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FOUR INTERPRETATIONS OF THE HISTORY OF THE STATE OF FRANKLIN

By Walter Faw Cannon

In that confused and confusing period between Cornwallis' surrender and the adoption of the federal Constitution, one of the more interesting events was the establishment of a new state, called Franklin, in the mountains of western North Carolina (now Tennessee). It functioned for more than four years with all the powers of the original thirteen states, issuing money, administering justice, making treaties, waging war on the Indians—it even had an admiral of the navy, with no navy, of course!—only to disappear completely from the political map of the continent. The history of this lost state of Franklin is of interest not only to the legend-makers of the people but to scholarly historians as well, for it presents many of the problems of frontier development in a fairly small package. Moreover, the men who were important in the affairs of Franklin—John Sevier, Richard Caswell, William Coker, and the rest—made history also in North Carolina and Tennessee.

There is, however, considerable disagreement among chroniclers of Franklin as to the reasons for the founding of the state and for its subsequent decline. We may distinguish four separate theories, which for convenience may be labeled the democratic, the ingrate, the speculative, and the separatist explanations. But to evaluate these it is first necessary to review the sequence of events in the history of Franklin.

THE HISTORICAL FRAMEWORK¹

As the American Revolution idled to a close, the interest of North Carolinians was increasingly diverted to the rich uncultivated lands west of the Blue Ridge Mountains. To the settler, these lands furnished room for expansion; to the speculator, they offered exciting opportunities; and to the state, they were a potential source of great revenue. In particular, the natural direction for expansion from the settlements in the valleys of the Watauga and Holston rivers was southwestward along the Tennessee River toward the Great Bend and the Muscle Shoals region, rather than across the Cumberland Mountains into Middle Tennessee. Anyone who has attempted to travel from Knoxville to Nashville can testify as to the accuracy of this statement. The fact that this region was held by the Cherokee and Creek

¹The most extensive treatment of Franklin is given in Samuel C. Williams, *History of the Lost State of Franklin* (revised edition, New York, 1933). Hereafter cited as Williams, *Lost State*. Therein may be found justification for all facts stated in the first section of this paper and not credited elsewhere. A shorter, more readable account is given in Philip M. Hamer (ed.), *Tennessee—A History*, 4 vols. (New York, 1933), I, 113-47.

Indians did not deter the settlers and speculators, nor did it bother the state greatly.

Hence in 1783 a land company was formed, headed by William Blount and including Richard Caswell, John Donelson, Joseph Martin, Griffith Rutherford, and John Sevier, for the purpose of developing the lands of the Great Bend, which, they discovered, were located in Georgia. In 1785 an expedition was sent to the region and a land office was opened, but apparently because of the opposition of the Indians no settlement was made.² The Muscle Shoals project was not dropped, however, but played a part in the history of Franklin.

The really successful push for land was made possible by the North Carolina assembly. It arbitrarily fixed the northern boundary of the Cherokee reservation at the French Broad River, and set aside a three million acre tract in Middle Tennessee to be used as a reward for Carolina's Continental troops. In 1783 the rest of the unsettled western land was thrown open to all comers at ten pounds per hundred acres. A tremendous rush to John Armstrong's land office at Hillsborough resulted, and although the office was closed in seven months, nearly four million acres were located,³ primarily by speculators. The Cherokees were promised payment for their confiscated lands north of the French Broad; they never received it. The rights of the Chickasaw Indians to West Tennessee were ignored.

North Carolina was at this time under pressure from Congress to cede her western lands and, after Virginia had done so, there was no longer an excuse for stalling. On June 2, 1784, the Carolina assembly voted for the cession of all her western lands, from the Blue Ridge Mountains to the Mississippi River. Included in the ceded territory were two white outposts: the Holston-Watauga settlements, previously organized as Sullivan, Greene, and Washington counties of North Carolina, and the settlements in Middle Tennessee around Nashville, organized as Davidson County. The cession act contained provisions that all land entries made under Carolina jurisdiction should be recognized, and that Carolina sovereignty should be maintained until the cession was accepted by Congress.⁴

As soon as this news reached the transmontane counties, they called a convention to deliberate on a plan of action. They were not totally unprepared; agitation for separation had been going on at least since 1782. In that year Arthur Campbell of Virginia had circulated a document calling

²A. P. Whitaker, "The Muscle Shoals Speculation," *Mississippi Valley Historical Review* (Cedar Rapids), XIII (1926-1927), 365-86, gives an expanded discussion of this project. He states, however (page 370), that the land office was not opened and that the Indians offered no opposition. For a justification of these statements, see Carl S. Driver, *John Sevier* (Chapel Hill, 1932), 71n.

³*American State Papers, Public Lands*, 8 vols. (Washington, 1832-1861), I, 24.

⁴Walter Clark (ed.), *State Records of North Carolina* (Raleigh, 1895-1905), XIX, 642, 699; XXIV, 561-64. Hereafter cited as *SRNC*. Davidson County abstained from the Franklin movement throughout.

