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organization of Spring Cove  
Knoxville, with Samuel E.  
Blackburn became trustee and  
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## TENNESSEE'S FOUR CAPITALS\*

By ROBERT H. WHITE

Whether the proposition that "possession is nine points in law" be basically sound or unsound, certainly considerable importance has been attached thereto. By proclamation<sup>1</sup> of Governor William Blount, the assembly representing the Territory South of the River Ohio convened at Knoxville, on the fourth Monday in February, 1794. Unquestionably, the distribution of population was a consideration in the selection of Knoxville as the meeting place of the territorial assembly, as Washington District contained at that time more than four times as many inhabitants as did the District of Mero.<sup>2</sup> However weighty this factor appeared to the mind of Governor Blount, it was Knoxville, at any rate, that he selected as the convening point of the legislature.

In the draft of the Constitution of 1796, it was provided that the first General Assembly of the new state should be held in Knoxville, "and may adjourn to such place as they may think proper, until the situation of this State will permit the fixing a permanent seat of government, which shall be established as nearly central as convenience will admit."<sup>3</sup> Had this proposal been adopted, the seat of government, subject to legislative whim, would have been from the outset of a nomadic nature. There were, however, four members of that Constitutional Convention who were certain that they were dissatisfied with uncertainty. Accordingly, on February 3, John Adair moved that the first section of the tenth article be struck out for the purpose of inserting in lieu thereof the following: "Knoxville shall be the seat of government until the year one thousand eight hundred and four," which proposal, according to the record, "was agreed to."<sup>4</sup> The next move was that of Andrew Jackson, who proposed that the word "four" be struck out and the word "two" inserted in its place. This motion prevailed,<sup>5</sup> whereby Knoxville, by Tennessee's first con-

\* This paper was read at a meeting of the Society in Knoxville, February 3, 1933.

<sup>1</sup> J. G. M. Ramsey, *The Annals of Tennessee* (Charleston, 1853), p. 621.

<sup>2</sup> *Ibid.*, 544-5.

<sup>3</sup> *Journal of the Proceedings of a Convention Begun and Held at Knoxville, January 11, 1796*, p. 19.

<sup>4</sup> *Ibid.*, 24.

<sup>5</sup> *Ibid.*

stitution, was designated as the seat of government from 1796 to 1802.

For four years following 1802, the seat of government continued to rest at Knoxville through the passage of legislative resolutions at the several sessions of the General Assembly.<sup>6</sup> By 1805, however, a definite departure from the previous policy of fixing the seat of government by legislative resolution was attempted. A formal bill was introduced in the legislature on September 20 of that year.<sup>7</sup> It proposed "that if the inhabitants of Knox County at their own expense furnish a Commodious and Comfortable place for the Reception of the General Assembly when in Session then and in that case the Assembly of this State are to Convene in the Town of Knoxville for the purpose of doing all Legislative Acts for the Term of fifteen years."<sup>8</sup> A Senate amendment of September 26 provided that the termination of the period of Knoxville's being the seat of government should be 1815, or five years less than the length of time set forth in the original bill. On November 1, however, a resolution "that Knoxville be and remain the seat of government until the end of the next general assembly"<sup>9</sup> passed both branches of the legislature. This disposed of the question of the seat of government for the time being. The bill which proposed to make Knoxville the capital until 1815 was definitely tabled on November 2.<sup>10</sup> Therefore, Knoxville remained as Tennessee's seat of government by legislative resolution.<sup>11</sup>

Nevertheless, but a few months had elapsed when the proponents of a new location for the State government were able to push through the legislature a resolution providing that the next General Assembly should meet "at the town of Kingston near South-West Point."<sup>12</sup> A complementary resolution named three commissioners, who were instructed to make the necessary arrangements for legislative accom-

<sup>6</sup> See, e. g., *House Journal*, 1801, p. 138.

<sup>7</sup> *Senate Journal*, 1805, p. 107.

<sup>8</sup> Ms. Rejected Bills, State Archives, 1805. The State Archives are in Nashville, Tennessee.

<sup>9</sup> *House Journal*, 1805, p. 102.

<sup>10</sup> *Ibid.*, 107.

