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## FRONTIER DIPLOMACY: *The State of Franklin and Its Quest for Independence*

By Blake W. Jones\*

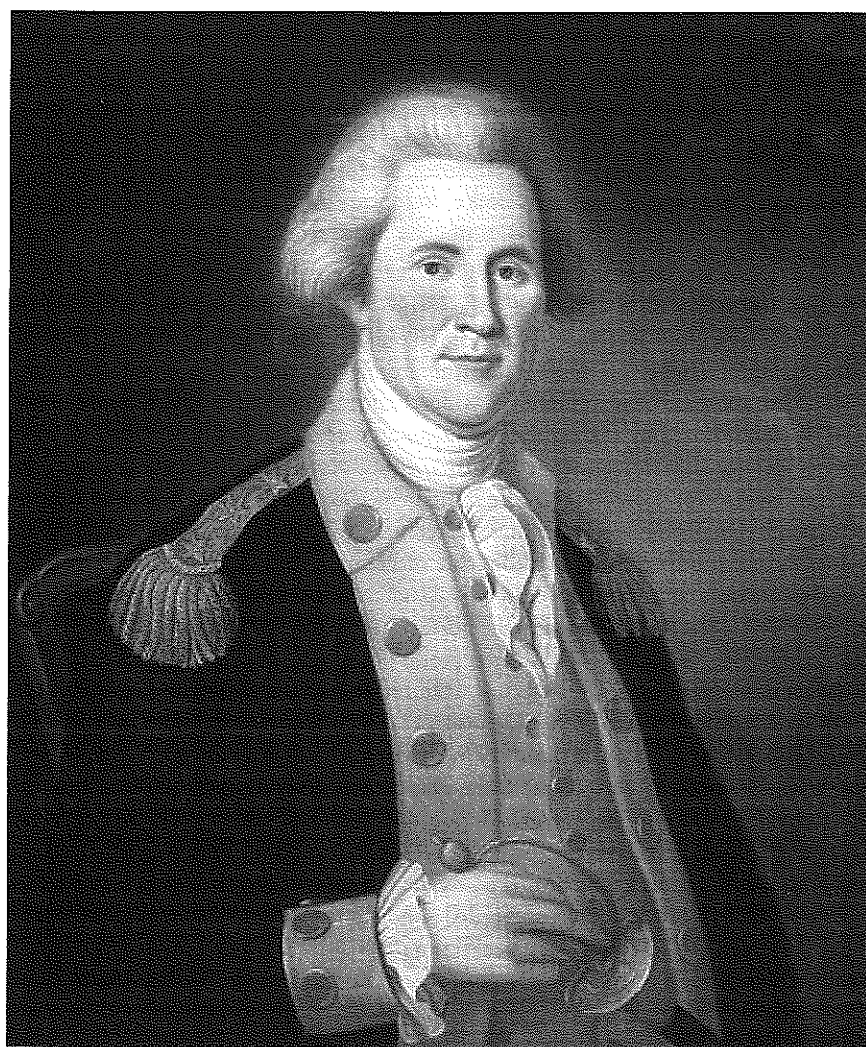
After the Treaty of Paris of 1783, the territory of the United States extended to the Mississippi River, well beyond the colonial border of the Appalachian Mountains. As additional settlers moved into this frontier territory, they sought to create governments of their own and join the young nation as new states. These movements were often motivated by the inability or unwillingness of the parent states to provide government services to frontier settlements, either because of the natural barrier of the Appalachians or the disdain of the coastal elites for the people who lived in those settlements. Of all the new state movements in the Old Southwest, such as those in Kentucky and southwest Virginia, the State of Franklin<sup>1</sup> was the only one that established a functioning *de facto* government separate from that of its parent state. Once their government was established in the northeastern corner of what is now Tennessee, the Franklinites (or Franks), an assorted group of aspiring land speculators and ordinary frontier settlers, assumed that they would soon join the nation and thus provide for themselves the necessary government services (such as protection from neighboring Indian tribes) that the parent state of North Carolina had been reluctant to provide.

To achieve this goal of statehood, the Franklinites needed supporters and allies to legitimize their new government and support their bid for statehood, and they engaged in several diplomatic initiatives in an effort to gain that support. In this quest, Franklin was breaking new ground and setting a precedent for how new states were formed. No separate state movement had yet succeeded although the timing of the Franklin movement coincided with the movements in Vermont, Maine, Kentucky, and southwestern Virginia. The leaders of the Franklin government looked first to North Carolina then to the Confederation Congress, Georgia, Virginia, the Cherokee, and even to Spanish authorities in Louisiana and Florida. The diplomacy and business conducted by Fran-

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<sup>1</sup> For the purposes of this paper, the State of Franklin consists of Washington, Sullivan, and Greene counties in what is now Tennessee. There has been some debate about whether the name of the frontier state in East Tennessee was Franklin or Frankland. According to William Martin and Stephen Cocke, sons of two prominent North Carolina and Franklin officials, Joseph Martin and William Cocke, the state was named Frankland because it "is equivalent to Free-land." Lyman Draper to William Martin, February 18, 1843, in Tennessee Papers, 3XX14, Lyman Draper Collection, Microfilm at Kentucky Library, Bowling Green, Kentucky, originals at Wisconsin Historical Society, Madison, Wisconsin. Despite this letter, historian J. T. McGill calls the state led by John Sevier the State of Franklin while he defines Frankland as the greater state proposed by Colonel Arthur Campbell of Virginia. J. T. McGill, "Franklin and Frankland: Names and Boundaries," *Tennessee Historical Magazine* 8 (January 1925): 248.



John Sevier by Charles Wilson Peale, 1790. As governor of the State of Franklin, John Sevier assumed most of the responsibility for negotiations with neighboring governments. *Courtesy of the Tennessee Historical Society Collection, Tennessee State Museum.*

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The birth of the State o curred by the former coloni the early American lawmake the national government to s After repeated requests for l of the Appalachian Mounta sion that the lands would re accepted by Congress withi nized that the ceded territory its act of cession, laying the

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<sup>2</sup> Richard Henry Lee to James Ma Henry Lee (New York, 1914), 2:36.

<sup>3</sup> An act ceding to the Congress o izing the Delegates from this State Provine Papers, Box 4, Folder 10, referred to as TSLA), Nashville.

<sup>4</sup> Jerry Alan Sayers, "Disunited Sta of the American Republic," M.A.

<sup>5</sup> William Brewster, *The Fourteenth* 202; Sayers, "Disunited States," 7; see *Historical Quarterly* 16 (Winter eenth Century Comprising its Settlen from 1777 to 1784; *The State of F The Territory of the U. States, South* (Kingsport, TN, 1967 [1853]), 379; sources on the State of Franklin and of the 'Lost State of Franklin,' *The Lost State of Franklin: Sources for*



State of Franklin, John Sevier  
governments. Courtesy of the  
State Museum.

Franklin with these governments on issues of trade, Indian affairs, boundary disputes, and statehood demonstrate Franklin's *de facto* autonomy and legitimacy as an independent government separate from North Carolina, despite the Franklinites' failure to attain official statehood or independence from North Carolina.

The birth of the State of Franklin can be traced to the enormous debt that was incurred by the former colonies during the American Revolution. To pay off these debts, the early American lawmakers proposed that the larger states cede their western lands to the national government to sell to prospective settlers in order to raise sufficient revenue.<sup>2</sup> After repeated requests for land cessions, North Carolina finally ceded its territory west of the Appalachian Mountains to the Confederation Congress in 1784 with the provision that the lands would revert back to control of North Carolina if the cession was not accepted by Congress within one year. The North Carolina General Assembly also recognized that the ceded territory would be organized into a state or states in the future within its act of cession, laying the groundwork for the Franklinites' argument for statehood.<sup>3</sup>

Following North Carolina's act of cession, representatives from the militia of each county in the ceded territory gathered and decided to hold a convention in August in the town of Jonesborough to consider the possibility of forming a new state because the ceded lands had no government.<sup>4</sup> Unfortunately, their decision to form a new state and the subsequent history of the State of Franklin has been hard to document by historians because very few of the public records of Franklin are extant. This is due to the lack of a printing press west of the Appalachian Mountains, the destruction of court records by the attacks of North Carolina partisans, the natural destruction of documents hidden by Franklin officials for safekeeping, and the destruction of documents by Franklin officials themselves to prevent incrimination in potential future treason cases pursued by the state of North Carolina.<sup>5</sup> However, the existing sources point to the continuing

<sup>2</sup> Richard Henry Lee to James Madison, May 30, 1785, in James Curtis Ballagh, ed. *The Letters of Richard Henry Lee* (New York, 1914), 2:364-365.

<sup>3</sup> An act ceding to the Congress of the United States certain Western Lands therein Described, and authorizing the Delegates from this State in Congress to execute a Deed or Deeds for the same. 1784, in William A. Provine Papers, Box 4, Folder 10, Microfilm and Originals at Tennessee State Library and Archives (hereafter referred to as TSLA), Nashville.

<sup>4</sup> Jerry Alan Sayers, "Disunited States: The Lost State of Franklin and Frontier State Movements at the Dawn of the American Republic," M.A. Thesis, University of Virginia, 2002.