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for the combination of the southwestern counties of Virginia and the western counties of North Carolina into a new state. Moreover, Congress had passed Jefferson's Ordinance of March, 1784, encouraging self-government in territory to be ceded by the states; and the Carolina cession act had specified that a new state or states should be established in the western territory. Meeting at Jonesboro on August 23, 1784, the settlers elected John Sevier president, declared themselves independent, and agreed to meet again to draw up a constitution.

The opponents of the cession act, including in particular Hugh Williamson, delegate to Congress, made it an issue in the Carolina political campaign that summer. In November the movement for repeal, led by William Davie and Thomas Person, was successful.⁵ At the same session of the assembly a new judicial district (Washington) was created for the western counties. This entitled the transmontane people to a superior court and a militia brigade of their own. The action was designed to quiet the complaints of the westerners that the difficulty of traveling over the mountains effectively denied them access to the courts and protection against the Indians. David Campbell and John Sevier, both from the western country, were appointed respectively assistant judge and brigadier general for the new district.

But before this news reached the west, the constitutional convention had met (on December 14, 1784) and, on motion of William Cocke, had declared for forming a separate state. A temporary constitution, essentially the same as that of North Carolina, was adopted. In a plan of action drawn up by Cocke and Joseph Hardin, the westerners gave as some of their reasons for desiring independence:

The seat of government being among ourselves would evidently tend not only to keep a circulating medium of gold and silver among us, but draw it from many individuals living in other States who claim large quantities of lands that would lie in the bounds of the new State . . . our interest must be generally neglected, and sometimes sacrificed, to promote theirs [the eastern counties']⁶

When the repeal of the cession act and the creation of Washington District became known in the west, Sevier was at first opposed to a continuation of the new movement but soon changed his mind, either through the persuasion of Cocke or from a feeling of duty as the leader of the people. He later stated that he was "dragged into the franklin measures by a large number of the people"⁷

⁵SRNC, XIX, 711-14; XXIV, 678-79.

⁶John Haywood, *Civil and Political History of the State of Tennessee* (Nashville, reprint of 1891), 151-52.

⁷Sevier to Joseph Martin, March 27, 1788, W. P. Palmer, et al. (eds.), *Calendar of Virginia State Papers*, 11 vols. (Richmond, 1875-1893), IV, 416.

The first assembly of the state of Franklin, held in March, 1785, elected Sevier governor and drafted a letter of explanation to Governor Alexander Martin of North Carolina. The refusal to accept the repeal of the cession act was justified on several grounds: the failure of Carolina to maintain an adequate administration of justice; her failure to supply goods to pay the Cherokees for the territory the state had taken from them in 1783, with resultant Indian raids; the levying of as heavy taxes on their lands as on the more valuable estates in the eastern part of the state. "In short," they said, "the Western Country found themselves taxed to support government, while they were deprived of all the blessing of it." Also the westerners were incensed by words reported to have been used by some of the eastern legislators in discussing the cession act, such as, "The inhabitants of the Western Country are the offscourings of the earth, fugitives from justice, and we will be rid of them at any rate."⁸

Governor Martin replied with a fiery manifesto stating that the complaints of the mountaineers were not justified, blaming the rebellion on "restless ambition and a lawless thirst for power," and threatening the use of force.⁹ Sevier at once issued as fiery a counter-manifesto, but wrote a conciliatory letter to Richard Caswell, who was soon to succeed Martin as governor of North Carolina. Caswell's reply in effect postponed decision until the next meeting of the Carolina assembly.

Encouraged by this action, Franklin proceeded to act as a sovereign state, even signing a treaty with the Cherokees at Dumplin Creek which gave over to the white men large tracts of land south of the French Broad River. These lands were promptly settled and afterwards furnished a loyal backing for Franklin and Sevier, since by the laws of North Carolina the settlers were mere squatters on Indian lands. They could receive no legal title to their farms, and could not claim the right to be protected by the state from the Indians.

At the second assembly of Franklin, in August, 1785, an act was passed for the encouragement of an expedition to the Great Bend region. The second constitutional convention, after bitter argument over an unusual and democratic proposal made by a clergyman, adopted the old document permanently.

For the first half of 1786 the affairs of the state continued in a peaceful and united fashion. One event that cemented her factions was the Treaty of Hopewell, which had been negotiated by commissioners of the Continental Congress with the Cherokees in November, 1785. Not only did this treaty fix the Indian boundary so far north of the French Broad as to include much of the territory of Franklin—even the capital, Greeneville—in the Cherokee reservation, but it also declared that if any white settler should

⁸Williams, *Lost State*, 63-64.

⁹*Ibid.*, 69.

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refuse to move off this land, "the Indians may punish him or not as they please."¹⁰ No one ever cared to try to enforce such a treaty, of course.