<sup>11</sup> Unfortunately, two legislative documents of 1805, relating to the question of the State capital's location, appear to have been lost. One had to do with the report of the committee "who had under consideration the letter of Thomas N. Clark, relative to the Seat of Government, was taken up and read. Whereupon, resolved, that this house do not concur therewith" (*Senate Journal*, 1805, p. 136). Owing to the apparent loss of this communication, posterity will doubtless never know just what Mr. Clark's proposition was. The other lost document was the report of a Senate committee relative to the determination of the seat of government. This report, of an unknown nature, the House read and rejected (*House Journal*, 1805, p. 102).

<sup>12</sup> *Senate Journal*, 1806, p. 96. The resolution was passed by the House September 11 and by the Senate September 13, 1806.

modation in Kingston.<sup>13</sup> One of these three was a Jacob Jones, who prevailed upon his fellow commissioners to leave to him alone the task of providing the requisite facilities. In his bill asking payment for these services commissioner Jones stated that he had furnished nine tables, ten benches, three steps for each speaker, and one window containing, as he expressed it, "15 lights". His bill was for the ultra-definite sum of \$72.08 $\frac{1}{3}$ , which the legislative committee on claims promptly reduced to \$55.50.<sup>14</sup>

Thus it came to pass that on Monday, September 21, 1807, the next General Assembly was called to order not in Knoxville, but in Kingston. The latter thereby became the second capital of Tennessee. Immediately after the legislature's organization, however, it was resolved to "adjourn forthwith from Kingston to meet on Wednesday, the 23rd instant, at eleven a. m., at the Courthouse in Knoxville."<sup>15</sup> Only one other resolution was passed, this to the effect that all the public papers were to be reconveyed from Kingston to Knoxville as soon as possible.<sup>16</sup> Aside from the organization of the legislature and the passage of the two resolutions just referred to, no legislative activity took place during the meeting at Kingston. In all probability, the General Assembly was actually in session in Kingston less than two hours. If this conjectural statement be true, Kingston was, in fact, the seat of government for only that period of time. At most, Kingston could not have been the capital of Tennessee for more than one day, namely, Monday, September 21, 1807.

To many students of Tennessee history, it has been a matter for interesting speculation as to why Kingston in 1807 was selected as the State capital. Documentary evidence on this point is meager, but enough has been located to convince the unprejudiced that it was simply another species of chicanery which the pale-faced pioneers practiced upon their red-skinned neighbors. At Tellico, on October 25 and October 27, 1805, two treaties were negotiated between the United States and the Cherokee Indians. These treaties reveal the real purpose for the removal of the seat of government from Knoxville to Kingston. Article 11 of the earlier treaty concludes:

<sup>13</sup> *Ibid.*, 104-5.

<sup>14</sup> Petitions, State Archives, 1807.

<sup>15</sup> *Senate Journal*, 1807, p. 5.

<sup>16</sup> Since there is evidence to indicate that these public papers were hauled in a wagon from Knoxville to Kingston and return, it is quite probable that a number were lost in transit. This statement is made in view of the fact that numerous legislative documents from 1796 to 1807 are missing in the State Archives.

Upon the reconvening of the legislature in Knoxville on September 23, 1807, Governor John Sevier in his executive message made no reference to the removal of the seat of government from Kingston to Knoxville.

And whereas from the present Session made by the Cherokees, and other circumstances, the site of the garrisons at South-West Point and Tellico, are become not the most convenient and suitable places for the accommodation of the said Indians, it may become expedient to remove the said garrisons and factory to some more suitable place; three other square miles are reserved for the particular disposal of the United States on the north bank of the Tennessee, opposite to and below the mouth of the Hiwassee.<sup>17</sup>

Article 1 of the later treaty reads:

Whereas it has been represented by the one party to the other, that the cession of land on which the garrison of South-West Point stands, and which extends to Kingston, is likely to be a desirable place for the Assembly of the State of Tennessee to convene at, (a committee from that body now in session, having viewed the situation) now, the Cherokees being possessed of a spirit of conciliation, and seeing that this tract is desired for public purposes, and not for individual advantages, reserving the ferries to themselves, quit claim, and cede to the United States the said section of land, understanding at the same time, that the buildings erected by the public are to belong to the public as well as the occupation of the same, during the pleasure of the Government.<sup>18</sup>

The language of the treaties themselves, then, shows conclusively that the whites in 1805, almost two years before the removal of the capital from Knoxville to Kingston was actually consummated, were negotiating with the Indians for the purpose of getting possession of the section of land on which the garrison was situated.