<sup>5</sup> William Brewster, *The Fourteenth Commonwealths: Vermont and the States That Failed* (Philadelphia, 1960): 202; Sayers, "Disunited States," 7; Paul M. Fink, "Some Phases of the History of the State of Franklin," *Tennessee Historical Quarterly* 16 (Winter 1957): 208; J.G.M. Ramsey, *The Annals of Tennessee to the End of the Eighteenth Century Comprising its Settlement as the Watauga Association from 1769 to 1777; A Part of North Carolina from 1777 to 1784; The State of Franklin from 1784 to 1788; A Part of North Carolina from 1788 to 1790; The Territory of the U. States, South of the Ohio, from 1790 to 1796; the State of Tennessee from 1796 to 1900* (Kingsport, TN, 1967 [1853]), 379. Archivist Ned Irwin has written two pieces examining the lack of primary sources on the State of Franklin and what resources are available on this topic. See Ned Irwin, "The Lost Papers of the 'Lost State of Franklin,'" *The Journal of East Tennessee History* 69 (1997): 84-96, and Ned Irwin, "'The Lost State of Franklin': Sources for Research and Study," *Bulletin of Bibliography* 55 (March 1998): 35-41.

search by the officials of Franklin for potential allies to support its legitimacy as an independent state and a potential member of the Confederation. The sources also reveal aspects of the business conducted by the Franklinites that were typical of any normal government.

The extant sources have also produced a historiography that is primarily local and regional in nature. There have been very few attempts to place Franklin in a larger national context. William Brewster's *The Fourteenth Commonwealths: Vermont and the States That Failed*, published in 1960, has been one of the few attempts to place Franklin in a larger context by comparing it with separate state movements in Vermont, Westmoreland, and Transylvania. However, Brewster's dated work merely provides four mini-historical accounts of each movement with a very brief introduction that does not adequately compare and link the different separate state movements.<sup>6</sup>

Scholarship about the State of Franklin has also resided largely within the domain of Tennessee state history. However, this interesting episode in the state's history offers some exciting new possibilities for other historical fields such as diplomatic history. William Earl Weeks notes that the historiography of early American foreign relations is a "scholarly backwater" because many of the events have been already been chronicled by previous historians. Nevertheless, Weeks suggests that diplomatic historians should "examine old issues in a new light." Emily Rosenberg takes this point even farther by contending that there is substantial scholarship on early American foreign relations, but it is not considered diplomatic history; it is, in other words, "a problem of packaging and labeling." Moreover, Bradford Perkins argues that diplomatic historians have largely neglected early American relations with Spanish authorities and Native American tribes in the borderlands and that these topics provide fertile ground for future study in the era (which can be cultivated with the study of Franklin).<sup>7</sup>

The narrative of Franklin's quest for independence should be incorporated into the historiography of early American foreign relations during the Articles of Confederation period because of its complex tangle of diplomatic relationships with the Confederation Congress and other individual states, as well as with Spain and the Cherokee. The Franklin experience provides an interesting example of how diplomacy was conducted by states (*de facto* or not) in the period of the weak national government under the Articles of Confederation. Furthermore, the limited foreign policy efforts of the national government encouraged the Franklinites' desire for independence. The Franklinites took special interest, for example, in the Treaty of Hopewell with the Cherokee, which ignored the State of Franklin entirely and actually granted the

<sup>6</sup> See Brewster, *The Fourteenth Commonwealths*.

<sup>7</sup> William Earl Weeks, "New Directions in the Study of Early American Foreign Relations," in Michael J. Hogan, ed., *Paths to Power: The Historiography of American Foreign Relations to 1941* (Cambridge, 2000), 10; Emily Rosenberg, "A Call to Revolution: A Roundtable on Early US Foreign Relations," *Diplomatic History* 22 (Winter 1998): 63; Bradford Perkins, "Early American Foreign Relations: Opportunities and Challenges," *Diplomatic History* 22 (Winter 1998): 116, 119.

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<sup>8</sup> Frederick W. Marks III, *History* 11 (Fall 1987): 30.

<sup>9</sup> The General Assembly of *The State Records of North*

<sup>10</sup> William Cage and Oth

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Cherokees land claimed by the Franklinites, and the Jay-Gardoqui Treaty with Spain which (although never ratified) would have given Spain exclusive navigation rights on the Mississippi River—a commercial route that was vital to the Franklinites—in exchange for trade concessions that benefited the Eastern elites. These treaties, which were instrumental in creating the internal support necessary for launching and maintaining a separate state movement, fall into Frederick Marks's argument that "national defense, foreign trade, and overseas reputation" were more important than Shays's Rebellion in creating an urgent need to write a new Constitution.<sup>8</sup> The question of if and how new states should be admitted to the Union, an issue raised by Franklin and other separate state movements, also pressed the need for a new Constitution. These examples of Confederation diplomacy with the Cherokee and the Spanish demonstrate the profound effect of foreign policy on shaping domestic affairs, in this case, the continued Franklinites desire for independence. The diplomacy of the State of Franklin also affected the domestic policies of the larger Confederation to some degree, and even influenced the new Constitution. In short, the impact of the State of Franklin is important not only to the history of Tennessee, but also the larger history of the United States and its relations with other powers in Europe and in North America.

After deciding to form a state of their own, the Franklinites naturally looked first to their parent state of North Carolina to recognize the legitimacy of their new government and support its bid to join the Confederation. Although Franklin and North Carolina's relationship involved a host of issues, the matter of Franklin's statehood dominated their relationship. The people of Franklin thought that North Carolina would readily support its independence, in part because many North Carolinians did not really want the frontier settlers as part of their state. During the debate on the cession act, some members of the North Carolina General Assembly had referred to the people of the Western County as "the offscourings of the earth, fugitives from justice"<sup>9</sup> Support was also expected because, as William Cage stated in a letter to North Carolina Governor Alexander Martin, the territory ceded by the state did not enjoy the benefits of government services. Unprotected by the state militia and without ready access to state courts, Cage claimed that the "Western Country found themselves taxed to support the Government, while they were deprived of all the blessings of it."<sup>10</sup> Furthermore, the Franklinites cited legal precedent for their separation in the Declaration of Independence that preceded their own Constitution, recalling that the 1776 North Carolina Constitution "declares it justifiable to erect new states whenever the consent of the Legislature shall countenance it, and this consent

<sup>8</sup> Frederick W. Marks III, "Power, Pride, and Purse: Diplomatic Origins of the Constitution," *Diplomatic History* 11 (Fall 1987): 304.

<sup>9</sup> The General Assembly of Franklin to Governor Alexander Martin, February 22, 1785, in Walter Clark, ed., *The State Records of North Carolina* (Goldsboro, NC, 1899-1907), 17:601-604.

<sup>10</sup> William Cage and Others to Governor Alexander Martin, March 22, 1785, in Clark, 22:637-640.

can Foreign Relations," in Michael J. *ations to 1941* (Cambridge, 2000), 10; Foreign Relations," *Diplomatic History* tions: Opportunities and Challenges,"

is implied...in the cession act."<sup>11</sup> In other words, the founders of Franklin assumed that because North Carolina was willing to cede its territory to the Congress, it was giving its consent for the formation of new states.

The structure of Franklin's government was also organized to pay homage to North Carolina in order to gain its favor for Franklinites independence. During the constitutional convention, a group of Presbyterian ministers under the influence of Virginian Colonel Arthur Campbell prepared a radically democratic constitution for a greater state of Frankland that included universal manhood suffrage and strict personal moral codes for government officials. However, this radical constitution was rejected in favor of adopting a temporary constitution very similar to the North Carolina constitution. The Campbell constitution appealed mainly to the clergy present at the convention and others who sought to construct a more experimental state. However, the more pragmatic delegates who were more concerned with achieving statehood and who did not necessarily subscribe to Campbell's strict morals rejected his constitution in favor of a constitution that would not deviate much from what they had been accustomed to in North Carolina.<sup>12</sup> The newly appointed governor of Franklin, John Sevier, the Revolutionary War hero of King's Mountain and a land speculator, wrote of his satisfaction with the North Carolina form of government while still reaffirming his belief that Franklin should be independent, "Your Constitution and Laws we Revere, and consider ourselves Happy that we have had it in our power to get the same established in the State of Franklin."<sup>13</sup> While the new constitution was being drafted, the county offices in Franklin were typically transferred to the same people who had held those offices under North Carolina to facilitate a smooth change and not upset North Carolina any more than what was necessary for independence.<sup>14</sup> Historian James William Hagy explains that the similarity of the Franklin government and constitution to that of North Carolina demonstrates that the Franklinites realized the potential for failure. This similarity would allow for a smoother transition back into North Carolina's government if Franklin failed.<sup>15</sup>

In establishing their government, the Franklinites pursued a variety of symbolic actions to gain North Carolina as an ally. Sevier began a series of correspondence with North Carolina officials that was flattering and expressive of his reverence for

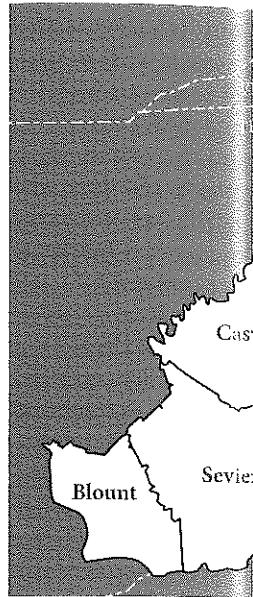
<sup>11</sup> Constitution of the State of Franklin, in Clark, 22: 661-670.