Dissension arose in July when the opponents of the separation, led by John Tipton, tried to put into effect an act of the North Carolina assembly designed to split the rebels. It provided for elections to the assembly by the transmontane counties in defiance of the authority of Franklin. Sevier's moderation prevented a small-scale civil war, but from that time on, both Carolina and Franklin officials tried to exercise jurisdiction over the people. In October plans for an expedition against the Creek Indians in conjunction with Georgia were drawn up, but Georgia was not quite ready to proceed. Commissioners were sent to treat with North Carolina, but with no effect. Governor Caswell was still striving for some sort of reconciliation, but his legislature was adamant.

In the spring of 1787 Caswell appointed Evan Shelby as Carolina's militia general in the mountains, and he, well-respected by the Franks, reached a truce agreement with Sevier; but this was violently rejected by the other rebels, headed by William Cocks. Shelby was so discouraged that he recommended the use of troops; Caswell, however, refused to change his policy of moderation.¹¹

Sevier, too, was hopeful of a compromise, but when by August none had been reached, he dropped his opposition to a proposal Cocks had made in May. This was that the Franklin leaders stand for election to the Carolina assembly in opposition to the followers of Tipton, in the hope that they could present their case better from the floor of the assembly than through commissioners. The plan was carried out and at least two Franks, David Campbell and Daniel Kennedy, were elected. As an added measure the Franklin assembly elected Shelby to succeed Sevier when the latter's term as governor should expire in the spring of 1788. Shelby refused to be won over to such an extent, but he soon resigned his position as brigadier general and recommended Sevier as his successor!

Then a deadly blow was struck at Franklin's prospects. The convention at Philadelphia completed its work on the new federal constitution. Included in it was the provision that a state newly formed within the territory of another state would be admitted into the Union only with the consent of the parent state.¹² It was apparent that North Carolina would never consent to Franklin's admission; the refusal of her legislature, at its November meeting, to repeal the repeal of the cession act only emphasized this fact. Support for Franklin began to dwindle when the westerners, strongly Federalist, realized that the success of their movement would

¹⁰*Statutes at Large of the United States*, VII, 19.

¹¹The full text of the truce agreement is given in *SRNC*, XXII, 674. Shelby's letter to Caswell, May 4, 1787, is in *ibid.*, 680.

¹²United States Constitution, Article IV, Section 3.

mean isolation from the Union. Sevier's one chance seemed to be consolidation of feeling back of him by means of the Great Bend adventure, for the consummation of which he had been working during the summer, but Georgia delayed and finally, in February, 1788, called off the expedition.

The affairs of the state degenerated into sporadic fighting between Sevier and Tipton, who had been his chief political and personal enemy throughout the whole venture. Sevier waged war against the Indians and dallied with an intrigue with the Spanish.¹³ In October, 1788, he was arrested by Tipton but escaped to the southern counties. They, situated on Indian territory, remained loyal until February, 1789, at which time Sevier swore allegiance to North Carolina. He took his seat in the Carolina senate in November as representative of Greene County, and soon afterwards all legal discriminations against him were removed. At this session the western lands of North Carolina were again ceded to the United States on terms highly unfavorable to the national government.

THE HISTORIANS' CONTROVERSY

With this framework of the history of Franklin in mind, the various interpretations may now be considered.

1. *Democratic.* The position taken by some professional Tennesseans has been written down by James Gilmore, to wit: that Franklin was an expression of the native democratic spirit rising up in the hardy souls of the westerners, who "sought in their Western homes not so much worldly wealth as political freedom." Sevier is then "the rearguard of the Revolution, and the guardian and defender of the newly planted civilization beyond the Alleghanies"; "pre-eminently disinterested and unambitious—one of the least self-seeking of those great men to whom the world owes the establishment of civil and religious freedom in America."¹⁴

2. *Ingrate.* The North Carolina historian Wheeler attributed the Franklin movement to a "lawless thirst for power" against the "patriotic and self-sacrificing" state of North Carolina, with Sevier being seduced by "the sin whereby the angels fell."¹⁵ This view was seconded and extended by Andrew Johnson in a speech before Congress in 1861, in which he quoted at length from Wheeler and then continued:

The State of Frankland had its birth in an attempt at disunion and was rocked to death in the cradle of secession; and its

¹³For details of this intrigue, see A. P. Whitaker, "The Spanish Conspiracy in the Old Southwest," *Mississippi Valley Historical Review*, XII (1925-1926), 155-76, and "Muscle Shoals Speculation," *loc. cit.*; Williams, *Lost State*, 235-44.

¹⁴James Gilmore, *John Sevier as a Commonwealth Builder* (New York, 1898), 8, 10, 32.

¹⁵John H. Wheeler, *Historical Sketches of North Carolina* (Philadelphia, 1851), I, 92, 93, 95.