A few previous writers have pointed out the perfidy of the whites in obtaining the Kingston lands under false pretenses. A half century ago an investigator for the Bureau of Ethnology alleged that in reality two treaties were concluded on October 27, 1805, one being a secret agreement with Doublehead, Cherokee chieftain, which represented an attempt to bribe him to use his influence for the furtherance of the efforts of the white men to obtain the desired cession of land. This secret agreement was not submitted to the United States

<sup>17</sup> John Haywood and Robert L. Cobbs, compilers, *The Statute Laws of the State of Tennessee* (Knoxville, 1831), II, 205.

<sup>18</sup> *Ibid.*, 206.

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Senate, but was recorded in the Department of War at Washington. In continuing, this investigator observed that

The cession by the Treaty of October 27, 1805, of the section of land at South-West point was secured upon the theory that the State of Tennessee would find Kingston a convenient and desirable place for the establishment of the State Capitol. . . . To secure the consent of some of the leading chiefs, the Treaty Commissioners resorted to the disgraceful precedent of secret articles, by which several valuable small tracts were reserved for Doublehead and Talluntuskee.<sup>19</sup>

A recent historian of the Cherokee Indians has bluntly stated that

Three plats of land, each a mile square were set aside by the provisions of Article 11 of the Treaty of Tellico of October 25th, 1805, ostensibly for Government purposes, but in reality, as shown by a second Article of the Treaty, for Doublehead and Tahlonteeskee as a bribe for their support in making the treaty.<sup>20</sup>

The historian of the county in which Kingston is located likewise has possessed sufficient perspicacity to discern the imposition there practiced upon the redskins by the white negotiators. Her account of the subject follows:

In a Treaty made with the Indians, they [United States Commissioners Return J. Meigs and Daniel Smith] had reserved a square mile in the fork of the rivers. Kingston had been laid out, houses were being erected around the reservation and there were hopes that the capital of the State would be erected here. The whites wanted the mile square reservation. The Indians agreed to the sale, but had the cause therefor stated in the deed. The Commissioners said that they had no right to contract that the capital should be built here, but assured the Indian Chief Tallentuskie that the legislature should be convened there. It was for this reason that the legislature met here, but adjourned next day to Knoxville, alleging it was for the want of a suitable hall and room. This was not the truth for the Courthouse was finished the year before. The truth is, it was merely a trick

<sup>19</sup> Charles C. Royce, "The Cherokee Nation of Indians," in *Fifth Annual Report of the Bureau of Ethnology to the Secretary of the Smithsonian Institution, 1883-84* (Washington, 1887), p. 191.

<sup>20</sup> Emmett Starr, *History of the Cherokee Indians* (Oklahoma City, 1921), p. 40.

played upon the Indians in order to negotiate the purchase of the reservation.<sup>21</sup>

Whether the courthouse at Kingston was available in 1807 as alleged by this author, may or may not be important. The fact is, however, that the legislature met in a building in Kingston occupied in part at the time by one J. L. Gordon. To the General Assembly this occupant presented his statement of account, dated November 1, 1807, for having made certain changes in the building for its occupancy by the legislature. Specifically, his statement itemized two partitions, plank and nails, the making of two extra windows, and the inserting of glass therein at a total expense of \$39.20. Furthermore, he requested an additional allowance of \$20.00 "for putting my things out and clearing the house, agreeable to the instructions of the Commissioners." This bill of approximately \$60 was reduced by a legislative committee to \$15, which in the committee's opinion was "Reasonable."<sup>22</sup>

Among those factors involved in the selection of Kingston as Tennessee's seat of government, at least two were of material influence. First, there was a desire on the part of the pioneers to obtain possession of the land on which the garrison and blockhouse were located. These defenses would prove perhaps invaluable to the whites in the event of Indian hostilities, Secondly, and unquestionably, the settlers who were planting homes near the reservation firmly believed that the establishment of the seat of government at Kingston would prove of economic advantage to them, through the consequent commercial expansion and the accompanying upward swing in the values of adjacent lands.