<sup>12</sup> John D. Barnhart, "The Tennessee Constitution of 1796: A Product of the Old West," *The Journal of Southern History* 9 (November 1943): 538.

<sup>13</sup> John Sevier to Governor Richard Caswell, October 28, 1786, in Cora Bales Sevier and Nancy Sevier Madden, *Sevier family history with collected letters of General John Sevier, first Governor of Tennessee, and 28 collateral family lineages* (Washington, 1961), 68-70.

<sup>14</sup> Ramsey, *Annals of Tennessee*, 300.

<sup>15</sup> James William Hagy, "Democracy Defeated: The Frankland Constitution of 1785," *Tennessee Historical Quarterly* 40 (Fall 1981): 255-256.



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<sup>16</sup> John Sevier to Richard Caswell, October 28, 1786.

<sup>17</sup> A. P. Whitaker, "The Muscogee," (December 1926): 374.

<sup>18</sup> Reuben J. Sheeler, "The De," (April 1944): 171-172.



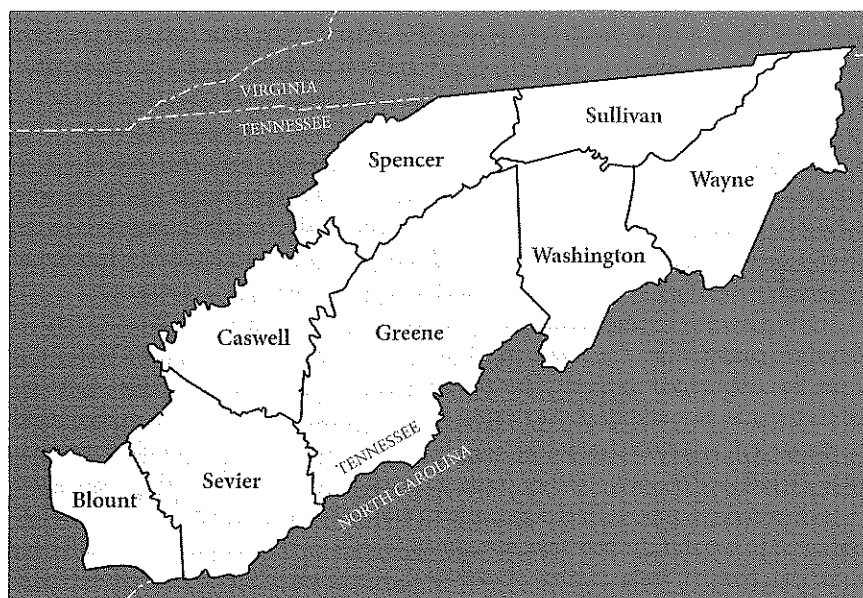
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Approximate boundaries of the State of Franklin, showing the several counties as they were designated by Franklin's general assembly. Courtesy of the East Tennessee Historical Society.

that State. In October 1785, Sevier wrote his friend and fellow land speculator Richard Caswell, the governor of North Carolina from 1786-1787, that "the citizens of this State regard the State of North Carolina with particular affection, and will never cease to feel an interest in whatever may concern her honor and safety." <sup>16</sup> Other symbolic actions included the naming of newly created Franklin counties after North Carolina officials Caswell and William Blount. <sup>17</sup> The first institution of higher education west of the Appalachians, Martin Academy, named in honor of North Carolina hero Josiah Martin, was set up by the Franklin constitution. <sup>18</sup> Sevier and the Franklin Assembly used all these symbolic actions to demonstrate that there was no ill will between their new state and North Carolina in order to gain their parent state's support for Franklin's independence.

Despite the efforts of Franklin to woo North Carolina to support its independence, the officials of North Carolina repealed its act of cession and began resisting Franklinites independence. Earlier in 1783, the North Carolina Assembly had passed the North Carolina Land Act which created huge land grants out of western territory that the Assembly assumed was forfeited by the Cherokee because they had

<sup>16</sup> John Sevier to Richard Caswell, October 17, 1785, in Sevier and Madden, *Sevier family history*, 65-66.

<sup>17</sup> A. P. Whitaker, "The Muscle Shoals Speculation, 1783-1789," *The Mississippi Valley Historical Review* 13 (December 1926): 374.

<sup>18</sup> Reuben J. Sheeler, "The Development of Unionism in East Tennessee," *The Journal of Negro History* 29 (April 1944): 171-172.



supported the British in the Revolutionary War. Many of the state legislators secured land grants for themselves, claiming over 4 million acres of western lands in what became known as the "Great Land Grab." The subsequent 1784 cession act included a provision where all previous titles would be recognized by the national government. Recognizing the greed of their legislators and in opposition to the cession act in general, the North Carolina electorate voted out the land speculators and those who had supported the cession act and elected a slate of legislators rabidly opposed to the western cession and Franklin's ambitions of independence. Once the new legislature convened in October 1784, it moved quickly to repeal the earlier cession act.<sup>19</sup>

North Carolina began pursuing a variety of means to reconcile the Western settlers with their parent state. The first step taken was to form the Washington District out of the formerly ceded territory. This district would have its own superior court and militia brigade, two wishes of the frontier settlers. Sevier was appointed to command the district's militia with the rank of brigadier general while David Campbell was chosen to be judge of the new superior court. Although the formation of the Washington District seemed to appease Sevier and other Franklinites at first, Sevier and Campbell continued to support the new state movement to gain even more power and influence in the area. North Carolina's attempt to meet the demands of the Western settlers with the creation of the Washington District might have persuaded some of the less committed Franklinites to remain loyal to their parent state because it had tried to provide some additional services while granting some more autonomy to the district.<sup>20</sup>

In response to the failure of the Washington District to completely appease the majority of the Western settlers and the first legislative session of the Franklin Assembly in March 1785, Governor Alexander Martin wrote to members of the Council of State and the General Assembly to convene as quickly as possible to address the revolt of the counties of Washington, Sullivan, and Greene west of the Appalachians.<sup>21</sup> After hearing the advice of the Council of State and while waiting on the General Assembly to convene, Martin issued a manifesto to the residents of the new State of Franklin, condemning their actions as a revolt and demanding that "they return to their duty and allegiance, and forbear paying any obedience to any self-created power and authority unknown to the Constitution of this State, and not sanctified by the Legislature."<sup>22</sup>

<sup>19</sup> Michael Toomey, "State of Franklin," in Carroll Van West, ed., *The Tennessee Encyclopedia of History and Culture* (online edition), <http://tennesseencyclopedia.net> (Knoxville, 2002); Noel B. Gerson, *Franklin, America's "Lost State,"* (New York, 1968), 32-33.

<sup>20</sup> John Sevier to Daniel Kennedy, January 2, 1785, in Sevier and Madden, *Sevier family history*, 59.

<sup>21</sup> Governor Alexander Martin to the Members of the Council of State, April 7, 1785, in Clark, 17:435-436, and Governor Alexander Martin to the Members of the North Carolina General Assembly, April 25, 1785, in *ibid*, 439-440.

<sup>22</sup> Governor Alexander Martin, "To the Inhabitants of the Counties of Washington, Sullivan, and Greene—A Manifesto," April 25, 1785, in *ibid*, 22:642-647.

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Sevier responded to Martin's manifesto with a proclamation of his own, requiring the obedience and loyalty of Western settlers to the laws of the State of Franklin.<sup>23</sup>

Sevier's proclamation and the election of Richard Caswell (a partner with Sevier in the land speculation around Muscle Shoals) as North Carolina's new governor seemed to create an atmosphere of obedience to the laws of Franklin. This newfound allegiance was soon shattered by laws passed in North Carolina that were meant to restore the Franklin counties to the State of North Carolina. Although generally more friendly toward the prospective new state, Caswell knew he must oppose the new statehood movement in the interests of North Carolina, but he did not want to take any further action against the new state until the North Carolina Assembly convened for its new session to address the matter. In fact, Caswell was in favor of the new state as long as it gained the approval of the General Assembly.<sup>24</sup> However, the Assembly was not as sympathetic to the new State of Franklin as Caswell. They passed legislation to pardon those who had revolted against the government of North Carolina and to permit the election of representatives from the Franklin counties to the General Assembly provided there were three honest citizen-inspectors to monitor the elections, a loosening of past electoral regulations.<sup>25</sup> This law resulted in two elections being held on the same day in August 1786, one for Franklin and one for North Carolina. Colonel John Tipton, a North Carolina partisan and bitter rival of John Sevier, led the effort to reincorporate Franklin into North Carolina and was elected to the North Carolina state senate where he argued consistently against the State of Franklin on the floor of the legislature.<sup>26</sup>

The outcome of the dual elections and additional legislation passed by the North Carolina General Assembly to offer incentives for allegiance to their state was a dual government that divided the Franklinites and plunged them and their state into chaos, preventing them from effectively lobbying for statehood among other potential allies. Hoping to entice more Franklinites to avail themselves of a pardon, North Carolina's General Assembly passed a law to exempt the Franklinites from taxes that

<sup>23</sup> John Sevier, "A Proclamation," (undated) in Sevier and Madden, *Sevier family history*, 62-63.