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¹⁷Thomas
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great defender and founder at that time, notwithstanding his great popularity and the attachment the people had for him, was lodged in irons . . . Yes, sir, this nefarious, this blighting, this withering doctrine of secession ended by placing that distinguished man in irons.¹⁶

3. *Speculative.* The importance of a speculators' conspiracy is stressed by T. P. Abernethy in his *From Frontier to Plantation in Tennessee*, in which he says:

Historians have heretofore treated the Franklin movement as a serious rebellion—the cry of the West for freedom. From this point of view, Sevier's policy is incomprehensible. In reality the movement was, according to abundant evidence, a game played between two rival groups of land speculators. One of these groups, headed by Caswell and Blount and supported by Sevier, held vast tracts of western lands obtained through John Armstrong's office. A cession of the western country to Congress might be made so as to secure these claims . . . their plans miscarried through the efforts of Thomas Person and the North Carolina Radicals who secured the repeal of the cession act.

Arthur Campbell and the other speculators [including Cocke] who had no share in Blount's and Caswell's plans took advantage of the resentment the cession act engendered among the rank and file of the frontiersmen to bring about a declaration of independence. This was expected to remove the west from under the control of the North Carolina politicians and give the outsiders a chance at the lands. They were thwarted in this scheme by the ingenious Sevier. . . . He stepped in and took charge of the rebel government. His plan was to bring about, with the aid of Blount and Caswell, a reconciliation with the parent state, and some compromise on the question of separation and the lands. This doubtless could have been effected to the advantage of the group had it not been that Tipton and Cocke cooperated with Person and the Radicals in preventing either an accommodation or a cession When the collapse of the Franklin movement finally came, circumstances had so changed that the victors gained little from their triumph.¹⁷

¹⁶Speech of Hon. Andrew Johnson of Tennessee, on the State of the Union (Washington, 1861), 25. "Frankland" was a common mistake; the state was named in honor of Benjamin Franklin. It is interesting to compare this speech with a resolution introduced by Johnson in the Tennessee Senate in 1841: "Resolved by the General Assembly of the State of Tennessee, that there be a joint select committee appointed . . . to memorialize the general government for the purpose of being formed into a sovereign and independent State to be called the State of Frankland Resolved, That his excellency, Governor James C. Jones, he and he hereby is required to open and hold a correspondence with the Governors of the States of Georgia, North Carolina and Virginia for the purpose of ascertaining their opinions in relation to ceding a portion of the territory of their respective States . . . to be included in the State of Frankland when formed . . ." The resolution was apparently quite serious and was passed by the Tennessee senate. It was killed in the next session in the house. Williams, *Lost State*, 285.

¹⁷Thomas P. Abernethy, *From Frontier to Plantation in Tennessee* (Chapel Hill, 1932), 89-90. Hereafter cited as Abernethy, *Frontier to Plantation*.

4. *Separatist*. The final view to be considered is that suggested by Turner and expounded by Williams and Driver,¹⁸ that

The State of Franklin presented the most striking example of those separatist movements common on the frontier in the early days of the nation . . . Their grievances against the mother State, their fear of continued domination, the subordination of their interests to those of the eastern part of North Carolina, their apparent abandonment by that government, and their resentment against real and fancied wrongs led them to embark upon a new experiment in self-government.¹⁹

In this theory, control of the land was merely *one* of the matters in which the westerners wanted to free themselves from Carolina control. It was the eastern group led by Person and Davie that was wronging them; Blount was a more or less independent speculator with whom Caswell and Sevier were, to be sure, connected; but these latter did not let their personal speculative schemes interfere unduly with the performance of their duties as governors (and *vice versa*).

CONSIDERATION OF THE INTERPRETATIONS

The first two approaches to the problem can be disposed of rather briefly.

To the "pre-eminently disinterested and unambitious" Sevier of Gilmore's book we need merely oppose the historical Sevier, who was a member of the Muscle Shoals scheme and who by 1790 was the owner of at least 70,000 acres of land granted to him by North Carolina alone, and possibly of much more which he had bought from individuals rather than from the state or which he had obtained before 1777.²⁰

And to those who consider that the state of North Carolina was "patriotic and self-sacrificing," we can cite a letter of Governor Martin to the North Carolina delegation in Congress in 1788:

Perhaps Congress may be dissatisfied with the mode of our Land Office being opened, as we have made them no cessions of any part of our western Lands . . . I can venture to say there will be no cession of any Lands worthy of acceptance, as the principal Lands will be entered before this reaches you.²¹

Martin was no mean judge; after the lands were ceded permanently, Secretary of State Jefferson reported to the President that eight million

¹⁸F. J. Turner, *The Significance of Sections in American History* (New York, 1932), 136-38; Williams, *Lost State*, x; Driver, *John Sevier*, 79.

¹⁹Driver's Introduction to Williams, *Lost State*, xvii.

²⁰Driver, *John Sevier*, 69.

²¹*SRNC*, XVI, 919-20.