Following the Kingston interlude of 1807, the State capital for five years remained at Knoxville. Its legislative protagonists sought to carry legislation whereby the seat of government should continue unchanged. By 1811, however, the cause of Middle Tennessee was so well represented in the legislature that a measure was passed providing that the General Assembly should next convene in Nashville.<sup>23</sup>

Therefore, on September 7, 1812, the official representatives of the voters of Tennessee were called to order in Nashville. Scarcely had organization been completed when resolutions were offered for another

<sup>21</sup> Emma Middleton Wells, *History of Roane County* (Chattanooga, c. 1927), p. 10.

<sup>22</sup> MS. Petitions, State Archives, 1807.

<sup>23</sup> *House Journal*, 1811, p. 281; *Senate Journal*, 1811, p. 214. Three East Tennessee Senators afforded the sole opposition to the measure in the upper house. In the lower house an unsuccessful attempt was made to substitute Carthage for Nashville.

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removal of the capital, one bill naming Kingston, and another Knox-  
ville, as the next seat of government.<sup>24</sup> These resolutions, however,  
failed to pass and Nashville continued to enjoy capital honors through  
the legislative session of 1815. At that time Knoxville was once  
more selected as the seat of government. Then in 1817, a resolution  
was introduced in the legislature providing for the removal of the  
seat of government to Murfreesboro. The future was to reveal that,  
with the adoption of this resolution, seemingly without particularly  
vigorous opposition, Knoxville's career as a capital of Tennessee  
was completely closed.

In 1821 an effort was made to entrench Murfreesboro as the seat  
of government by the introduction into the legislature of a measure  
providing that lands could be donated to the State for a suitable site  
for the capital, on condition that Rutherford county, in which Mur-  
freesboro was located, furnish \$10,000 for the erection of public build-  
ings. When acted upon by the lower house, however, this proposal  
was overwhelmingly defeated.<sup>25</sup> On the other hand, those who  
sought to wrest the capital from Murfreesboro fared, at least at first,  
no better. In 1822 Felix Grundy fathered a resolution which would  
have brought about a transfer of the seat of government because, so  
the resolution affirmed, the General Assembly could use Nashville's  
Masonic Hall gratis.<sup>26</sup> Although it won fairly strong support, the  
Grundy measure went down to defeat. Then, just three years later,  
there was introduced into the House of Representatives a resolution  
couched in almost the identical language of that of 1822. It contain-  
ed, however, an additional argument, namely, that inasmuch as Nash-  
ville was the site of the Bank of the State of Tennessee, the legis-  
lative supervision and examination of that institution would be less  
difficult and more economical if the capital of the State were located  
there also. Certain groups sought the re-location of the seat of  
government at other places as well, but the advocates of the above-  
mentioned resolution secured sufficient support to cause the legislature  
to name Nashville as the next capital of Tennessee.<sup>27</sup>

With the removal of the seat of government from Murfreesboro to  
Nashville in October 1826, the capital question entered upon a brief  
period of quiescence. It hardly more than raised its head until the  
approach of the elections for members of the Constitutional Con-

<sup>24</sup> *Senate Journal*, 1812, pp. 127, 130.

<sup>25</sup> *House Journal*, 1821, p. 385. The vote was 27 to 7.

<sup>26</sup> *House Journal*, 1822, p. 165.

<sup>27</sup> *Senate Journal*, 1825, pp. 448-451.



vention of 1834. Then, in the case of many candidates for seats, it became a paramount issue.<sup>28</sup>

The Constitutional Convention assembled and ten days elapsed before the attention of the membership was directed to the question of the location of the state government. Attention was so directed as a result of a resolution calling for the permanent location of the capital at Nashville.<sup>29</sup> That same day witnessed the introduction of a counter-resolution which declared it "the proper business of the Legislature to fix the seat of government."<sup>30</sup> On May 30, 1834, a proposal was submitted to the effect that the capital "should be established in the center of the chartered or territorial limits of the State, or the nearest eligible situation of the same."<sup>31</sup> Eleven days later an alternative solution of the problem was offered in the form of a resolution providing that "the seat of government be permanently fixed at such point on the Tennessee River, as three commissioners, one from East Tennessee, one from Middle Tennessee and one from the Western District, appointed by law, may designate."<sup>32</sup>

