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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)

Knoxville, October 7, 1803.¹

Sir: I have been informed, by report, there is to be a meeting of the Cherokee Chiefs at South West Point on the 15th Instant, and probably something relative to opening a road through the Nation into the State of Georgia might at that time be proposed to the Indians. It is a subject in which I conceive the State of Tennessee to be much interested, and also our sister State, Kentucky; and would therefore very willingly attend a day or two on the occasion, as also to avail myself of an opportunity of renewing my friendship in behalf of the State with those people. Will you please drop me a line by Captain Sparks² or some other convenient opportunity. Colonel Return J. Meigs, Agent for the Department of War.

Knoxville, October 12, 1803.

Sir: Mr. Edward Teale³ has communicated to me, and also laid before me some papers shewing that he has a claim to a Negro lad

¹ Because of a provision in the Tennessee Constitution of 1796, John Sevier was ineligible for reelection as governor in 1801. Archibald Roane succeeded him in the governorship and served from September 23, 1801, until the same date in 1803, when Sevier, after his election, was inaugurated for his fourth term. This explains why there are no entries in his executive journal for the year 1802.

² Capt. Richard Sparks, who on January 29, 1797, had married Ruth, daughter of Sevier. He arose to the rank of colonel in the United States army before his death July 1, 1815, very near the date of John Sevier's death. For the romantic career of Sparks, see J. H. F. Claiborne, *Mississippi* (Jackson, 1880), 221 n.; S. C. Williams, *Beginnings of West Tennessee* (Johnson City, 1930), 62; Zella Armstrong, *The Sevier Family* (Chattanooga, 1926), 267. Ruth seems to have been the favorite daughter of Sevier, and is described by Claiborne as "a lady of great beauty and noble character." For short sketch and portrait of Ruth Sevier Sparks and some account of Sparks, see S. G. Heiskell, *Andrew Jackson and Early Tennessee History* (Knoxville, 1921), I, 344; Leota S. Driver, "Colonel Richard Sparks—The White Indian," in *Tenn. Hist. Mag.*, 2nd ser., II, 96-110.

³ Tiel or Teale was a resident of the Cumberland region. *Tiel v. Roberts*, 3 Haywood's Rep. 139.

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Historical Society's

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named Andy now in possession of Double Head⁴ in the Cherokee Nation. The negro appears by bill of sale to have been conveyed from John Chisolm⁵ to his son James Chisolm, who let his brother Igg Chisolm⁶ have the Negro in possession, and by some means the Negro was placed in the hands of Double Head, until a certain sum of money was paid by James Chisolm to Double Head, the Negro was to be returned to James Chisolm. It appears by several papers (which Mr. Teale will lay before you) that the money has been paid by James Chisolm, who since conveyed the Negro to Edward Teale. So far as I can discover by the papers signed and certified by Lovely⁷ the assistant Agent, and others, the Negro is not the property of Double Head, and ought to be given up to Teale, or his value paid; however, Mr. Teale will make you ac-

⁴ Doublehead was a leading chief of the Cherokees. For phases of his career: C. C. Royce, *Cherokee Nation* (Washington, 1887), 190-3.

⁵ For sketch of John Chisholm, see E. T. Hist. Soc. *Pub.*, I (1929), 60, 66 n.; *ibid.*, 5 (1933), 150 n.

⁶ Ignatius Chisholm, *ibid.*, 1 (1929), 66.

⁷ William L. Lovely is scarcely a silhouette in the history of Tennessee, creditable as was his career in war and peace. That his name has practically vanished as a Tennessean is, perhaps, due to his removal to the West at an early day. Before the commencement of the Revolutionary War he came to America from Dublin, Ireland, "where he acquired the information and manners of a gentleman," as Colonel Meigs wrote in 1817. He lived for some time in the family of the father of President James Madison. In a letter to President Madison he referred to the fact that the two had parted in 1774. Lovely to enter upon the campaign against the Shawnee Indians as assistant to the commissary-general. In January, 1776, he entered the Continental army in which he remained throughout the war, "from which from the beginning I was never absent for a day." During nearly the whole time he commanded a Virginia company in the regiment of Colonel Mullenburg, from which he was transferred to Col. Morgan's corps of light infantry. He was at the capture of the British General Burgoyne at Saratoga. Then he was transferred to the command of General Anthony Wayne and fought at Stony Point, ending his Revolutionary service at the Yorktown surrender of Lord Cornwallis. Shortly afterward Lovely removed to the Tennessee country, seemingly living in Washington county, where he is said to have taught school for a time. His clerical skill commended him to Sevier who, when he was appointed brigadier-general of Southwest Territory by President Washington, named Lovely major-adjutant on his staff. Lovely served as clerk of the House of Representatives of the territorial legislature for two sessions, (1794, 1795); and then in Indian affairs at the Cherokee agency, at Tellico Blockhouse, where he gave a deposition in the investigation of the Blount conspiracy, July 8, 1797. He served faithfully and with satisfaction as assistant agent under Colonel Return J. Meigs until 1813, when he was directed to take up the work of agent to the Cherokees in Arkansas. In 1816 he negotiated the grant by the Osage Indians of a tract of over seven million acres which became known as "Lovely's Purchase." Major Lovely died on February 24, 1817, in Pope county, Arkansas. The celebrated Sam Houston was offered but declined appointment as his successor and the place was given to Reuben Lewis, a brother of the distinguished Meriwether Lewis. The western part of the great "Purchase" became a part of Lovely county, which embraces several of the present-day Oklahoma counties.

quainted with the whole business, and I am confident you will do whatever is right on the occasion.