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acres had been granted by North Carolina. Of land susceptible to culture and cleared of Indian title, there remained ungranted only about 800,000 acres—upon which, however, were living some three hundred squatters with first rights to the land.²² Thus North Carolina was careful to make as much money as possible from the sale of western lands before finally turning over the financial burden of governing the territory to the national government.

As I incline to the fourth viewpoint, the separatist one, perhaps the best procedure will be to examine Abernethy's speculative case point by point. It will be remembered that he suggests that Speculators A (Blount, Caswell, and Sevier) were fighting Speculators B (Campbell, Cocke, *et al.*) for control of the land, while Person and the Carolina Radicals were trying to get the land for the people of North Carolina, and the rank and file of the Franks were blindly following their selfish hero, Sevier.

Abernethy's first point is that the eastern—Blount—speculators, with the help of eastern Conservatives who were glad to be rid of the expense of the western counties, threw the westerners out into the cold so that the speculators' shaky land grants could be processed at leisure. "The vote on the question of cession was a very clear-cut matter as between the east and the west, and the east, with the help of the speculators, won."²³

It should be emphasized that "west" in this statement refers to piedmont North Carolina, not to the transmontane counties. Half of the delegates to the assembly from these latter counties voted for cession, half against.²⁴ To postulate that piedmont Carolinians possessed a feeling of kinship with the frontiersmen so strong that they would vote more solidly for the interests of the west than would the westerners themselves, seems a bit uncalled for. This is especially true since most of the westerners came from Virginia and not from North Carolina at all.²⁵

Moreover, the westerners apparently did not feel that they had been cruelly cast off. "The attitude of the people on the waters of the Holston and Nolachucky was not one of resentment because of the cession," according to Williams. "In all probability a large majority would have favored it, in a plebiscite."²⁶ A report on a plan of action was made to the Franklin constitutional convention in December, 1784. In it there is not one word of resentment concerning the cession act, but rather it states, "The Assembly of North Carolina, by their late cession bill, opened the door, and by their prudent measures invite us to it [separation]."²⁷ Only later, when there was a question of continued separation after the cession act had been repealed,

²²*American State Papers, Public Lands*, I, 23-24. See also Williams, *Lost State*, 251n.

²³Abernethy, *Frontier to Plantation*, 56.

²⁴*SRNC*, XIX, 643.

²⁵Samuel C. Williams, *Tennessee During the Revolutionary War* (Nashville, 1944), 1-2, 254-55.

²⁶Williams, *Lost State*, 28.

²⁷Haywood, *Civil and Political History of Tennessee*, 152.

was there complaint about desertion by Carolina; then it was made to justify the Franks against the charge of rebellion.²⁸

Next, Abernethy says that the "Radicals, led by Davie and Person, rose in their might, carried the elections, and brought about a repeal of the cession . . . The speculators and Conservatives had gone too far. The people were now against them."²⁹

The popular character of the Radicals' refusal to let go of the western country is illustrated in a letter from Person to James Robertson in 1787. One purpose of the letter was to ask that Person's own western lands be surveyed as quickly as possible. He also stated:

Should I mend I fully intend to be with you in the West Assembly; we will then do the best we can to open the land office once more & Grant out all the Western Country, and leave Congress no further hopes of obtaining it from us to whom it justly belongs, that is to say, the state. . . . I am clear you must soon be a separate State, for which you will have my hearty Concurrence as soon as you can act for yourselves. . . .³⁰

Person apparently thought the westerners could act for themselves as soon as the western lands had been thoroughly exploited by the easterners and the state.

Furthermore, a leader in the repeal fight was Hugh Williamson, whose chief argument was that the state had not included in the act a provision for passing along to Congress the cost of the state's Indian expeditions during the Revolution. Williamson was himself a heavy speculator in West Tennessee, and it has been suggested by Williams that his titles could be more advantageously perfected and preserved should North Carolina retain jurisdiction over the west.³¹ In short, the leaders of the movement for repeal do not seem to have considered as important either the interests of the westerners or those of the nation.

The next speculative indictment is that the movement for separation was fostered indirectly by Arthur Campbell and directly by William Cocke, who was Campbell's agent as one of a group of speculators in opposition to that of Blount.³² That Cocke knew Campbell is undeniable; that he took directions from him is not so certain. Cocke was a rather energetic man on his own account. In particular, in 1777 he defeated Campbell for election

²⁸Franklin Assembly to Governor Martin, March 22, 1785, quoted in Williams, *Lost State*, 63-65.

²⁹Abernethy, *Frontier to Plantation*, 57-58.

³⁰Person to Robertson, May 23, 1787, in "The Correspondence of Gen. James Robertson," *American Historical Magazine* (Nashville, 1896-1904), I (1896), 78. I have added to the original punctuation.

³¹Williamson to Governor Martin, July 5 and September 30, 1784, *SRNC*, XVII, 81, 100; Williams, *Lost State*, 36.

³²Abernethy, *Frontier to Plantation*, 68-69.