Nearly all the suggestions submitted reveal a tendency, express or implied, toward a central location of the State capital, but doubt arose in the Convention as to just where Tennessee's exact geographical center lay, and so a resolution was passed directing the secretary of state to supply the desired information.<sup>33</sup> Not having this information at his disposal, the secretary, Sam Y. Smith, referred the resolution to James Hamilton, professor of mathematics in the University of Nashville, requesting the latter's assistance. Professor Hamilton complied with the request by submitting a marked copy of Rhea's map of Tennessee, along with his own mathematical solution of the problem. The professor's conclusion was that the geographical center of the State of Tennessee was in Rutherford county, about one mile and a half east of Murfreesboro.<sup>34</sup>

In the maze of the many matters before the Convention, the question of the location of the permanent capital seems to have been lost

<sup>28</sup> Richard Cheatham of Robertson county, for example, issued a statement through the press that he favored the selection of Nashville as the permanent seat of government (*Nashville Republican and State Gazette*, Feb. 20, 1834).

<sup>29</sup> *Journal of the Constitutional Convention, 1834* (Nashville, 1834), p. 41. Richard Cheatham fathered this resolution.

<sup>30</sup> *Ibid.*, 45. The italics are the author's.

<sup>31</sup> *Ibid.*, 53. This proposition was sponsored by Newton Cannon of Williamson county.

<sup>32</sup> *Ibid.*, 74. This was submitted by Henry Sharp, who jointly represented Hickman, Lawrence and Wayne counties.

<sup>33</sup> *Ibid.*, 45.

<sup>34</sup> *Ibid.*, 61-62.

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<sup>35</sup> *Ibid.*

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sight of until August 26. On that date, however, there was called up the resolution of May 30, which would have provided a central site for the seat of government. Just as soon as this resolution was read, another was offered, whereby the permanent capital should be fixed upon "by the third legislature which shall sit under this Constitution, at its first session."<sup>35</sup> This latter proposal, when voted upon, was approved, 40 to 18. Then, rather strangely, the May 30 resolution was likewise adopted, the vote being 38 to 20.<sup>36</sup>

The capital ghost, however, had not even been temporarily laid. On August 27 it was proposed that the permanent seat of government be selected by the General Assembly during the first week following its convening in 1843.<sup>37</sup> Close in the wake of this proposal came another, favoring Carrollsville. This latter proposal, however, went down in overwhelming defeat.<sup>38</sup> There was then introduced a resolution providing for a permanent capital, with the location left blank. As to just how the blank should be filled became a pulsing issue with the members of the Convention. Two separate efforts were made in behalf of Nashville, but these proved vain.<sup>39</sup> Followed, and failed, successive attempts to name McMinnville, Murfreesboro, Carthage, Middletown and Clarksville. A few delegates sought the revival of resolutions calling for the ascertainment of the State's true geographic center. Inasmuch as supposedly scientific information on this point was already available, such manoeuvres seem but to reflect an obstructionist tendency; whatever their motivation, defeat descended upon them.<sup>40</sup> In this wise the struggle continued,<sup>41</sup> until at length the Convention undertook the re-consideration of that proposal, originally submitted the preceding August 20, whereby the location of the permanent capital should be determined during the first week of the 1843 General Assembly. Such re-consideration eventuated in the passage of this proposal, but only by the minute majority of 32 to 26.<sup>42</sup>

Although the Constitutional Convention of 1834 had definitely delegated to a future General Assembly the responsibility of selecting Tennessee's ultimate seat of government, there remained for the former's determination the hardly less vexing question of the capital's loca-

<sup>35</sup> *Ibid.*, 355.

<sup>36</sup> *Ibid.*

<sup>37</sup> *Ibid.*, 363.

<sup>38</sup> *Ibid.*

<sup>39</sup> *Ibid.*, 364.

<sup>40</sup> *Ibid.*, 364-366.

<sup>41</sup> *Ibid.*, 367-368.