<sup>24</sup> Samuel Cole Williams, *History of the Lost State of Franklin* (Johnson City, TN, 1924), 75, 145, and Sayers, "Disunited States," 20.

<sup>25</sup> An Act to empower the freeholders and freemen of the counties of Washington, Sullivan, and Greene to return their representatives otherwise than is hereto directed, 1785, in Clark, 24:765-766.

<sup>26</sup> John R. Finger, *Tennessee Frontiers: Three Regions in Transition* (Bloomington, IN, 2001), 122. and Williams, *History of Lost State of Franklin*, 103-105. The rivalry between Sevier and Tipton even resulted in a physical struggle between the two: "Public meetings of Franklinites and anti-Franklinites often degenerated into wrestling or boxing matches, in which it was not unknown for an eye to be gouged out or an ear bitten off. The otherwise noble leaders of the respective movements were not above such behavior, as Sevier and Tipton proved one day in Jonesborough. Upon meeting one another, they exchanged, as was their habit, harsh words, until, unable to bear the provocation given him, Governor Sevier struck Colonel Tipton with his cane. Tipton, himself a famous boxer, dove at Sevier with his fists clenched, and the two struggled until they were separated by their friends." In Sayers, "Disunited States," 36-37.



Capitol of the State of Franklin (1784-1788), from where Governor Sevier and the Franklin Assembly met to plan their negotiations with neighboring governments.  
From the Tennessee State Library and Archives.

his allegiance from Franklin to North Carolina to reassume his old position as superior court judge for the Washington District. Campbell's defection also crippled the courts which made it seem as if the entire Franklin government was crippled because the courts were the government institution with which the people interacted most. John Tipton led raids against the Franklin courts and destroyed or stole their records as another way of interfering with this vital link between the people and their government and strengthening the position of the North Carolina advocates at the same time. (Unfortunately, these raids also deprived future historians of valuable sources about the State of Franklin.)

Despite his sympathies with Sevier and the Franklinites, Governor Caswell, along with the North Carolina General Assembly, effectively undermined the State of Franklin with new policies and legislation in order to restore it to North Carolina. Even though his policies had caused great division among the people of Franklin, Caswell insisted that "a new government will be shortly established if the people would unite, submit to their former government, and petition for a separation."<sup>27</sup> The Franklinites were quite unsuccessful in their diplomatic efforts courting North Carolina as an ally to support their statehood because North Carolina was determined to reincorporate

were unpaid since 1784 because they had received no government services during that time. Many of the less committed Franklinites chose to take advantage of the offer.<sup>27</sup> Realizing the divisive and devious intent of electoral and tax exemption laws passed by North Carolina, the Franklin Assembly in 1787 passed a poll tax of one shilling and a property tax of six pence per hundred acres and upon payment of these taxes in the first year, the citizen would be exempt from taxes for the next three years.<sup>28</sup> However, the tax exemptions passed by the State of Franklin could not prevent the devastation of morale when David Campbell switched

<sup>27</sup> An Act to Pardon and Consign to Oblivion the offenses and misconduct of Certain Persons in the Counties of Washington, Sullivan, Greene, and Hawkins. 1787, in Clark, 24:820.

<sup>28</sup> Judge David Campbell to Governor Richard Caswell, March 18, 1787, in *ibid.*, 20:641-643. and General Evan Shelby to Governor Richard Caswell, May 4, 1787, in *ibid.*, 22:680-682.

<sup>29</sup> Governor Richard Caswell to John Sevier, February 23, 1787, in Sevier and Madden, *Sevier family history*, 71-72. and Williams, *History of the Lost State of Franklin*, 192-193.

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<sup>30</sup> State of Franklin / TSLA; Worthington 1906), 34:14; and Jol and Madden, *Sevier fa*

<sup>31</sup> William Samuel Jol bers of the Continenta 1785, in Paul H. Smi 22:429-432; James M. Writings of James Mon the First Time Printed in Smith, 22:434-437

<sup>32</sup> Fink, "Some Phases For accepting the cess Georgia. Against acce North Carolina (citi

unpaid since 1784 because they received no government services at that time. Many of the less committed Franklinites chose to take advantage of the offer.<sup>27</sup> Realizing the divisive and devious intent of the territorial and tax exemption laws passed by North Carolina, the Franklin Assembly in 1787 passed a poll tax of one shilling and a property tax of six pence per hundred acres. Upon payment of these taxes in the next year, the citizen would be exempt from taxes for the next three years. However, the tax exemptions passed by the State of Franklin could not prevent the devastation of war. When David Campbell switched sides, he resumed his old position as superintendent. His defection also crippled the government because the people interacted most with the people they trusted. The records destroyed or stole their records from the people and their government. North Carolina advocates at the same time destroyed or stole their records from the historians of valuable sources.

When Governor Caswell, along with the other members of the State of Franklin, decided to secede from North Carolina. Even when the people of Franklin, Caswell decided if the people would unite, they would secede. The Franklinites decided to secede from North Carolina as an ally determined to reincorporate

Act of Certain Persons in the Counties

7, in *ibid.*, 20:641-643. and General

er and Madden, *Sevier family history*,

Franklin into the state and gain more favorable concessions from Congress before ceding the western territory again. Furthermore, prominent North Carolina officials previously engaged in land speculation in 1783 wanted to reassert their land claims that had faced potential challenges from the Franklin movement.

While attempting to court North Carolina's favor, the Franklin Assembly also tried to gain recognition as an independent state and gain admission into the Confederation through direct diplomatic appeals to the Confederation Congress. William Cocke was sent to New York to represent Franklin in the Confederation Congress and make the appeal for her admission into the union. Governor Sevier sent a letter to Congress introducing himself as the governor of the new state and asserting that the majority of its inhabitants desired separation from North Carolina and independence. Sevier also pledged in his letter that Franklin would "contribute everything in [its] power to promote the interest and honor of the United States," demonstrating the deep desire in which the Franklinites wanted to join the Union.<sup>30</sup>

The Franklin statehood movement required Congress to reevaluate its western land ordinances and "to take immediate Care of their Western Territory." Congress decided that it had the legal right to accept North Carolina's original cession despite its repeal but refused to do so for fear of North Carolina's withdrawal from the Union. Although Cocke's lobbying did not succeed in gaining admission for Franklin, Congress condemned the repeal of the cession act and recommended that North Carolina pass a second act of cession after the committee report was acted upon without any notice given to the North Carolina delegation, much to the dismay of North Carolina delegate Richard Dobbs Spaight.<sup>31</sup> However, Cocke almost succeeded in gaining recognition of the 1784 North Carolina Cession Act which would have paved the road for independent statehood, but the final vote of seven to two was short of the required two-thirds majority.<sup>32</sup>

The efforts of Cocke and Sevier presented many dilemmas and challenges for the delegates in the Confederation Congress and other national politicians to confront

<sup>30</sup> State of Franklin Assembly Order, March 12, 1785, in William A. Provine Papers, Box 4, Folder 10, TSLA; Worthington Chauncey Ford, ed., *Journals of the Continental Congress, 1774-1789* (Washington, 1906), 34:14; and John Sevier to the President of the Continental Congress, November 2, 1787, in Sevier and Madden, *Sevier family history*, 85.

<sup>31</sup> William Samuel Johnson to Roger Sherman, April 20, 1785, in Edmund C. Burnett, ed., *Letters of Members of the Continental Congress* (Washington, 1933), 8:100-102; David Jackson to George Bryan, June 4, 1785, in Paul H. Smith, et al., eds., *Letters of Delegates to Congress, 1774-1789* (Washington, 1976-2000), 22:429-432; James Monroe to Thomas Jefferson, June 16, 1785, in Stanislaus Murray Hamilton, ed., *The Writings of James Monroe, including a Collection of His Public and Private Papers and Correspondence, Now for the First Time Printed* (New York, 1969), 1:80-90; Richard Dobbs Spaight to Richard Caswell, June 5, 1785, in Smith, 22:434-437.

<sup>32</sup> Fink, "Some Phases of the History of the State of Franklin," 200; The breakdown of the vote is as follows: For accepting the cession—New Jersey, Rhode Island, Connecticut, New York, New Hampshire, Maine, and Georgia. Against accepting the cession—Virginia and Maryland. Split vote—South Carolina. Abstention—North Carolina (citing a conflict of interest), Massachusetts, and Delaware. Gerson, *Franklin*, 61.