Colonel Return J. Meigs, Agent for the Department of War.

October 17, 1803.

Brothers: You have just now heard your Father's the President's⁸ talk, sent to you and delivered by your brother Colonel Meigs. It is a request from your great Father that a road be opened for the good and benefit of all his children both red and white, and will be more so for our red brothers, as the road will lead through their own land and they will have the benefit of the ferries, houses of entertainment and all opportunities of selling and disposing of their corn, meat and provisions of every kind. The road will be of the same use to yourselves to travel on, to market, and for every other advantage that it can be of to your Brothers the white people; and as the road is to be cut out at the cost and charge of the United States it can't be attended with any difficulty on your part. It is a common practice among all Nations to allow and permit a free intercourse between Nation and Nation, even to those that live at the greatest distance from each other. Our roads, our markets and our country are always open for your people to travel through, and I am confident you will not refuse to permit your near brothers and neighbors having a road, the nearest and most convenient route for them to travel to market with their waggons, to remove with their families, drive their stocks of hogs, cattle, horses and any other article they may wish to carry to market.

Your great Father the President makes you such proposals to your interest and such profitable and advantageous offers, that I am confident that you, a wise and prudent people, cannot by any means disregard. Colonel Meigs has explained to you the earnest desire of the President, and how willing he is to render, and has rendered, to your people every service in his power, and promoted your interests in the same manner and, indeed, more so than to some of his white children. I therefore hope that my red brothers will not discover themselves unfriendly, but do everything in their power to keep the great white chain of peace forever clean and bright. We have now for a long time lived like brothers ought to live, and I hope that no dark cloud will ever intervene to prevent that happy circumstance.

⁸ Thomas Jefferson.

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Brothers, our beloved Council is now sitting at Knoxville, and that Council has advised me to wait on my brothers the Cherokees; and to assure them that it is the wish of all the good people of Tennessee to always live in peace and friendship with our brothers the red people. We have not forgot you, and I have come here to avail myself of an opportunity of renewing our former friendship and good understanding, and to assure you we shall always feel ourselves happy in your prosperity and well doing; hoping you will raise your families in peace & plenty.

The Chiefs & Warriors of the Cherokee Nation.

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

It is reported to the Executive that various and great variety of opinion exists among the members composing the two Houses of Legislature respecting a law to be passed, commonly called the land law. I hope I shall not be considered as interfering or intruding on your deliberations in your legislative character and duties; firmly relying it is your intention to pass such laws only as will be most conducive to the welfare and interest of your constituents.

Permit me therefore to observe that the law now before your Honorable bodies is of the highest importance and magnitude, as the same will less or more concern the whole community. I therefore submit to your better consideration whether or not such a law ought not to be passed with great caution, and in some measure governed and grounded on the principles of existing laws between the two States, that is North Carolina and Tennessee. It is to be feared, and is more than probable, that numerous lawsuits and litigations will be the result, whatever may be its features and principles.⁹ Nevertheless, would it not be advisable to steer clear from such a rock, as much as possible, and for which purpose call in the counsel and aid of your State's Attorney General, and let him report for your consideration a bill that might very probably answer many valuable purposes, and by which means prevent innumerable lawsuits and controversies. I presume it is well known to you that the Congress of the United States have frequently resorted to their Attorney on important matters, in order to obtain his advice and information. I therefore presume that immitation of that august body of legislators cannot be unworthy your consideration.
Knoxville, November 1st, 1803.

⁹ See letter of date below referring to this legislative act.

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

Your request of the 20th of October Ultimo was handed me last evening wherein you requested I would lay before the Legislature the number of militia and arms as returned by the Adjutant General. I now hasten to inform you that however necessary such a return may be, it still remains unreported to the executive.
Knoxville, November 3, 1803.

Knoxville November, 7, 1803.

Sir: Yours of the 31st October Ultimo I am duly honored with and the contents will be promptly attended to. I have taken the most effectual measures for raising the five hundred composing the regiment to march with all possible dispatch to the Natchez; and anticipate fully the same will be in motion in a very few days.¹⁰ Several Companies of Volunteer Cavalry, consisting of about thirty men each, would readily engage on this service, but as I have received no information on that head I cannot engage them.