<sup>42</sup> *Ibid.*, 368.

tion during the next nine years. To a consideration of this problem the convention immediately passed. In rapid succession Franklin, Nashville, Murfreesboro, and Columbia were suggested as the interim site. Spirited voting ensued, the results of which elicited a new proposal, namely, "that the first session of the Legislature under this Constitution shall be held in the City of Nashville." This passed by the narrow margin of 32 to 27.<sup>43</sup> The next day the advocates of Nashville amassed sufficient strength to push through, by 32 to 25, a proposition that not only the first, but likewise the second, session of the legislature should convene there.<sup>44</sup> No greater concession than this could the Nashville group obtain; nor, for that matter, were the supporters of any other site able to gain nearly so much. The Convention of 1834 adjourned, therefore, after having determined, among other things, that the first two sessions of the legislature under the new constitution should meet in Nashville and that during the first week of the 1843 General Assembly that body should select a site for a permanent capital.<sup>45</sup>

Not until 1839 did the capital question again come to life. In the summer of that year, however,—perhaps because of awareness of plans aiming at a removal of the seat of government—Nashville newspapers sought to stir the citizenry as to the necessity of retaining the capital. The *Whig*, for example, commented editorially:

Take away the Legislature and you destroy the political importance of the city and even diminish its commercial greatness. By this means you are deprived of a material portion of your profits. The tavern-keeper is broken up, and the market house degenerated to a petty mart for the vending of "sweet cider and dried apples!"<sup>46</sup>

It is difficult, if not impossible, to estimate the effect of such agitation.

When the General Assembly convened in Nashville on October 7, 1839, it completed its organization, turned to the consideration of routine items of business, and month succeeded month until it appeared that Nashville's fears over losing the capital were entirely groundless. Then, suddenly, during the course of the evening session on January 28, 1840, there was introduced in the lower house a

<sup>43</sup> *Ibid.*, 369-370.

<sup>44</sup> *Ibid.*, 374.

<sup>45</sup> *Ibid.*, 406. "Permanent," that is, unless changed "by the consent of two-thirds of the Members of both Houses of the General Assembly." Obviously, such would be extremely unlikely.

<sup>46</sup> *Nashville Whig*, July 31, 1839.

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proposal that the legislature should take advantage of the offer of the Cumberland Presbyterian church of McMinnville to meet therein without cost to the State. The House of Representatives, however, failed to take action.<sup>47</sup>

On the same day the Senate was confronted with the removal question. A resolution was introduced providing that the seat of government be changed to blank location. Then came forward protagonists of McMinnville, but their strength proved too slight. The same was true of Columbia's supporters. The advocates of Murfreesboro, however, following an initial defeat, were able, by a single vote, to write the name of the community they were so ardently championing into the space left blank in the original resolution. Thus changed, the proposal passed the Senate by the same margin.<sup>48</sup> Party lines had been strictly drawn, as Democratic and Whig phalanxes had each presented a solid front against the enemy.<sup>49</sup>

On the following day, January 29th, 1840, the Senate resolution, providing that Tennessee's capital be removed to Murfreesboro, came to the House for consideration. Opposition at once raised its head. A variety of proposed amendments culminated in an attempt to strike out Murfreesboro and insert Sparta. When the vote was taken, the representatives were found to be evenly divided, and it was only by this hair's breadth that the Spartan contingent failed to attain its first objective.<sup>50</sup> Without the slightest delay the speaker signed the resolution, in the original form in which it had come to the House, and transmitted it to the Senate. If a contemporary newspaper account of the proceedings is to be believed, within half an hour after the House had accepted the Senate proposal, the resolution had been engrossed and signed by the presiding officers of both houses.<sup>51</sup>

Unquestionably, the plan to shift the seat of government to Murfreesboro had been transformed into law with reckless speed. That the opposition would remain quiet was unlikely. In fact, scarcely had the Murfreesboro measure been rushed through the lower house, when a resolution was introduced to rescind it. This latter, however, was tabled. Even so, the anti-Murfreesboro faction was unwilling to admit defeat, and two days later, by a majority of one, obtained

<sup>47</sup> *House Journal*, 1839, p. 618.