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to the Virginia house of delegates; Campbell contested the election but his appeal was denied.³³ Under such circumstances it is possible that Cocke's agitation was not the result of orders from Campbell. Moreover, Campbell's interest in the separatist movement may not have been purely mercenary; Thomas Jefferson was also in favor of the establishment of new states in this region.³⁴

And what of the continued support of separation after the news of the repeal of the cession act reached the west? Abernethy says, in explanation, nothing more than:

Once a movement is well under way, it is not often abandoned before it has been tested. It is but natural that the people of Franklin persisted in their course of separation.³⁵

However, the Carolina assembly that repealed the cession act also tried to quiet the Franks' complaints concerning law and order by the creation of Washington judicial district. Sevier himself issued an official address to the people of Greene County, citing the conciliatory measures and urging that they cease activity toward forming a new government.³⁶ If the majority of the westerners were opposed to the original cession act and were merely making the most of a bad situation when they first declared themselves to be an independent state, it seems strange that they did not eagerly follow the advice of their most influential leader. One may doubt that under such conditions even the eloquent William Cocke could have won enough adherents in two months so that the assembly could meet in March and initiate the new government in full.

As further proof that the affairs of Franklin were manipulated by the speculators, Abernethy says:

The [Franklin constitutional] convention which assembled in December, 1784, rose to this unprecedented opportunity by adopting almost *in toto* the very instrument of government under which they had been so restive—the constitution of North Carolina, subject to ratification by a later convention. The explanation is—the land jobbers.³⁷

Furthermore, at the convention held a year later the democratic constitution proposed by the Reverend Samuel Houston was rejected and the modified

³³Samuel C. Williams, "Henderson and Company's Purchase Within the Limits of Tennessee," *Tennessee Historical Magazine* (Nashville, 1915-1937), V (1919-1920), 19.

³⁴Jefferson to James Madison, February 20, 1784, in Paul L. Ford (ed.), *The Writings of Thomas Jefferson*, 10 vols. (New York, 1892-99), III, 401.

³⁵Abernethy, *Frontier to Plantation*, 70.

³⁶J. G. M. Ramsey, *The Annals of Tennessee to the End of the Eighteenth Century* (Chattanooga, reprint of 1926), 291. Hereafter cited as Ramsey, *Annals*. See also *SRNC*, XXI, 285-86.

³⁷Abernethy, *Frontier to Plantation*, 71-72.

Carolina constitution was ratified permanently. "Democracy was defeated in the wilderness."⁸⁸

If one were supporting Gilmore's roseate picture of the Franks, this action would be hard indeed to explain; but the chief desire of the westerners, according to the separatist point of view, was not democracy but home rule. Indeed, the westerners had not been restive under the government of North Carolina: they were restive because they had *not* been given government by North Carolina. As for democracy, it was not common in that period, and there is no reason why the populace should instinctively have considered it desirable.

Abernethy points out that the government of Franklin did not challenge any claims to land acquired under North Carolina legislation, even though that legislation had favored the speculator.⁸⁹ This is not surprising. The right of the new state to independence was based on an appeal to the validity of the original cession act, which had specifically required that Carolina land grants be recognized. Franklin was obviously in no position to challenge the provisions of that act. In this matter the interests of the state and of the speculators coincided.

One section of Abernethy's account is worth quoting at some length. After discussing the Shelby-Sevier compromise in the spring of 1787, he states:

In this condition of affairs, the Franklinites, under advice from Caswell to Sevier, decided that they themselves would seek election to the North Carolina legislature in order to present their case and carry through an agreement on advantageous terms. Even Evan Shelby offered as a candidate and was elected. These delegates were advised by Caswell to bring as many petitions as possible showing desire for separation. He had repeatedly urged that there would be a better chance of settlement if the transmontane men could show that they were united.

It was Tipton, the anti-Franklinite, and Cocke, the Franklinite, who defeated this plan of reconciliation which Caswell and Sevier were urgently trying to carry through. Tipton men ran against the Sevier candidates for the North Carolina legislature and were able to prevent the former [*sic*] from displaying a united front in favor of separation. On the other hand, Cocke and his supporters, who were anxious to use the new state for their own purposes, prevented acceptance by the Franklinites of the compromise entered into by Sevier and Shelby. Shelby was so incensed by this turn of affairs that he advised Caswell to send troops to suppress the new state. The governor, however, was not to be stampeded. He still urged conciliation, and within the year Shelby resigned his brigadier generalship and recommended that Sevier be restored to

⁸⁸*Ibid.*, 79. The full text of the interesting clerical proposal is given in *American Historical Magazine*, I, 54-63.

⁸⁹Abernethy, *Frontier to Plantation*, 79.