William Cocke was among the most ardent advocates of Franklin's statehood. His efforts before Congress to achieve recognition for the state ultimately fell just short of success. From the collection of the East Tennessee Historical Society.

eration Congress, there was no ill will between the Franklinites and the Congress as historian George Henry Alden noted that, "no official Franklin document and no letter written by a Franklin citizen...breathed the slightest complaint against the Federal Government."<sup>35</sup>

While Benjamin Franklin and other delegates feared the impact of the State of Franklin on the unity of the existing states, some viewed Franklin's creation and entreaties of friendship as very appealing. Colonel Arthur Campbell wrote James Madison about the enormous benefits of the new state to the nation in terms of commerce between the East and Spanish America, of security as a buffer between the US and Spain and her Indian allies, and of its democratic success embodied in the Frankland constitution (which would soon be rejected by the constitutional convention). Campbell's involvement in helping write the Frankland constitution fueled his enthusiasm for the new state when he remarked to Madison that, "it would

in considering future separate state movements and the process whereby new states were to be created and admitted to the Confederation. Virginia delegate William Grayson worried that endorsing the Franklin movement would lead to a slippery slope in which "if the right [to form a new state from an existing state] exists in the first instance it may be carried so far as to reduce a State to the size of a county or parish."<sup>33</sup> In his efforts to secure national support, Governor Sevier wrote Benjamin Franklin (for whom the state was named) on several occasions to ask for his "patronage" and to express his grievances about the election laws passed by North Carolina that allowed dual elections in Franklin. In his response, the elder statesman expressed his wish that the Franklinites reconcile with North Carolina to avoid a general Indian war that the land grabbing of the Franklinites might provoke.<sup>34</sup> Despite the state's rejection by the Confed-

<sup>33</sup> William Grayson to Beverly Randolph, June 12, 1787, in Smith, 24:327-328.

<sup>34</sup> John Sevier to Benjamin Franklin, April 9, 1787, in Sevier and Madden, *Sevier family history*, 74-75; John Sevier to Benjamin Franklin, November 2, 1787, in *ibid.*, 85-86; and Benjamin Franklin to John Sevier, June 30, 1787, in *ibid.*, 78-79.

<sup>35</sup> George Henry Alden, "The State of Franklin," *The American Historical Review* 8 (January 1903): 287.

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<sup>36</sup> Arthur Campbell to James Madison, *The Papers of James Madison*

<sup>37</sup> Sayers, "Disunited States," June 20, 1788, in *Harvard* Article IV, Section 3 of the U union; but no new State sha be formed by the Junction o of the States concerned as w Child assumed that the Fran and Franklin will probably s

<sup>38</sup> Walter Faw Cannon, "For see Historical Society's *Publ* desire to join the Union an act despite the act's repeal. A statehood as an inferior, de "From Colony to Territory: Quarterly 97 (Autumn 1982

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perhaps surprise the world, if Frankland, those wild half civilized People, would pro-  
duce a Form, as much superior to it [the Virginia constitution], as Massachusetts is  
to Georgia."<sup>36</sup> The Franklinites may not have found an ally for independence in the  
Confederation Congress, but they had a tremendous influence upon it and the 1787  
Constitutional Convention, especially with regard to Article IV, Section 3 and the  
question of how new states would be represented in the new Congress.<sup>37</sup> Franklin's  
influence on the Convention also signaled an end to its hope to gain admission into  
the Union as its largely Federalist population perceived that independence would  
mean isolation from the rest of the Union because North Carolina was unlikely at  
that point to consent to the formation of the state under the guidelines of Article IV,  
Section 3 of the new Constitution.<sup>38</sup>

Finding no success with North Carolina or the Confederation Congress, the  
Franklinites turned next to the individual states of Georgia and Virginia for support.  
John Sevier appealed to the Georgia Assembly and the governor on a number of  
occasions for support of Franklinites statehood. The close ties between Franklin and  
Georgia were a result of many personal connections between Sevier and Georgia of-  
ficials, including Georgia hero Colonel Elijah Clark, who fought alongside Sevier at  
King's Mountain, and former Governor George Matthews, who grew up in the same  
region of Virginia as did Sevier. Indeed, Sevier's personal connections with Georgia  
officials ran so deep that he was given honorary membership in the Georgia chapter  
of the Society of the Cincinnati. During the Revolution, Sevier had also served with  
General George Elholm, a Danish soldier who had joined the American cause and  
became adjutant general of the Georgia militia after the war. After completing his as-  
signment as the Georgia envoy to Franklin, Elholm joined the Franklin militia as drill  
master. He decided to stay in Franklin because he received a land grant and had great  
affection for the Franklin cause. Elholm became a strong advocate for supporting

<sup>36</sup> Arthur Campbell to James Madison, October 28, 1785, in William T. Hutchinson and M.E. Rachal, eds.,  
*The Papers of James Madison* (Chicago, 1962-1991), 8:381-385.

<sup>37</sup> Sayers, "Disunited States," 55-56. and New York Ratifying Convention Remarks (Francis Childs's Ver-  
sion), June 20, 1788, in Harold C. Syrett, ed., *The Papers of Alexander Hamilton* (New York, 1962), 5:16-26.  
Article IV, Section 3 of the US Constitution states, "New States may be admitted by the Congress into the  
union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State  
be formed by the Junction of two or more States, or parts of States, without the Consent of the Legislatures  
of the States concerned as well as of the Congress." In his New York Convention Ratifying Remarks, Francis  
Child assumed that the Franklin statehood movement would succeed when he stated, "Vermont, Kentucky,  
and Franklin will probably soon become independent."

<sup>38</sup> Walter Faw Cannon, "Four Interpretations of the History of the State of Franklin," *The East Tennes-  
see Historical Society's Publications* 22 (1950): 7-8. The Franklinites' federalism was rooted in their deep  
desire to join the Union and the belief that Congress had the power to accept North Carolina's cession  
act despite the act's repeal. According to Peter Onuf, the Franklinites and other state separatists "defined  
statehood as an inferior, derivative status" in comparison to the national government. Peter S. Onuf,  
"From Colony to Territory: Changing Concepts of Statehood in Revolutionary America," *Political Science  
Quarterly* 97 (Autumn 1982): 455.

Franklinite statehood and wrote the Georgia General Assembly to request their assistance for that end. The bond between the common people of Franklin and Georgia was also strong because most of the common people of both states were backwoods-men, and these people had little in common with the coastal elites of their own states and less in common with the people of the Middle States and New England. Georgia had also voted for accepting the North Carolina cession act when the matter was brought before the Confederation Congress earlier in 1785.<sup>39</sup>

The close relationship between Franklin and Georgia manifested itself in two ways: through the land speculation around Muscle Shoals and the common enemy of nearby Indian tribes. Through these items of negotiation and business between the two governments, the Franklinites hoped to secure continued Georgian support for Franklin's statehood. Sevier, one of the principal speculators of Muscle Shoals, knew that he needed Georgia's consent because the land was considered part of Georgia as well. He also needed Georgian settlers to buy the property so he could make a profit. He wrote to Governor Edward Telfair that "the success of the Muscle Shoals enterprise greatly depends on the number that will go down to that place" and then wrote to the General Assembly that the Muscle Shoals settlement "would be of infinite advantage to your state" and promised Franklin's protection for the settlers from hostile Indian tribes.<sup>40</sup> By establishing a close relationship with Georgia through the Muscle Shoals speculation, Sevier sought not only profit for himself, but also support for Franklin's statehood in the Confederation Congress.

In April 1786, the outbreak of a war between Georgia and the Creek Indians increased the closeness of the relationship between Franklin and Georgia that Sevier hoped would lead to eventual statehood for Franklin. Seeking military support, Georgia asked Franklin for militia to fight the Creeks in return for land grants around Muscle Shoals. After an act of the Franklin Assembly, the new frontier state responded by raising a force of 1,500 men to assist the Georgia militia in defeating the Creeks. A peace treaty was eventually concluded before the Franklinite militia joined the Georgians against the Creeks.<sup>41</sup> After Georgia's 1786 scare of a war with the Creeks, Sevier warned Georgia's governor and assembly of impending Creek attacks a year later in 1787 through information provided by a rival Choctaw chief. Sevier also reminded the Georgians that Franklin was willing and able to come to Georgia's aid like it had in 1786. Through a letter to the Georgia Assembly, Sevier asked the Assembly to remember Franklin's willingness to fight alongside their state against the Creeks and

<sup>39</sup> Pat Alderman, *Overmountain Men: Early Tennessee History* (Johnson City, TN, 1970), 219-220; Williams, *History of Lost State of Franklin*, 172-173; and George Elholm to Governor Edward Telfair, September 30, 1786, in John Sevier Papers, Box 1, Folder 2, Microfilm and Originals at TSLA.

<sup>40</sup> John Sevier to Governor Edward Telfair, May 14, 1786, in Sevier and Madden, *Sevier family history*, 67; and John Sevier to the Speaker of the Georgia Assembly, June 24, 1787, in *ibid*, 78.

<sup>41</sup> Whitaker, "The Muscle Shoals Speculation," 375. and John Sevier to Governor Edward Telfair, September 28, 1786, in Sevier and Madden, *Sevier family history*, 68.

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By creating a Franklin officials hoped to gain admission to the Union with its parent state and admission between the government to gain legitimacy congressional relationship to the nation prevented that Sevier so desired.