Should there be a call for such, several good companies could readily be employed. From any part of Tennessee to the Natchez is a considerable distance, the season of the year coming on cold and many of the men bare of clothing. I submit it to your con-

¹⁰ When news was received by President Jefferson in July, 1803, of the purchase from Napoleon by the United States of the great Louisiana Territory, he took steps to hedge against the protest of the Spanish government against the right of France to transfer that region. The president feared that Spain, yet in possession of New Orleans, would refuse to surrender the territory; and he determined that, if necessary, force should be used to compel compliance on the part of Spain. The national government on October 31 sent a message to Governor Sevier asking that 500 mounted men be immediately embodied in Middle Tennessee to aid, if necessary, in taking possession of the Louisiana Territory and New Orleans; and that they march at once to Natchez. This letter is Sevier's reply. The same mail or express carried to General Jackson, so recently raised to the major-generalship of Tennessee militia, news that raised his ire: that he was not to have the command or naming of the commander of the expedition. The history of the expedition led by Col. George Dorcherty, of Jefferson county, was for the first time told in Samuel C. Williams' "Tennessee's First Military Expedition," *Tenn. Hist. Mag.*, VIII, 171-191. As to the 1500 additional men to be raised and held in reserve: Thomas Embree, father of Elihu Embree, later editor of the *Emancipator* of Jonesboro, wrote from his home on Little Limestone in Washington county to President Jefferson, January 3, 1804, about the confusion and distress resulting from forcing out the militia and fining those who would not obey the call and saying that there was a controversy whether the president's order authorized force, etc. Jefferson Papers, Library of Congress.

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sideration whether it might not be proper to order the troops one month's pay in advance.

I shall proceed and fully expect they can be in readiness by the twentieth of December.
The Honorable H. Dearborn,
Secretary of the Department of War.

Knoxville, November 19, 1803.

Sir: I do myself the honor of inclosing to your Excellency an act passed by our Legislature, entitled "An Act to ascertain and establish the true boundary line between this State and the State of Kentucky."¹¹ Permit me to inform you, sir, that so soon as your Legislature may take the necessary measures in passing a similar and reciprocal law that the Executive of this State will immediately co-operate in having the boundary line extended and designated. His Excellency The Governor of The State of Kentucky.

Circular [In Part]

....It is well known to the Executive that no act he can do will give a certain party satisfaction,¹² and the better he may do the greater will be their disquietude, nor will he consider it as any part of his duty to study the gratification of any particular party, or set of men, for the sake of giving appointments; but it will be his care and determination to promote and protect, so far as in his power, the honor and dignity of the United Government, firmly believing that whenever the plans and salutary measures of the present administration should unfortunately fail that the liberties

¹¹ This effort to establish and mark the boundary line between Tennessee and Kentucky failed, as did later efforts in 1815 and 1817. Kentucky was averse to making any agreement that would place the line north of 36 degrees, and 30 minutes—the line fixed by the colonial charter of North Carolina. W. G. Garrett, "Northern Boundary Line of Tennessee," *Amer. Hist. Mag.* (Nashville), VI, 80.

¹² The reference is to Andrew Jackson, who on November 12 wrote to the war department reflecting upon Sevier's motives, and clearly indicating his own umbrage. Jackson predicted a serious delay in the embodying of the troops, "their ardor abated by the mode the Governor has adopted in his selection of officers." Jackson assured the secretary of war: "I can say with certainty that it would have been a pleasing tour to the militia of this district, when commanded by an officer in whom they had confidence, to march—to chastise the Dons, etc." He then tendered his own services in the field—doubtless as such officer who could command confidence. Jackson and his partisans were able to prevent the full five hundred being raised in Middle Tennessee and the remnant was embodied in East Tennessee. See, also, J. S. Bassett (ed.), *Correspondence of Andrew Jackson* (Washington, 1926), I, 76 *et seq.* In this matter Jackson, rather than Sevier, showed to disadvantage.

and independence of the States will become tottering; and it is sincerely hoped that all those that are its friends will cheerfully support its measures, and not cavil about the propriety of appointing a few officers, which cannot give much weight in the great scale of our present national concerns, be their talents what they may.

I am informed it has been said that a certain officer of the rank of Colonel, ought not to have condescended to take a Major's command. Such an observation illy corresponds with the patriotic zeal of '76, Remember the brave Gates offered to take a Captain's command, and how many others followed the noble example; and we have recent instances that princes of the royal blood have accepted subalterns' commands. When a country becomes endangered, lying at home waiting for command is by no means the way to protect or rescue it, the corporal or private that turns into the field to face the enemy of his country is of more service to the State than the general in the line of inaction. Another complaint about the officers is that they are not called for according to routine. In answer, I will barely state that no detail of routine of any officers has yet been returned; and, from the present deranged state of our militia, the great alterations lately made in the law, and by removals, resignations and other casualties, it would be as difficult, and take as long time, to ascertain the routine were there any, as to raise the five hundred men so earnestly requested. Provided, it had not appeared of importance of the good of the public to lose time enquiring after routine but select unexceptional characters, and send them on to the scene of action. Neither does it appear that the Secretary at War expected that any inquiry about this mode was necessary to be made, when he particularly requested the Governor to make a selection of such officers as could be depended upon to march immediately.

