior navigation as have communication with the same, that you seriously address the National Legislature for their immediate aid to open and facilitate every object that impedes the shortest and most convenient intercourse between Tennessee and Orleans, Mobile, Pensacola, or any other port or place on our side of the Atlantic. The object is of such magnitude and utility to the welfare and conveniency of every part of this government that a delay ought no longer to be dispensed with. Lend you support and patronage to science and all useful manufactories; encourage men of literature, science and mechanism to resort thither, by which means many of such description will be induced to repair to this country and become useful to the community at large, and provide comfortably for themselves and families.

I need not mention to you, as it is within your own knowledge, the very embarrassed state and situation of much of the landed property lying within this State. It will require your immediate interposition and attention in order to pass such Acts as in your wisdom you may deem necessary for reconciling and conciliating the minds of by far the greater bulk and mass of your constituents. The laws of North Carolina have been so varied and altered since our separation from that State that it is with the utmost difficulty a citizen from the State of Tennessee can procure a grant after traveling some hundreds of miles and expending much of their time and money. I don't wish to be understood as throwing out any exclamations against the government of North Carolina, having no doubt their political situation demanded the measures adopted, but it has nevertheless consequently involved the citizens of this State in a very difficult and embarrassing situation. It is to be questioned and very much doubted whether any grant obtained from North Carolina for lands within this government since the time of the organization of the State of Tennessee will have that effect and validity that so

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solemn an instrument ought to support and maintain; the face of those grants carry with them marks of jealousy and suspicion, and in fact only appear to bear testimony of being intended for the purpose of validity and effect within the State wherein they were issued. In the forms and requisites composing those grants it is required that the grantee yield and pay to that State such sums of money, yearly, otherwise as the General Assembly from time to time may direct; and provides always that the grant shall be registered in one of her counties within a certain period, otherwise the same shall be void and of no effect. It may be alledged that these are only kind of formalities made use of in issuing of grants, but on the other hand you will please to observe it appears now, and no doubt will be argued on a future day, that it is a very express and bonafide condition, on which the lands were granted. I have taken the liberty to suggest the foregoing ideas on the subject, having no doubt you will pursue such measures as will tend to the interest and security of the people, hoping it may assist in bringing to your recollection how essentially necessary it will be to take the matter under your mature deliberation.

The State of Tennessee possesses every power, privilege, sovereignty and jurisdiction that any of the original States in the Union enjoy; and, such being undeniably the case, what hesitation can there remain to prevent you from passing laws to enable the citizens to obtain a full and complete perfection of all their titles and grants, they have a right to receive and are entitled to. You will readily see the impropriety of other States undertaking and appointing officers for the discharge of the most important business in the State of Tennessee, independently of her control, or subject to her laws. It is a practice inconsistent with the liberties of a free state, and never before submitted to.

I congratulate you, gentlemen, on the late appointment to the Presidential Chair of Thomas Jefferson, esquire, the patriot, statesman and philosopher. He was the choice of this State, and I hope the flattering prospects anticipated from his administration will speedily be realized.

Gentlemen of the Senate, and Gentlemen of the House of Representatives, being now about to close my official appointment with which the free citizens of the State have been pleased to vest and honor me, I hope you will please to have all my official transactions and communications read and examined in your respective houses, in order that yourselves, together with my fellow citizens, may be able the better to judge how far I have discharged the duties of that im-

portant trust deposited in the hands of the Executive. I now conclude in wishing you a happy, speedy and prosperous session such as may redound to your own honor, and the interest and welfare of your constituents, for whose prosperity and happiness I shall always feel the most sincere and interesting regard.

Knoxville, 22nd September, 1801.

Knoxville, 22nd September, 1801.

Sir: I have the pleasure of announcing to you that I have been officially informed and notified by the Speakers of both houses of the General Assembly that you are again reelected by the free citizens of the State of Tennessee, to represent them in the House of Representatives of the Congress of the United States. Permit me, sir, to congratulate you on experiencing once more the confidence of a free and independent people, while on the other hand, I am sorry to add that from the nature and dignity of another office, recently conferred upon you by the President of the United States,<sup>28</sup> I fear it will not be in your power to serve your constituents agreeably to their wishes and expectations. My dear sir, believe me to be most entirely and sincerely yours

William Charles Cole Claiborne.

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<sup>28</sup> Claiborne had been appointed governor of the Mississippi Territory and chose to accept same. When Claiborne came to Tennessee, Sevier gave him aid and patronage.