Governor Sevier and the people of Franklin and the people of Sevier himself, viceroy of the former state. Virginia government, prominent leader of Franklin, relationship with the British for mother state, to settle the dispute resolution of the influence in the support for their own

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<sup>42</sup> John Sevier to Georgia, April 10, in *The Kentucky Gazette* Originals at TSI A

<sup>43</sup> Gerson, *Franklin*



Assembly to request their assistance from the people of Franklin and Georgia. Both states were backwoods-planting elites of their own states and New England. Georgia acted when the matter was in 1785.<sup>39</sup>

Georgia manifested itself in two ways: the common enemy of the frontier and business between the states. Continued Georgian support for the settlers of Muscle Shoals, knew that the state was considered part of Georgia. Sevier wanted property so he could make a success of the Muscle Shoals settlement "down to that place" and then the settlement "would be of infinite protection for the settlers from the frontier with Georgia through the support for himself, but also support for the state."

Georgia and the Creek Indians. Franklin and Georgia that Sevier wanted. Seeking military support, the return for land grants around the new frontier state responded to the militia in defeating the Creeks. A Georgian militia joined the Georgia war with the Creeks, Sevier led the Creek attacks a year later in the new chief. Sevier also reminded the state to Georgia's aid like it had. Sevier asked the Assembly to support the state against the Creeks and

City, TN, 1970), 219-220; Williams, Governor Edward Telfair, September 30, 1785, at TSLA.

and Madden, *Sevier family history*, 67; Williams, in *ibid*, 78.

to Governor Edward Telfair, September 30, 1785, at TSLA.

their consideration of "promoting the interest of our infant republic, and reconciling matters between us and the parent state."<sup>42</sup>

By creating a close bond between Franklin and Georgia, Sevier and other Franklin officials hoped that Georgia would continue their support for Franklin's admission to the Union in Congress and mediate the new state's disputatious relationship with its parent state so that North Carolina would consent to Franklin's independence and admission. Through cultivating a significant and genuine relationship between the governments of their two states, the Franklinites hoped that they could gain legitimacy with the other states that had voted against or abstained from the congressional resolution accepting North Carolina's cession. Despite her close relationship to the nascent state, Georgia's status as the weakest state in the Confederation prevented her from providing the substantial support for Franklinites that Sevier so desired.

Governor Sevier also sought to establish a close bond between the State of Franklin and the powerful State of Virginia. Many of the settlers in Franklin, including Sevier himself, were former Virginia residents so they felt a great affinity toward their former state. Virginia had also recently ceded the Kentucky District to the national government, paving the way for Kentucky's future statehood. Furthermore, some prominent leaders in Virginia such as Thomas Jefferson sympathized with the cause of Franklin, relating the Franklinites' struggle to the larger American struggle against the British for independence. During the confrontation between Franklin and its mother state, the Virginia government had even offered its services as a mediator to settle the dispute between North Carolina and Franklin, but was harshly rejected by the resolution of the North Carolina Assembly. The Franklinites hoped to use Virginia's influence in the Congress and its experience with the Kentucky cession to gain support for their own independence and statehood.<sup>43</sup>

Unfortunately, the prospects of forming such a constructive relationship with Virginia were complicated by Arthur Campbell, the leader of a separate statehood movement in Washington County in southwestern Virginia that was not part of the recently ceded Kentucky district. Colonel Campbell's separatist movement became the key issue of contention in the relationship between Franklin and Virginia and was intertwined with the issue of Virginia's support or lack thereof for Franklin's independence. Campbell had advocated the formation of the greater State of Frankland and had a tremendous influence on the constitutional convention process in Franklin. Although the Franklin movement moved ahead without Campbell who wanted to gain Virginia's approval for separation, Campbell quickly wanted to incorporate Washington County into the new state because the region around Abingdon in

<sup>42</sup> John Sevier to Governor George Matthews, March 3, 1787, in *ibid*, 72; John Sevier to Governor of Georgia, April 10, 1788, in *ibid*, 92; and Extract of Letter from John Sevier to Georgia Assembly reprinted in *The Kentucky Gazette*, October 6, 1787, in William A. Provine Papers, Box 4, Folder 10, Microfilm and Originals at TSLA.

<sup>43</sup> Gerson, *Franklin*, 23, 34, 62.

Washington County was more integrated with the counties of western North Carolina than it was with the rest of Virginia. Governor Patrick Henry of Virginia was opposed to the separation of Washington County from the state and sent veterans of the Continental Army from the east to command the militia in the southwest.<sup>44</sup>

To assuage Henry's fears that the State of Franklin sought to incorporate southwestern Virginia into its territory, Sevier wrote a letter to Henry promising that "nor will we receive any of them unless by consent of your state." Sevier also expressed his desire that "we hope soon to convince them all [Congress and the other states] that we are not a banditti, but a people who mean to do right as far as our knowledge will lead us." He hoped that Franklin might find a friend in Virginia by refusing to incorporate Arthur Campbell's Washington County into their state and that Virginia's powerful influence would make a significant difference among those who supported Franklin's bid for independence in Congress. During the earlier congressional vote, Virginia had been one of the two votes against the acceptance of the North Carolina cession act. The overtures made by Sevier and other Franklin officials were an attempt to persuade the Virginians to support their cause when the issue was brought to another vote in Congress. Virginia had not earlier supported the Franklinites because the state was struggling to suppress a separate statehood movement within its own borders and giving support to Franklin in its struggle with North Carolina would only embolden Arthur Campbell and other separatists in Virginia. However, the correspondence between Sevier and Henry and the support of prominent Virginians such as Jefferson gave some legitimacy to the Franklin movement.<sup>45</sup>

Failing to find support from North Carolina, Georgia, Virginia, or the Confederation Congress, the Franklinites made some curious diplomatic overtures to the Cherokee and the Spanish to gain potential allies in securing their independence. Previously, many within the United States perceived the Franklin movement with its hunger for more land as a potential provocateur of a general war with the Indians or with the Spanish Empire.<sup>46</sup> However, the Franklinites were determined to have a government of their own, separate from North Carolina, and sought the assistance of the Cherokee and the Spanish in achieving that end through manipulating the potential of such assistance as leverage in its attempt to gain admission to the Union.<sup>47</sup>

Sevier, a popular Indian fighter who had used his reputation to propel himself to the governorship of Franklin, made a diplomatic overture to the Cherokee in June 1785 to secure land south of the French Broad and Holston Rivers that was already beginning to be settled by the Franklinites. In the resulting Treaty of Dumplin Creek,

<sup>44</sup> Alden, "The State of Franklin," 282-283; Hagy, "Democracy Defeated," 240; and Frederick Jackson Turner, "Western State-Making in the Revolutionary Era II," *The American Historical Review* 1 (January 1896): 256.

<sup>45</sup> John Sevier to Governor Patrick Henry, July 19, 1785, in Sevier and Madden, *Sevier family history*, 64.

<sup>46</sup> Sayers, "Disunited States," 51.

<sup>47</sup> Alderman, *Overmountain Men*, 211.

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<sup>48</sup> Thomas Perkins Abbe, *History of the State of Georgia*, 4 (February 1938), of a Letter from a Gen the State of Georgia. S and Originals at TSLA of Franklin, 78.

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and Madden, *Sevier family history*, 64.

the Cherokee chiefs agreed to the land cessions and a promise of peace with Franklin's settlers in exchange for "a reasonable and liberal compensation." Regardless of the unwillingness of Congress to accept Franklin's statehood, Sevier and the Franklin government demonstrated their legitimacy as a functioning *de facto* state through the diplomacy with the neighboring Cherokee that led to the Treaty of Dumplin Creek.

During the treaty negotiations, an odd proposal was laid on the bargaining table. According to Samuel Cole Williams, two Presbyterian ministers, Samuel Houston and H. Balch, proposed an incorporation of the Cherokee as part of the new state of Franklin with rights to send delegates to the General Assembly. The incorporation of the Cherokee into Franklin would be an unprecedented move in the new United States that would bolster its population and territory to make a better case for statehood before Congress under the Ordinance of 1784. However, the notion of including the Cherokees in the new state was quickly forgotten perhaps because such an incorporation would offend the states that Franklin would rely upon in votes on her admission to the Union. Furthermore, Williams argues that Sevier, the renowned Indian fighter, would not have agreed with or pursued the idealistic plan of the two clergy. In the time after the Treaty of Dumplin Creek, the Franklin government had significant trouble with the Cherokees and the Creek tribe after the radical idea of incorporating the Indians as citizens in the new state was rejected or forgotten, a new treaty conflicting with the Treaty of Dumplin Creek was made by the national government, and the Franklinites continued pushing their settlements further into Indian territory.<sup>48</sup>

Later in November 1785, the Confederation Congress asserted its weak power by negotiating a treaty with the Cherokee, marking the first time the national government had made a treaty with the Indians rather than the individual states. Treaties made between the Indians and individual states, such as the Treaty of Dumplin Creek, were subsequently discarded by the national government. The resulting Treaty of Hopewell included the Cherokee admission of the supremacy of the United States and a series of land concessions by both the Congress and the Cherokee. The land conceded by the congressional agents significantly affected Franklin's size because much of the state's land (including its new capital at Greeneville) was now considered Cherokee territory. Williams contends that Franklin was intentionally punished by the agents negotiating the treaty because two of the four national agents were from North Carolina. In fact, North Carolina received some compensation from the Cherokee for ceding these parts of Franklin's territory while negotiating Cherokee land concessions for the settlers of the Cumberland region around Nashville. However, these punitive provisions were likely the work of the individual agents because