<sup>48</sup> MS. Senate Journal, 1839-40, Legislative Day, January 28, 1840. Two members of the Senate were not recorded as voting.

<sup>49</sup> *Republican Banner*, February 5, 1840. Senator Smith of Maury county alone stepped outside party lines.

<sup>50</sup> *House Journal*, 1839, pp. 631-633.

<sup>51</sup> *Republican Banner*, February 5, 1840.

the passage of the desired rescinding resolution.<sup>52</sup> Several towns were then suggested as temporary seats of government, but no one of these was able to win the requisite number of votes.

Meanwhile, the Senate refused to concur in the House's rescinding of the original resolution of January 29, providing for the transfer of the capital to Murfreesboro.<sup>53</sup> It did, however, pass a resolution supplementary to that of January 29, whereby the governor and certain other State officials need not remove their offices from Nashville to Murfreesboro until September, 1841, that is, until just one month before the next General Assembly was scheduled to convene.<sup>54</sup> The Senate vote was along strictly party lines, and, according to one press account, the action was inspired by the Democratic governor, James K. Polk, who was willing that the legislature meet in Murfreesboro, so long as such entailed no change in the location of his own office.<sup>55</sup> The supplementary resolution was then sent by the upper to the lower house with a message, which was reported to have "insisted" upon concurrence by the latter.<sup>56</sup> This dictatorial message the speaker of the House of Representatives regarded as "unparliamentary" and "out of order," so that he permitted no action to be taken upon it.<sup>57</sup>

Apparently, the net result of all the parliamentary manoeuvring described above, was to leave in effect that resolution of January 29 which had passed both houses and which provided for the seat of government's removal to Murfreesboro. And yet, on February 1, had occurred an additional manoeuver whereby Murfreesboro was deprived of the distinction of becoming for a second time the capital of Tennessee. To the general appropriation bill the Senate had attached an amendment providing the sum of one hundred dollars for removal expenses. The lower house, however, had voted to strike out this amendment and to insert in lieu thereof another designating Nashville as "the Seat of Government until otherwise directed by law."<sup>58</sup> When on February 1, 1840, the legislature had passed the general appropriation bill, the final form of the latter had included the House's sub-

<sup>52</sup> *House Journal*, 1839, p. 648.

<sup>53</sup> *Ibid.*, 652.

<sup>54</sup> MS. Senate Journal, Legislative Day, January 29, 1840.

<sup>55</sup> *Nashville Whig*, March 17, 1841. The *Whig's* interpretation of Governor Polk's motive was that "his Excellency fondly hoped to be ensconced in the Vice-Presidential mansion in Washington before such removal could take place."

<sup>56</sup> *Republican Banner*, March 20, 1840.

<sup>57</sup> *Ibid.*

<sup>58</sup> *House Journal*, 1839-40, p. 659.

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stitute amendment.<sup>59</sup> Thus Nashville remained Tennessee's temporary capital.

The Constitution of 1834 very definitely obligated the General Assembly, during the first week of the 1843 session, to decide upon a permanent location for the seat of government. Nor did that body seem at all reluctant to undertake the execution of this task. The very day that the legislature convened the capital struggle opened in the upper house.<sup>60</sup> Senate Bill Number 1 was for the location of the seat of government, the place left blank. This passed first reading.<sup>61</sup> Thereupon a measure was introduced providing that the capital be established at the State's geographical center and that this point be determined by three commissioners, one to be appointed from each of the three grand divisions of the commonwealth. This resolution, however, progressed no further than the table.<sup>62</sup> In due time Bill Number 1 passed second reading, still in its original form, but when it came up for third reading, a motion was made to insert Nashville in the blank.<sup>63</sup> The supporters of the then capital were unable to push the motion through and, in fact, it served but to set off a barrage of similar suggestions. Besides Nashville, favored sites for the permanent seat of government numbered thirteen, namely, Lebanon, Hamilton, Sparta, Knoxville, Clarksville, McMinnville, Shelbyville, Murfreesboro, Chattanooga, Franklin, Harrison, Woodbury and Kingston. Proponents of the last named community, although defeated once, on a second attempt succeeded.<sup>64</sup> Thereupon, the opposition advanced a rather involved plan whereby the voters of the State should select their seat of government, which, it may be pointed out, was directly contrary to the mandate imposed by the Constitutional Convention of 1834. When a vote was taken, however, the plan failed to pass, whereby Kingston was left as the Senate's choice for the final capital.<sup>65</sup>

Meantime, the House of Representatives had been wrestling with the same hydra-headed problem. The tendencies, indeed, were very

<sup>59</sup> MS. Appropriation Bill, State Archives, 1839-40.