I hope I shall be believed when I take the liberty to assure my fellow citizens that I am as much disposed to favour and indulge every officer agreeably to his rank, grade and past services as any gentleman that appears so much the sticklers of routine, nor have I ever given a vote to promote any unexperienced person in the ranks to the command of every general, and other militia officer in the State and that done, too, in the face of the law and Constitution, see 2d Section of the Militia Law, nor will I ever do so let me or others conjecture his talents and qualifications to be what they may. It would be a curious circumstance if a part of the militia must be called into service (say in Washington County) that

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the Governor would have to send to Montgomery to the officer who stood next in routine, and if a sergeant's command was only wanted, and consequently the number of men to some other quarter, according to their rank of companies, giving them perhaps ten times the trouble to march forward and cost the public ten times the sum. Fortunately for the public there is no such a law, and I hope there never will be a Legislature ignorant enough to pass such a one.

JOHN SEVIER

Knoxville, November 26, 1803.

Thomas McCorry, Esquire, Treasurer of the
District of Washington and Hamilton,

Sir: The Assembly have passed an act directing the Governor to purchase a quadrant for the use of the State, for which he is empowered to call upon the treasurer for fifty dollars. I have now an opportunity of sending to Baltimore for one; and, if there is any money in the treasury, will thank you to let me have it, and I will give you the regular receipt.

Knoxville, 12th January, 1804.

Sir: I have the honor to acknowledge the receipt of your letter of the 13th December Ultimo, with the inclosed copy of an Article of Amendment proposed by Congress to be added to the Constitution of the United States, respecting the election of President and Vice President; to be laid before the Legislature of Tennessee, which will with much pleasure be complied with at their next session; and I entertain no doubt they will readily approve the measure.¹³ I tender you assurances of my very high respect and consideration. The President of the United States.

Knoxville, January 12, 1804.

Sir: Your letter of the 26th December Ultimo with its inclosures have duly come to hand. I have no doubt your mission has been perplexing and tedious, but as it is a matter of magnitude and importance it could not be expected to be otherwise than to require

¹³ The twelfth amendment to the United States Constitution was ratified by the Tennessee Assembly July 27, 1804, as Sevier predicted. *Documentary History of the Constitution*, II, 408-451; H. V. Ames, *Amendments to the Constitution* (Washington, 1897), 325. The strife incident to the election of Jefferson over Burr, thrown into the House of Representatives in 1801, revealed the inadequacy of the then existing system of electing the president.

time and deliberation. I have written to our senators and representatives in Congress, observing the propriety of having the business taken up as early as possible, in order that the sense of that body may be known by the time our Assembly will be convened, which for the purpose of affording the Agent time to complete the objects of his mission,¹⁴ as well as for other weighty considerations, the executive is induced to think could not take place before the Monday in next. In procuring transcripts and copies of papers and documents from the State of North Carolina, it is presumed the Agent will pursue a line of economy and frugality, assuring him the treasury at this time is very much drained, and am apprehensive that money can only be obtained with considerable difficulty.

New Orleans was delivered up to the American Agents on the 20th December Ult. If any thing of importance should occur, I shall do myself the pleasure of writing you.
John Overton, Esquire, Agent to North Carolina.

Knoxville, 12 January, 1804.

Gentlemen: You have, ere this will reach you, received full information from our Agent of the transaction of his mission to the Assembly of North Carolina. I need not observe to you the importance of the business that is now transmitted to your care from the Agent; and you will readily discover the propriety of bringing the subject before Congress on as early a day as possible, in order that the sense of that body may be known on the occasion by the time our Legislature will be convened, which the executive intends calling on the Monday in April next. It would be useless to make any further observations as you are acquainted with every circumstance relative to the landed claims of the State of Tennessee.
The Honorable The Senators, and Representatives from Tennessee, in Congress.

Executive Department,

January 29, 1804.

Sir: I have the honor to acknowledge the receipt of your excellency's letter of the 15th December Ultimo, with a copy of the Sec-

¹⁴ This mission of Overton concerned the land records of North Carolina that bore on Tennessee titles. The transcripts he procured were made legal evidence in Tennessee by legislative act.

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retary at War's letter on the subject of opening a road between the
States of Georgia and Tennessee.

Be assured, sir, that such a road is contemplated to answer many
good and reciprocal advantages, to be desired by the two States,
but at the same time the Executive of Tennessee has not any in-
structions on that subject from the Legislature. That body will
shortly be convened, when the subject matter will be laid before
them, and I shall do myself the honor of immediately communicat-
ing to your Excellency the result of their deliberations.
His Excellency The Governor of Georgia.

Executive Department,

February 1, 1804.

Sir: With much embarrassment, trouble and fatigue, and no little
expense to Mr. Maclin and myself, the mounted infantry called for
from the State of Tennessee by the President were all, or a very
few lacking, sent forward to Natchez, agreeably to the request of the
Secretary of the War department. I do assure you, sir, it has been
one of the most arduous tasks that ever engaged my attention, nor
could anything have occurred I had more at heart. Every obstacle
has been thrown in the way that malice, envy and disaffection could
devise or invent, and nothing could have surmounted the difficulty
but the ardor and zeal of the real friends to the American and our
own administration.

William Maclin, Secretary of State, has contributed in an extra-
ordinary degree to the success of the expedition, and in case he had
not taken the trouble upon himself to visit Mero, and attend to the
business personally it must inevitably have failed. I can't suppose
that less than four times the number were engaged from the com-
mencement before they marched, owing to the insinuations and false
reports of designing and malicious persons, who were constantly
fabricating every thing in their power to defeat the march of the
mounted infantry.