<sup>48</sup> Thomas Perkins Abernethy, "Democracy and the Southern Frontier," *The Journal of Southern History* 4 (February 1938): 6; Treaty of Dumplin Creek, May 31, 1785, in Clark, 22:649-650; Extract of a Letter from a Gentleman in Washington to His Friend in the City, reprinted in *The Gazette of the State of Georgia*, September 1, 1788, in William A. Provine Papers, Box 4, Folder 10, Microfilm and Originals at TSLA; Alden, "The State of Franklin," 283-284; Williams, *History of the Lost State of Franklin*, 78.

the North Carolina Assembly immediately condemned the Treaty of Hopewell.<sup>49</sup>

The Hopewell Treaty negotiations of the national government created a more complicated relationship between the Franklinites and the Cherokee because the land-hungry settlers were living on land considered to be part of Cherokee territory by the Confederation. Determined to drive the settlers off the lands they had gained from the Hopewell Treaty, the Cherokee began attacking settlements. In response to the attacks, Governor Sevier and other Franklin militia commanders led raids to destroy Cherokee villages in retaliation. This treaty, as already noted, also complicated the relationship between Franklin and the Confederation Congress because the national government had bargained away some of the land claimed by the Franklinites. Determined to maintain their lands and uphold their *de facto* independence, the Franklin Assembly appointed a set of commissioners to negotiate a new treaty with the Cherokee to reaffirm the Dumplin Creek Treaty and protect their settlers. After the militia had defeated the Cherokee and destroyed some of their villages, the commissioners forced the Cherokees to sign the Treaty of Coyatee under duress in August 1786. The new treaty established new borders for the State of Franklin that were even larger than those set by the Treaty of Dumplin Creek by allowing for white settlements as far south as the Little Tennessee River.<sup>50</sup>

The fighting between the Cherokees and the settlers continued and took a brutal turn in 1788 when John Kirk, a Franklinites, murdered five or six Cherokees in cold blood. Under a white flag of truce, Kirk struck his victims in the head with a tomahawk, killing two Cherokee chiefs, Abraham and Tassel. Although Governor Sevier had been leading the force in pursuit of the Cherokees who had killed Kirk's family, he was absent (some say conveniently) when this murder occurred. This horrific display of frontier violence drew a round of condemnation from the Confederation Congress and other individuals. Combined with the dubious Treaty of Coyatee, this massacre called Franklin's credibility into question although the state continued to exercise the powers of a legitimate *de facto* state by conducting negotiations and organizing military expeditions. The fighting between the settlers and the Cherokees continued well after the eventual demise of Franklin until a shaky peace was established at the Treaty of the Holston in 1791. Even then, the militant Chickamauga faction of the tribe continued hostilities until 1794.<sup>51</sup>

In 1788 after much of the momentum for Franklin's statehood had dissipated, John Sevier sought the help of the Spanish to secure independence or at least to use such help as a bargaining tool with North Carolina and Congress in debates over the new state's admission to the Union. Earlier in 1786, the groundwork for Franklin's so-called "Spanish intrigue" was laid when Secretary of Foreign Affairs John Jay negotiated a treaty with Spain that granted the United States generous territorial and

<sup>49</sup> Williams, *History of the Lost State of Franklin*, 95-97.

<sup>50</sup> Ibid., 98-100.

<sup>51</sup> Ibid., 207-209.

trade concessions in return for the right to close the river to settlers in Franklin were made dependent on the Mississippi Indians giving up their goods. In fact, effigies were burned of the Confederation. Ultimately, the Confederation voted for it and the South. Gerson explains that "Franklin the United States" because and the Northern states opposing Spain to control the Mississippi in New Spain began thinking of settlers under her control as a threat to power that would be a liability to the United States. The diplomatic effort had found effect on Franklin's decision to begin pursuing diplomatic relations with their land, and their commerce.

Shortly after the treaty with Spain, the Franklinites to persuade the frontiersmen of Franklin, in order to generate their inexperience in dealing with Spain, to see how much Spanish gold could be obtained from an independent nation. They planned to deliver an ultimatum to Spain while threatening to form a new United States would find success. They expected that their state would be recognized by frontier diplomats only as long as they could see the opportunity called in Philadelphia to recognize the state because Franklin had a significant role over Spain's colonial garrisons in Louisiana Territory. These actions were because of the Franklinites.

When the state's future was uncertain when Governor Sevier wrote to the United States, expressing the people of this country have

<sup>52</sup> Gerson, *Franklin*, 96-100.

<sup>53</sup> Ibid., 101-104.

ned the Treaty of Hopewell.<sup>49</sup> The national government created a more and the Cherokee because the to be part of Cherokee territory lers off the lands they had gained attacking settlements. In response militia commanders led raids to y, as already noted, also compli- Confederation Congress because of the land claimed by the Fran- hold their *de facto* independence, ioners to negotiate a new treaty Treaty and protect their settlers. destroyed some of their villages, the eaty of Coyatee under duress in ers for the State of Franklin that plin Creek by allowing for white

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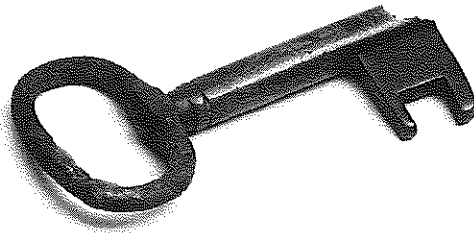
trade concessions in return for total Spanish control over the Mississippi River and the right to close the river to American shipping for up to thirty years. The western settlers in Franklin were mortified by the provisions of this treaty because they depended on the Mississippi River and the Spanish port of New Orleans for shipping their goods. In fact, effigies of John Jay were hanged in some Franklin's settlements. Ultimately, the Confederation Congress rejected the treaty with the Northern states voting for it and the Southern states voting against it. At this point, author Noel Gerson explains that "Franklin began to think of completely separating herself from the United States" because the Southern states opposed her statehood in Congress and the Northern states opposed her economic interests by voting for a treaty allowing Spain to control the Mississippi River. In Franklin's moment of despair, leaders in New Spain began thinking of trying to lure Franklin, Kentucky, and other western settlers under her control or promoting their independence to create an independent power that would be a buffer zone between the Spanish colonies and the United States. The diplomatic efforts of the Confederation national government had a profound effect on Franklin's domestic affairs and its foreign policy as Franklinites began pursuing diplomatic relations with the Spanish to protect their independence, their land, and their commercial interests.<sup>52</sup>

Shortly after the treaty battle in 1786, the Spanish began secret negotiations with the Franklinites to persuade them to break away from the United States. The wily frontiersmen of Franklin, inexperienced in international diplomacy, planned to exaggerate their inexperience in order to give the Spanish a false sense of security and to see how much Spanish gold they could obtain unconditionally to support the formation of an independent nation of Franklin. Once Franklin became independent, they planned to deliver an ultimatum to the Confederation Congress demanding statehood while threatening to form an alliance with the Spanish monarchy. Assuming that the United States would find such an alliance totally unacceptable, the Franklinites expected that their state would be granted statehood in short order. However, Franklin's frontier diplomats only casually pursued the negotiations with the Spanish, delaying until they could see the outcome of the Constitutional Convention that had been called in Philadelphia to revise the Articles of Confederation. They were able to delay because Franklin had a significant military advantage with its militia of sharpshooters over Spain's colonial garrison of 500 soldiers that was assigned to protect the entire Louisiana Territory. These early negotiations between Franklin and Spain soon ended because of the Franklinites' stalling tactics.<sup>53</sup>

When the state's future seemed bleak, Franklin resumed its overtures to Spain when Governor Sevier wrote a letter to Diego de Gardoqui, the Spanish minister to the United States, expressing his desire for Spain's patronage of Franklin: "The people of this country have come to truly realize upon what part of the world and

<sup>52</sup> Gerson, *Franklin*, 96-100.

<sup>53</sup> *Ibid.*, 101-104.