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the office; while Sevier, his term as governor having expired, secured the election of Shelby in his stead. This honor the Welshman declined.⁴⁰

The first objection to this discussion is its disregard for dates. The Shelby-Sevier compromise was in March, and opposition by Cocke and others had effectively killed it long before August, when the elections were held.⁴¹ So this was not one plan, but two successive ones. Shelby's advice to send troops was given in May, not after the elections. And Sevier's term of office had not expired when Shelby was elected but was to expire on March 1, 1788; whereas Shelby was elected as Sevier's future successor before August 12, 1787, when Sevier wrote him of the fact. Thus Shelby was elected before the assembly elections, which took place on the third week-end in August, and before he resigned his generalship, which he did on October 29.⁴²

The section quoted is also somewhat misleading in other respects. I am unable to verify the statement that Caswell advised the Franks to stand for the North Carolina elections. Caswell, in any statements I have seen, only advised for unanimity.⁴³ The election plan was first brought up by William Cocke in May but was squelched by Sevier. It was resurrected in August due to failure to reach the compromise expected by Sevier in the meantime.⁴⁴

Furthermore, it is hardly correct to suggest that Tipton's supporters became candidates in the election for the purpose of interfering with Sevier's plans. The North Carolina faction had held elections in 1786 and was planning to do so again. It was the Franks who were trying to break up the solid Tiptonite representation in the Carolina assembly, and not *vice versa*. Two Franks, Daniel Kennedy and David Campbell, were elected and attended the next session of the assembly; apparently Sevier was also elected but decided not to attend. One noteworthy result was that Tipton himself was refused a seat in the Carolina senate because of the confusion attendant on his election.⁴⁵ Finally, it seems that Evan Shelby was *not* elected to the assembly.⁴⁶

Chronologically speaking, the last attack on Sevier in connection with the state of Franklin is Abernethy's statement that in the spring of 1788, after the effective collapse of Franklin, Sevier "retreated to the southern

⁴⁰*Ibid.*, 83-84.

⁴¹*SRNC*, XXII, 676, 678; XX, 692.

⁴²Williams, *Lost State*, 161, 164.

⁴³For example, see Caswell's open letter to the western counties, May 31, 1787, *SRNC*, XXII, 685.

⁴⁴Williams, *Lost State*, 149, 161; Ramsey, *Annals*, 391.

⁴⁵*SRNC*, XX, 326; Williams, *Lost State*, 162-63.

⁴⁶Shelby's election is not mentioned in Williams, *Lost State*. He is not listed in the *State Records of North Carolina* as having attended the November session of the assembly. *SRNC*, XX, 199, *et seq.*, 301, *et seq.* His home county, Sullivan, was represented in the house by John Scott and George Maxwell, in the senate by Joseph Martin. *Ibid.*, XX, 121, 311.

counties where his staunchest friends held sway and precipitated the worst Indian war his country had known since the end of the Revolution."⁴⁷

It should be pointed out, however, that Joseph Martin, the Carolina general who had succeeded Shelby in command of the district, reported in April the alarmed state of the frontiers because of the incursions of the Indians and was quoted as saying that he "expected nothing but a tiresome, bloody war with the Savages this Summer."⁴⁸ Martin was unwilling to act without specific authority from North Carolina, and only at this point did Sevier take charge of the frontiersmen. In August Martin finally decided to go ahead without orders; his campaign was a failure and Sevier once more took charge. His campaigns were successful.⁴⁹

It is clear that there was no real hostility between Caswell and Sevier in spite of their official positions. They had been friends since 1776, and, when the British army was occupying the eastern part of the state in 1781, Caswell and his family sought refuge in the transmontane settlements.⁵⁰ On November 1, 1786, on April 23, 1787, and on November 15, 1787, the two men took out joint land grants in Greene County.⁵¹ And during the entire life of Franklin they were corresponding privately concerning the Muscle Shoals region while they were sending formal public letters to each other. A typical letter, written by Caswell in February, 1787, states in part:

Your favor on the Subject of our Tenessee Claims, I had the pleasure of receiving at Fayetteville in the Time of the Assemblys siting there, it gave me to know we were likely to derive advantages from that plan and the favorable point of view in which you have placed it, is very flattering. Messers. J. Gray Blount, Glasgow, Rutherford, Armstrong, Martin, Doherty & Nelson, Stokley Dole-son [Donelson] and myself Convened together at Fayetteville when it was agreed that Col. Glasgow should repair to Georgia in the Course of the siting of the Assembly there this Month and as Agent for the Company Negotiate the Business so as to Ascertain the Mode by which we are to Obtain our Title. . . .

If you have received any further information respecting the Bent [the Great Bend of the Tennessee River] I shall be happy in knowing it by the return of my Son, who is the Bearer of this.

I flatter myself with the prospect not only of seeing your County about 12 Months hence but also Cumberland and the Bent.⁵²

Moreover, as we have seen, Franklin was continually planning some sort of expedition against the Indians who controlled the Great Bend region.

⁴⁷Abernethy, *Frontier to Plantation*, 87.

⁴⁸*SRNC*, XXII, 693-94.

⁴⁹Palmer, *et al.* (eds.), *Calendar of Virginia State Papers*, IV, 432; Williams, *Lost State*, 210-17.