I hope and trust that the President will pay the men generously,
and not suffer them to be put off with less than the mounted in-
fantry of this State have been accustomed to receive, which have
been to privates seventy-five cents per day and forage and rations
found by the public; and I most seriously entreat of our members
in Congress to use their interest on this head. The greater part

of the provisional fifteen hundred have been raised, mustered and enrolled, and I think it just that those should be allowed something as compensation for their trouble and preparation, which I make no doubt the President will not hesitate about, especially when considering how little is expended out of the two millions appropriated for the purpose of taking possession of Louisiana.

The Honorables William Cocke, Joseph Anderson, John Rhea, and George W. Campbell.

Knoxville, February 8, 1804.

Sir: I have been duly honored with your favour of the 16th January Ultimo. The five hundred mounted infantry except one company marched from Tennessee to Natchez as soon as possible under existing circumstances. The other Company followed in December, and as I have been informed arrived at Natchez about the middle of January. Eight companies of as brave militia, in my opinion, as ever went into the field—perhaps one or two of the Companies are not compleat. I have been frequently informed that they arrived at Natchez in health and good order, but found a scarcity of provisions marching through such a long tedious wilderness, and of course must have suffered for want of provisions, both themselves and horses. It would be painful to myself and troublesome to you, sir, for me to give a detail of the perplexity myself and William Maclin, Secretary of State, have underwent in endeavouring to dispatch the mounted infantry in due time; and suffer me to say my attention was never more carefully engaged on any occasion. Nor has any thing occurred since the Revolution I have had more at heart. I am compelled to inform you that every obstacle has been thrown in the way that malice and disaffection could devise, by inventing and circulating reports of the blackest hue and deepest dye—they have not spared the President himself, and from him down every subordinate officer has been loaded with their calumny. They have resorted to every pitiful objection alledging, it was not lawful to send men out of the State; that the officers were not selected according to rotation, seniority, rank law etc; and the fact was we were nearly one month of time immediately after your request came forward without any militia law being legally in force and use. Therefore the Executive resorted to such expedients that induced him to believe would best promote the expedition, with the least possible delay. I prevailed on William Maclin, Secretary of State, to immediately proceed to Nashville in order to make use of every

been raised, mustered and could be allowed something paration, which I make no ut, especially when consid- two millions appropriated ouisiana.

Anderson, John Rhea, and

ville, February 8, 1804.

r favour of the 16th Jan- infantry except one com- as soon as possible under ny followed in December, Natchez about the middle re militia, in my opinion, or two of the Companies y informed that they ar- , but found a scarcity of edious wilderness, and of rovisions, both themselves E and troublesome to you, xity myself and William t in endeavouring to dis- and suffer me to say my d on any occasion. Nor on I have had more at t every obsticle has been ction could devise, by in- kest hue and deepest dye elf, and from him down ith their calumny. They ledging, it was not law- officers were not selected etc; and the fact was we r after your request came egally in force and use. expedients that induced xpedition, with the least aclin, Secretary of State, er to make use of every

effort to promote the business, whose zeal, activity and address have contributed very essentially to raising the troops, without which the expedition must inevitably have failed. Mr. Maclin has expended a considerable sum on the occasion, which I hope will be refunded by the General Government, otherwise he will be greatly the looser, for our Legislature refused to appropriate anything towards defraying the smallest contingency. The troops are now on their march home and are daily expected to arrive, probably have reached Nashville already. So soon as they do arrive muster and pay rolls agreeably to your request will be forwarded, and I make no doubt the men will be paid the usual wages mounted infantry in this country have been accustomed to receive (to wit) seventy five cents per day with rations and forage furnished them—this is what they will expect, and what will perfectly satisfy them and nothing less. And I earnestly hope nothing less will be offered them; and on considering how little will be expended out of the sum appropriated for the purpose of taking possession of that country, I entertain no doubt the Executive will not hesitate to pay them the customary wages.

With respect to the organization of the fifteen hundred provisional troops, I was unwilling, for a time, to communicate any thing on the subject, fearing it would miscarry, as opposition was greater on that head than the former; however I have the pleasure to inform you that the greater part of the Companies are nearly full and compleat, and further beg leave to observe that now the people have become greatly undeceived. Were there a real call for their services they would turn out with great alacrity. Permit me to observe that the character chiefly in opposition on the present occasion, was in March 1803 runing mad to flock down and take possession of Orleans at all events, and complaining against Government, for not suffering it to be done. I mention this to shew how uniformly these friends of order and regularity go together.

Your letter of 21st November Ultimo, with a copy of the treaty with the Cherokees respecting the road therein enclosed came duly to hand, and have accordingly addressed the Governor of Georgia on the subject. The Executive of this State has not as yet made any appointment of commissioners, neither is he possessed of funds for such a purpose. Would be glad to know whether the General Government contemplates paying commissioners for exploring and laying off the proper way for the road to be opened provided that

is intended. I am of opinion no other difficulty would arise on the part of Tennessee.