One of the last surviving artifacts associated with the State of Franklin is this key, said to be the original key to the capital building. From the collection of the East Tennessee Historical Society Museum.

settlers were able to safely colonize the Muscle Shoals region. In response to Sevier's requests, Gardoqui sent two shipments of hard currency to Franklin's governor via an emissary to bolster the amount of specie in the frontier state.<sup>54</sup>

The Franklinites demonstrated their shrewd tactics of diplomacy once again when Gardoqui sent an emissary, Don Juan de Cristobal, to deliver a shipment of hard currency and bribe Franklin's officials to affiliate with the Spanish. Governor Sevier and several other prominent Franklinites staged an elaborate dinner for Cristobal in which they planned to deceive him. The frontiersmen discussed how North Carolina's opposition to the new Constitution doomed Franklin's hopes for statehood and how it was time to declare the state as an independent nation. Cristobal was totally convinced by the ruse and reported back to Gardoqui, who was also deceived. Gardoqui then sent the second shipment of Spanish gold to Franklin.<sup>55</sup> According to historian A. P. Whitaker, the intrigue with Spain was not just an attempt to manipulate the United States or a desperate tactic to secure Franklinites independence, it was also a plan to gain Spanish protection of a future Muscle Shoals colony that would be established by Sevier if the State of Franklin failed (which seemed like a certainty at this point) or a plan to create a greater State of Franklin in the Spanish dominion that included Muscle Shoals.<sup>56</sup>

Sevier's intrigue with the Spanish, his last desperate gamble to maintain Franklin's independence, came to a swift conclusion after Sevier sent his one of his sons, James, on an abortive mission to obtain further funds from Gardoqui in New York. By this time, Gardoqui had figured out he was being deceived and that the clever Franklinites were only manipulating the Spanish in order to gain statehood. He decided that he would use no more gold from the Spanish treasury to convince Franklin to

upon which nation depend their future happiness and security, and they readily infer that the interest and prosperity of it depend entirely upon the protection and liberality of your government." In his correspondence with Gardoqui, Sevier also requested money from Spain because specie was so rare on the frontier as well as protection from Spain's Indian allies so that

leave the United States matters difficult for request for additional men to present his case to Gardoqui. This circumvented the negotiations to potentially manipulate

The negotiations by Franklin's leadership relationship with the Franklin who had not been in their desires to manipulate that were allied with Esteban Miró issued who lived in what settle in Louisiana former leaders of Franklin became Federalists in place of a stronger former Franklinites. United States federal services they desired the unwillingness of the presence made such negotiations with the Spanish formal relationship Congress or other

Throughout Franklin's Franklinites sought a new government and first diplomatic effort rebuffed their appeal

<sup>54</sup> John Sevier to Don Diego de Gardoqui, September 12, 1788, in Sevier and Madden, *Sevier family history*, 95-97. Sayers, "Disunited States," 41.

<sup>55</sup> Gerson, *Franklin*, 145-146.

<sup>56</sup> Whitaker, "The Muscle Shoals Speculation," 378-379.

<sup>57</sup> A. P. Whitaker, "Spanish," *Valley Historical Review*.

<sup>58</sup> Whitaker, "Spanish."

<sup>59</sup> Esteban Miró, Men Williams Papers, Box 6.

<sup>60</sup> Andrew R. L. Cayton and the Origins of R 79 (June 1992): 59.

upon which nation depend their future happiness and security, and they readily infer that the interest and prosperity of it depend entirely upon the protection and liberality of your government." In his correspondence with Gardoqui, Sevier also requested money from Spain because specie was so rare on the frontier as well as protection from Spain's Indian allies so that region. In response to Sevier's letter to Franklin's governor via an intermediary.<sup>54</sup>

of diplomacy once again when to deliver a shipment of hard currency to the Spanish. Governor Sevier entertained dinner for Cristobal in which he discussed how North Carolina had abandoned Franklin's hopes for statehood as an independent nation. Cristobal was disappointed in Gardoqui, who was also deceived. He told Franklin.<sup>55</sup> According to Sevier, it was not just an attempt to manipulate Franklin's independence, it was a desperate gamble to gain statehood for the remote Shoals colony that would be a certainty for Franklin in the Spanish dominion.

Sevier's gamble to maintain Franklin's independence sent his one of his sons, James, to New York. By this time Gardoqui was in New York. By this time Sevier had decided to gain statehood. He decided to use his influence to convince Franklin to

in Sevier and Madden, *Sevier family*

leave the United States and ally with Spain. Presumably, Gardoqui decided to make matters difficult for the shrewd Franklinites. Rather than directly denying Sevier's request for additional funds, Gardoqui instructed Sevier's son to travel to New Orleans to present his father's requests after he had already traveled to New York to visit Gardoqui. This circuitous journey angered Governor Sevier so much that he abandoned the negotiations with the Spanish except for using rumors of such an intrigue to potentially manipulate Congress into granting Franklin statehood.<sup>57</sup>

The negotiations with Spain, never too seriously pursued, were a scheme devised by Franklin's leaders. Franklin's ordinary citizens were opposed to the prospect of any relationship with the autocratic Spanish. By late 1788, the remaining people of Franklin who had not embraced pardons from North Carolina were strongly motivated in their desires to maintain the dying state because of a hatred for the Indian tribes that were allied with Spain.<sup>58</sup> These diehard Franklinites were further enraged when Esteban Miró issued a proclamation in April 1789 that welcomed the frontiersmen who lived in what were considered Indian hunting grounds by the United States to settle in Louisiana and forsake their Protestantism and convert to Catholicism.<sup>59</sup> The former leaders of Franklin such as Sevier, after swearing allegiance to North Carolina, became Federalists because they were interested in gaining the protection and governance of a stronger central government. With the ratification of the Constitution, the former Franklinites abandoned what was left of the Spanish intrigue because the new United States federal government would be able to provide the protection and the services they desired much better than the Spanish colonial government. Moreover, the unwillingness of the Spanish to provide any more gold for Franklin's independence made such negotiations seem less appealing to the Franklinites who despised the autocratic nature and Catholicism of the Spanish.<sup>60</sup> Franklin's diplomatic negotiations with the Spanish were never a serious attempt on the part of the Franklinites at a formal relationship with Spain, but a desperate gamble to gain leverage in convincing Congress or other states to support its independence and statehood.

Throughout Franklin's short history, Governor John Sevier and other prominent Franklinites sought the support of outsiders to legitimize their independence and their new government as well as advocate for Franklin's admission into the Union. Their first diplomatic efforts turned to their parent state of North Carolina, which not only rebuffed their appeals but then actively worked to restore Franklin to their state. The

<sup>57</sup> A.P. Whitaker, "Spanish Intrigue in the Old Southwest: An Episode 1788-1789," *The Mississippi Valley Historical Review* 12 (September 1925): 158-161; Gerson, *Franklin*, 148.

<sup>58</sup> Whitaker, "Spanish Intrigue in the Old Southwest," 148-161.

<sup>59</sup> Esteban Miró, Memorandum of Concessions to Westerners, April 20, 1789, in Samuel Cole Williams Papers, Box 6, Folder 10, Microfilm and Originals at TSLA.

<sup>60</sup> Andrew R. L. Cayton, "'Separate Interests' and the Nation-State: The Washington Administration and the Origins of Regionalism in the Trans-Appalachian West," *The Journal of American History* 79 (June 1992): 59.



Franklinites also directly appealed to the Confederation Congress for admission as well as the neighboring states of Georgia and Virginia, only to be met with further disappointment. In a surprising and later desperate fashion, the Franklinites even approached the Cherokees and the Spanish for assistance. These petitions to these various governments and peoples demonstrate how truly committed the Franklinite leaders were to gaining independence for their state. Furthermore, the different types of business conducted by Franklin with North Carolina, Congress, Georgia, Virginia, the Cherokees, and Spain demonstrated a range of activities that a legitimate government would pursue, including engaging in interstate commerce, settling boundary disputes, negotiating treaties, and providing military assistance. This range of activities reveals the significance of the State of Franklin as a functioning, *de facto* American state, never officially recognized by the Confederation, but unofficially recognized by individual states and nations through the business conducted between governments. Furthermore, this narrative of Franklin's diplomatic efforts to secure independence offers a new story to be considered in the larger historiography of diplomatic history during the Articles of Confederation era.

Although all their attempts at securing allies were rejected or abandoned for various reasons, the Franklinites gained some later success when North Carolina once again ceded its western lands to Congress in 1790. Congress created the Southwest Territory with William Blount as governor for the region. Many of Blount's appointees in the territorial government had once held office in the Franklin movement, the most obvious of whom was John Sevier who was commissioned as a brigadier general of militia for the eastern district of the Southwest Territory. In 1796, the region that had once been the State of Franklin was admitted to the Union as a part of the larger state of Tennessee and, in a moment of irony, John Sevier was once elected as the new state's first governor.

America's first admiral near Knoxville in 1811 and heritage. His father on the Tennessee River and United States Navy during also a seaman, George Farragut, son toward the sea.<sup>2</sup> In his adventures that began in revolution and the first fragility retired U.S. Navy gunboat.

While these remarks young David Farragut, inherited from his family at the life of George Farragut.

\* The author is a retired business Toms River, New Jersey.

<sup>1</sup> Marshall DeLancey Haywood (1903): 94-95. The river in front of 1890 the Tennessee General Assembly see River and it was renamed after

<sup>2</sup> Loyall Farragut, *The Life of David G. Farragut*, 1, 4; It is believed George received the Mediterranean as a cabin boy. "Glasgow Farragut," *Panorama*, 1890. Almirante de los EE.UU. David Farragut article were the parish books of David Farragut was born on the nearby island Farragut line for a century and a half.

<sup>3</sup> David G. Farragut to Lyman Draper, reprinted in *American Historical Society*, reprinted in *American Historical Society*, Draper (1815-1891) was an historian. He sought much of his information from this letter from David Glasgow Farragut.