⁵⁰Williams, *Tennessee During the Revolutionary War*, 202-03.

⁵¹Driver, *John Sevier*, 67-68.

⁵²R. Caswell to John Sevier, February 27, 1787, Richard Caswell Collection (Duke University Library, Durham, N. C.).

That this was a matter of purely personal aggrandizement on the part of Sevier may be doubted. The plan was certainly supported by the people of Franklin. Out of a population of 25,000 Sevier was able to raise a force of 1,500 men in a week to unite with Georgia in a campaign against the Creeks, land in the Bend to be given to the troops as payment for their services—and this in November, 1787, when Franklin was on its last legs.⁵³ Expansion in this direction was natural for the land-hungry settlers in the valleys, hemmed in as they were by mountains on two sides and the lands of the Cherokees directly south. No devilish machinations by speculators were required to make them act.

It may safely be surmised that Sevier's initial hesitation to back the Franklin movement was due in part to his fears that it would interfere with development of the Great Bend region, and that he finally decided that it would be a help rather than a hindrance; but this does not make impossible the suppositions that in this case his private interest coincided with that of the Franks, and that he was also moved by a feeling of loyalty to his people.

Indeed the whole weakness of the speculative approach is to be found in the theory that the speculators such as Sevier were a group of underhanded men distinct from the guileless majority of westerners, and that therefore Sevier must have been working in opposition to the interests of the new state because he was at the same time a dealer in land. Actually, of course, the land speculator was not necessarily a heartless profiteer any more than was the merchant. Dealings in land appealed to almost every frontiersman, and it was lack of opportunity or initiative rather than moral scruples that kept many hands clean. Even Thomas Jefferson, who withdrew from a land company in 1782, gave as his reason not morals but diplomacy. He feared that if the title to the western territories was a subject for discussion at the Paris peace conference, his position as an interested party might injure his influence in the negotiations.⁵⁴

Then as now, most men were willing to let an energetic neighbor run the most risks, do the most work, and make the most money, if they could only have a share in his good fortune. Many speculators were, to be sure, mere parasites, doing nothing for the frontiersmen they exploited. On the other hand, a man such as Richard Henderson, although he hoped to profit from the settlements in Kentucky and in Middle Tennessee, made those settlements possible by his financial and organizational support.

Sevier profited from the growth of the western country, but, after all, it was his leadership and fighting ability which helped to make the region prosperous. His dealings in land were not a secret; his friendship with Caswell was well known; and his personal interest in the Muscle Shoals

⁵³Williams, *Lost State*, 191-92, 276.

⁵⁴Jefferson to James Madison, November 11, 1784, in Ford (ed.), *The Writings of Thomas Jefferson*, IV, 2.

region was a matter of public record.⁵⁵ Yet his fellows never rejected him as their leader. Some of his acts do not measure up to 20th-century ethical standards; some were not even legal under 18th-century North Carolina law. But for the most part his practices were in accord with the ethical code of the westerners, and should not be used to demonstrate that he was conspiring against his neighbors.

If this view is accepted, it becomes unnecessary to review in detail any further actions of Sevier in the story of Franklin. It may merely be added that in the same way the moderate policy of Caswell is not necessarily proof of his sole interest in the land. His desire for conciliation was not unnatural in view of the fact that he could not have used great force to put down the Frank state; not only did he not have the military forces required, but he had no desire to start a civil war.⁵⁶ Indeed, Williams assures us that his policy was a good one for breaking up the rebels, for:

. . . had Martin succeeded himself as governor, it seems certain that the decision would have been favorable to the State of Franklin. Martin's policy would have taken color from his personal views which were derogatory of the western folk. . . , and he would have had to combat an opposition solidified thereby.⁵⁷

CONCLUSION

Thus more or less by the process of elimination I draw the conclusion that the separatist explanation best fits the facts regarding the founding and history of the state of Franklin. As in most cases, there were few angels and few devils. The west was trying to free itself from control by the east, both in government and in economic matters. It wanted freedom to expand, freedom to regulate its Indian affairs, and freedom to control the land for the profit of its own members. The east, however, also had a vital stake in the western land—it was a gigantic gold mine—and naturally opposed the movement for separation. In the ensuing struggle, party lines were blurred as men found themselves bedeviled by different motives. Three, at least, are discernible in Sevier: desire for speculation; desire to lead the people who trusted him as their leader; and, near the end of the life of the new state, personal vanity in maintaining the project which he had led for four years. To expect him to reconcile these desires to the satisfaction of all future historians is absurd. The best we can do is to try to judge him, and his state, by the standards of the times, remembering that speculation was then the great American game.

⁵⁵Williams, *Tennessee During the Revolutionary War*, 203; Driver, *John Sevier*, 71.

⁵⁶*SRNC*, XX, 703-04; XXII, 687.

⁵⁷Williams, *Lost State*, 73.