The Honorable H. Dearborn, Secretary of the Department of War,

Warriors and Chiefs of the Cherokee Nation:

I am sorry to hear that some of our brothers, the red people, have lately been very much abused by a white man. I have lately received a letter from one of the Colonels of the County where the mischief was done. It was done in Buncombe County, North Carolina, and not by any of the people of Tennessee. Therefore I shall expect that no danger or animosity will take place on the occasion between your people and the people of Tennessee. The officer has sent me a description of the man, and his name. The murderer has fled and it is expected has made for this State. If I can hear of him you may be assured I will certainly have him apprehended, and taken back to where he committed the murder, in order that he may be punished.

Our Father the President has consigned the business respecting the road to be opened through your Nation into the State of Georgia to the Governor of that State and the Governor of Tennessee, together with your beloved Agent, Colonel Meigs, and such of your own chiefs as your Nation may think proper to appoint. When we may agree on the place for commissioners to meet, and have all things arranged, you will be informed and notified by Colonel Meigs in time to be prepared to enter upon the business agreeably to the agreement made with the United States.

Knoxville, February 9th, 1804.

Knoxville, 22 January, 1804.

Dear Sir: I expect you will all soon return, if you are not already on the way. I have not as yet received any instructions to dismiss the 1500, tho daily expect such. The President has expressed great pleasure and satisfaction at the prompt manner in which the Mounted Infantry turned out, and I make no doubt he will order them to be handsomely paid; and you may assure those of your Regiment that every thing in the compass of my power shall be done to that end. Many complaints were sent forward to the President against my conduct on the subject, tho I have the pleasure to inform

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you that it neither did them any credit nor myself any damage.
Colonel Doherty.¹⁵

Executive Office of State, 2 February, 1804.

Sir: On the 28th instant I received official information from the Secretary of the War department, that the President of the U. States on the 15 instant had received authentic information that New Orleans with its immediate dependencies was amicably given up to the American agents, in consequence of which the services of the fifteen hundred men required from Tennessee would be dispensed with. You will please, without delay, cause regular and proper returns to be made to this Department who have been regularly mustered and enrolled in companies agreeably to my instruction to the Brigadier Generals, issued November last, in order that the same may be transmitted to the War office in due time. The Mounted Infantry that proceeded on to Natchez are all on their return, and probably in a few days, will reach their respective homes. I am requested by the President of the U. States to assure them he feels the highest respect and regard for all those who was ready to render their services at the call of their Country. Through the extraordinary wisdom and political conduct of the Executive of our General Government there is an immense and almost boundless acquisition of territory obtained, the value of which is incalculable, and on which acquirement the Western Country has now secured to them and their latest posterity every natural and commercial advantage that we could ever hope or wish for; and on this great and ever memorable event, I offer you and my fellow Citizens my sincere and warmest congratulations.

The Brigadier Generals.

Knoxville, 6th February, 1804.

Sir: As soon as you return to Nashville with your Regiment of Mounted Infantry you will please have those Companies belonging to Mero District mustered out of service, and those belonging to

¹⁵ George Dorherty was a supporter of the State of Franklin and a warm friend of Sevier. For sketch of his career, see S. C. Williams, *History of the Lost State of Franklin* (rev. ed., New York, 1933), 317-319. The Sons and Daughters of the American Revolution may not stand acquit until at least a modest monument marks the grave of Gen. Dorherty, near Dandridge, Tennessee.

the District of Washington and Hamilton,¹⁶ as soon as they have returned to their respective Districts. You will please call on Ben-net Searcy, Esquire,¹⁷ to muster out of service the horses as well as the men belonging to Mero District, and request him to forward lists of the same certified by himself to the office of the Secretary of this State, as soon thereafter as may be practicable.

Your good disposition towards the brave men who have so readily offered their services will not suffer you to neglect to have regular and well authenticated accounts made out, in order that your Regiment may have every species of allowance to which they are entitled. I am requested by the President of the United States to inform you, and through you the officers and privates of your Regiment, that he feels the highest regard and respect for all those who have rendered their services at their Country's call.

The Secretary of the War Department has been wrote to on the subject of compensation to your Regiment. He requests that muster and pay rolls, may be forwarded immediately after your return, that payment may be made without delay, which information you will please give the Regiment.

Colo. Doherty.

P. S. Please inform Capt. Stump¹⁸ that I entertain a due sense of his patriotic services, and for which I beg him to accept my thanks.

Mr. Maclin informed me that he had Henry Dyer,¹⁹ Henry Con-

¹⁶ At first it was intended to enlist the entire command of 500 in Middle Tennessee (Mero District), but the opposition of General Jackson and his party operated delays in raising the required number; and volunteers were enlisted from East Tennessee (Washington and Hamilton districts). The East Tennessee companies were under the command of Captains Nathaniel Taylor, of Carter county, George W. Sevier, of Washington county, son of Governor Sevier, and probably Gilbert Christian Russell.

¹⁷ Searcy was an early resident of Nashville; appointed in 1790 by Gov. William Blount, of Southwest Territory, solicitor for the counties of Davidson, Sumner, and Tennessee; and the following year he was appointed by Gov. Blount, clerk and master in equity for Mero District.