<sup>60</sup> In 1843 the composition of the General Assembly was as follows: Senate, 14 Whigs and 11 Democrats; House of Representatives, 40 Whigs and 35 Democrats.

<sup>61</sup> *Senate Journal*, 1843, p. 6.

<sup>62</sup> *Ibid.*, 6-7. The legislature received numerous petitions praying that the permanent seat of government be established at or near the geographical center of the State. See MS. Petitions, State Archives, 1843.

<sup>63</sup> *Senate Journal*, 1843, p. 44.

<sup>64</sup> The Kingstonites won by a single vote. Nashville was likewise twice proposed, but twice defeated.

<sup>65</sup> *Senate Journal*, 1843, p. 61.

much the same as those in the upper house. There was made the usual suggestion that the lasting seat of government be fixed at or near the exact center of the State. Unique<sup>66</sup> was the proposal that the permanent capital oscillate biennially between Knoxville and Jackson; a proposed amendment to this named Carthage as the community where any extraordinary sessions of the General Assembly should convene. Neither the dual nor triple capital idea, however, seemed to appear in attractive guise to the mass of representatives, for motions relating thereto were overwhelmingly defeated. Indeed, the task of deciding upon a single, definite seat of government was to prove difficult enough. In addition to Knoxville, Jackson and Carthage, nine other communities were thrust forward as suitable sites, namely, Carrollsville, Sparta, Nashville, Smithville, Savannah, Manchester, Murfreesboro, Lebanon and Paris. Each of these was successively voted down. Nevertheless, the sponsors of Murfreesboro, undismayed by one defeat, advanced that name again, and this time triumphed.<sup>67</sup>

Although the House of Representatives had picked Murfreesboro as its choice for final capital, it was very soon acquainted with the fact that the Senate had selected otherwise. When the lower house began consideration of the upper's resolution naming Kingston, a motion to strike out that name rather easily carried.<sup>68</sup> Inasmuch as the House, after a bitter struggle, had but a short time before selected Murfreesboro, it was to be presumed that that name would at once have been inserted in the blank created by the striking out of Nashville. Not so, however, and, curiously enough, Murfreesboro was not even suggested as a possibility. On the other hand, there was certainly no dearth of competing communities; presented for consideration were the claims of no fewer than fourteen: Harrison, Nashville, Charlotte, Shelbyville, Reynoldsburg, Smithville, Manchester, Carrollsville, Woodbury, Taylorsville, Monticello, Chattanooga, McMinnville and Columbia. Each of these was defeated. Then, and for the second time, the name of Nashville was proposed and upon this occasion the supporting motion was adopted, 43 to 31.<sup>69</sup> Thus it was that the House of Representatives had receded from its original choice of Murfreesboro, had refused to concur in the Senate's selec-

<sup>66</sup> Unique, that is, for Tennessee; on the other hand, the legislature of Connecticut, for example, had been meeting alternately at New Haven and Hartford since the third quarter of the seventeenth century.

<sup>67</sup> *House Journal*, 1843, pp. 30-37.

<sup>68</sup> *Ibid.*, 45. The vote was 47 to 27.

<sup>69</sup> *Ibid.*, 47-58.

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For the final scene in the capital drama, the Senate served as stage. Apparently, no effort was made by the upper house in the direction of insisting upon its first favorite, Kingston. A motion in favor of the State's geographical center attracted only an insufficient seven votes. Attempts in behalf of Clarksville and Columbia likewise failed. Then it was proposed that the upper concur with the lower house in the latter's preference for Nashville. This proposal carried, 17 to 8.<sup>70</sup> The long and bitter fight was ended; Nashville had been selected as the permanent capital of Tennessee.

<sup>70</sup> *Senate Journal*, 1843, pp. 62-64. The date was October 7, 1843.