¹⁸ Capt. James Stump was a son of Frederick Stump, one of the first residents of the Cumberland settlement. He later took part in the Creek War of 1813 under Andrew Jackson. For note on the Stump family, see S. C. Williams (ed.), *Early Travels in the Tennessee Country* (Johnson City, 1928), 508-9.

¹⁹ Robert Henry Dyer became a man of distinction. He is frequently referred to as Henry Dyer. The county of Dyer and the city of Dyersburg in Tennessee bear his name. His career is sketched in Williams, *Beginnings of West Tennessee*, 142. Before his removal to West Tennessee, he represented the counties of Bedford and Rutherford in the State Senate of 1815.

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way²⁰ and John Maclin²¹ mustered into service, as part of Captain
John Murry's Company, and detained them to assist him in the
business of the Regiment etc.; you will therefore please direct them
to be mustered out of service.

Knoxville, 16 February, 1804.

Dear Sir: This will be handed you by Capt. Saml. Gordon of Wil-
liamson County, who has been very servicable and active in recover-
ing stolen property from the Creek Indians. I have good reasons
to believe that Capt. Gordon is a person of good character and very
suitable for such a purpose, and so far as I am vested with powers
have authorized him to return to the Creek Nation for the purpose
of obtaining any stolen or other property that he may find in the
said Nation. I do not apprehend that the Executive of Tennessee
has full and compleat authority on this head; therefore, beg leave
to refer Captain Gordon to you, requesting you will please to of-
ford him every assistance you may deem necessary and consistent.
P. S. Captain Gordon has a desire of taking with him a few rifles
and some powder for sale; your permit will oblige.
Colonel Meigs.

Knoxville, 25th February, 1804.

Sir: I expect Colonel Doherty will be here in a few days with that
part of the regiment of Mounted Infantry which marched under his
command from the Districts of Washington and Hamilton, and as
soon as he arrives you will please muster those Companies that are
with him out of the service of the United States.

Supposing that it would be inconvenient for you to return to the
District of Mero, have given directions for the Companies that
marched from that District to be mustered out of service by Bennet
Searcy, Esquire, and expect they are already discharged.

You will as soon as you can with convenience after the regiment
is discharged from service make out triplicate muster and pay rolls
for them, duplicates of each to be forwarded to the office of the
Department of War, and the triplicates to be kept in the State.
William Maclin.

²⁰ For sketch of Henry Conway, see Williams, *History of the Lost State of Franklin* (rev. ed.), 310. The Henry mentioned here was probably his son, Henry W., who also served under Gen. Jackson in the War of 1812. *Ibid.*, 311.

²¹ Son of William Maclin, secretary of state. John M. lived in Carter, and later (after 1807) in Davidson county, Tennessee. For sketch, see O. L. Bond, *Family Chronicle and Kinship Book* (Nashville, 1928), 477-79.

Knoxville, 9 March, 1804.

Sir: Yours of the 13 February ult., I have been duly honored with. It affords me pleasure to discover you are in such forwardness with your business and that you expect to have the same completed by the first day of April. I am sorry you are obliged to fatigue yourself in so great a degree, but have no doubt the Assembly will consider your services and make you an ample allowance for all your trouble. It gives me pain to find you are in want money, especially when it cannot be forwarded. Mr. Maclin and myself have made every exertion to procure some bank notes to send you, and as yet find it out of our power. There is not one solitary cent in the treasury at Knoxville tho I suppose we could procure the sum you have wrote for provided it could be conveyed with certainty to Raleigh. I am much relieved about the business since being informed that Mr. Brown had forwarded to you the sum of one hundred dollars; nevertheless, that will not prevent the sum being transmitted to you which you request, provided it can be procured in time. I think no doubt can remain that the Assembly will be satisfied with your report and not require your personal attendance, knowing the great length of time you have been from your own private affairs. In respect to the transcripts of the papers of Adair's office,²² it is my opinion that every matter relative to them, is as necessary to be brought forward as those of any other office, as they wholly relate to the State of Tennessee. I make no doubt you have been advised that there already appears to be considerable difficulty in obtaining the assent of Congress to the North Carolina Act: and, should it finally fail, the embarrassed situation of our land affairs will readily present itself to you.

John Overton, Esq'r.

Knoxville, 10 April, 1804.

Sir: I have the honor of acknowledging the receipt of your duplicate, and am surprised to find my answer to your first had not went to hand, tho trust ere this will reach you it will have arrived. At the time I did myself the honor to write, I had strong expectations our Assembly would have been convened, but the object then contemplated to occasion the meeting have since been dispensed with, and it is now very uncertain whether our Assembly will be in ses-

²² John Adair, early entry taker. J. G. M. Ramsey, *Annals of Tennessee* . . . (Charleston, 1853), *passim*.

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sion shortly or not. Nevertheless, I have sanguine hopes that we shall be able to meet you on the business of the road, it being ardently wished for by a very large number of respectable citizens of Tennessee who are now entering on measures to effect the purpose. So soon as the plan is regulated I shall do myself the honor of communicating to your Excellency immediately. Enclosed is a duplicate of my answer to your Excellency's first letter.
 Governor of Georgia.

Knoxville, 25 July, 1804.

Gentlemen: I have been duly honored with your note of this date and beg leave to inform you that the Executive will with pleasure do himself the honor of receiving any communication you may think proper to exhibit tomorrow at 10 oclock, A. M. or at any other time you may find convenient.

Hon'ble William King, Francis Preston, and
 Henry St. John Dixon.²³

Knoxville, 30 July, 1804.

Sir: Permit me to observe in the course of your negociation with the Virginia Mission it may be proper to observe, should there be any proposition for demolishing the dam,²⁴ after a given time, that an accession to such a proposition would tend wholly to discourage and prevent the owner from improving and preparing his works for future purposes, and would tend to obstruct the benefit and advantage of such a work and useful factory within our own Government.

It may be the interest of certain individuals that factorys of this kind within Tennessee might be demolished. And, lastly, it is improper and unlawful to injure or damage the private property of any person without making just and adequate compensation. This

²³ Preston, of this commission, married Sarah B. Campbell, only daughter of Gen. William Campbell, of Revolutionary fame. This daughter inherited the great salt works (Saltville, Va.), where Preston lived at the time. Doubtless it was to gain better access to the Southern markets for the salt produced at Saltville that the commission was appointed. United States Senator Wm. C. Preston, of South Carolina, was the son of this couple, three sons-in-law were governors, one of South Carolina and two of Virginia. Francis Preston was a member of Congress, 1793-1797.

Wm. King was a wealthy merchant of Abingdon, Virginia.

Dixon, also of Abingdon, later was a soldier in the War of 1812.

²⁴ Probably the dam used in creating water-power for the textile mill near Kingsport, the mill then standing on North Fork of Holston just above its junction with the South Fork.

is intended as a private communication.

I beg not to be understood as having any objections to the navigation of the river.

Colo. McMinn,²⁵ Char. of Committee.

Knoxville, August 3d, 1804.

Gentlemen: I have been duly honored with yours of this date, enclosing the letter from the Governor of Virginia, which letter I have laid before the Legislature.

Francis Preston and Wm. King, Esquires.

Knoxville, 22 Sept., 1804.

Gentlemen: Your letter of this day together with your report and other documents relative to laying out of the roads I have been duly honored with, which shall be duly attended to by the Executive, who begs leave to offer you in behalf of the State his thanks for your great assiduity and promptitude in laying off and demarkation of the roads leading through part of the Cherokee Nation into the State of Georgia.

Colonel Jos. McMinn, Colonel Saml Weir, and
Major John Cowan, commissioners.

Knoxville, 8th October, 1804.

Sir: In compliance with a resolution of the General Assembly of this State (a copy of which is herewith enclosed) I do my self the honor to transmit to your Excellency a copy of the Act passed on the 13th day of November 1801, entitled "An Act to authorise the Court of Sevier County to open a certain road therein mentioned, and fix a turnpike or turnpikes thereon,"²⁶ which you will be pleased to lay before the Legislature of the State over which you preside, at their next session.

His Excellency, James Turner, Esquire, Governor of North Carolina.

²⁵ Joseph McMinn, later governor.

²⁶ An interstate highway now connecting parts of the Great Smoky Mountains National Park. The "turn-pike" waited 134 years for its construction. Samuel Wear was doubtless the moving spirit in 1804.

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Knoxville, 28 October, 1804.

Sir: I have the honor to acknowledge the receipt of your letter dated the 24th Sept. Ult., in which you notify the Executive that at the last session of Congress, the amendment to the Constitution of the United States, respecting the manner of voting for President and Vice President of the United States, has been ratified by the legislatures of three fourths of the several States: (to wit) by those of Vermont, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Virginia, Ohio, Kentucky, Tennessee, North Carolina, So. Carolina and Georgia. The Executive being at the Indian Treaty about the time of the arrival of your letter I hope will appologize sufficiently for not doing myself the honor of forwarding a more early acknowledgement.

The Honorable James Madison, Secretary of State.

Marble Springs, 1 Jan'y, 1805.

Gentlemen: I have been duly honored with your letter of the 1st instant, and much pleased to find Virginia has been so ready to co-operate in opening the navigation of the North fork of Holston. I shall immediately communicate the subject to the commissioners appointed on the part of Tennessee, and will with great pleasure do every thing in the power of the Executive to hasten on the business.

Fran's Preston and William King, Esqrs.

Knoxville, 17th January, 1805.

Gentlemen: I do myself the honor of enclosing you a copy of the Act for opening the navigation of the No. Fork of Holston river. By an Act of the Virginia Legislature on the same subject, Francis Preston, William King and Henry St John Dixon, Esqrs are appointed Commissioners on the part of that State, who will act in conjunction with you. It is expected and earnestly hoped you will take the earliest opportunity of carrying into effect so desirable and useful an object, and endeavour as soon as possible to remove the obstructions that have so long been complained of by our neighbouring citizens living in the State of Virginia. Every aid in the power of the Executive will be afforded you on the occasion.

Walter King,²⁷ John Alexander and Wm. Bradley, Esqrs.

²⁷ Walter King, of this commission, married Nancy, daughter of Governor Sevier, and operated iron works near Kingsport, Tenn. Governor Austin A. King, of Missouri, was their son.