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A Political History of the Mississippi Territory

by

Robert Vaughn Haynes

A THESIS
SUBMITTED TO THE FACULTY
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF
DOCTOR OF PHILOSOPHY

Houston, Texas
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Appendix: W.H. Masterson

Frank G. Vandine
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Critical Essay on Authorities
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Introduction

By the terms of the Pinckney Treaty signed with Spain in 1795, the United States acquired its first territory, the region lying between the Tennessee River and the thirty-first parallel and later called the Mississippi Territory. However, Spain immediately sensed that she had needlessly ceded a great deal of territory, and her ministers attempted at least to delay, if not to prevent, the United States from securing possession of the ceded area. After thwarting Spanish efforts to delay the cession, American officials would still face the tremendous task of unravelling a tangled web of conflicting land claims before the territory could attract enough settlers to assure permanent possession.

In addition to these rather unique problems, the United States faced the problems of gradually extending the principles of democratic government to the new frontier region, a region where republican principles had not been recognized but where the citizens were very anxious for more local control. The attempts made by the American government to solve this problem, and the reaction of the local inhabitants to its efforts will be the subject of this study.

Historians have only recently begun to study territorial governments even though knowledge of territorial period can furnish valuable insight into the early history of a state. For example, the Mississippi constitution of 1817 can not be understood without a knowledge of the political history of the Mississippi Territory. Indeed, southern attitudes and opinions of the ante-bellum period can be comprehended only by knowing the type of immigrant who first settled the deep South and by studying the struggles of the new settlers to control the raw environment and to create a civilization there.
While the keynote of frontier life was newness and change, the newness can, and has been, over-emphasized. Immigrants into the territory had not moved from a vacuum. Instead, they had brought with them their conservative as well as liberal political techniques. A great deal has been written about the general concept of the frontier, but surprisingly little has been done on specific aspects of the southern frontier. Even the followers of Frederick Jackson Turner have ignored the lower Mississippi Valley.

On the other hand, enough valuable work has already been written for the historian to test certain theories as they apply to the deep South. These works are evaluated at some length in the Bibliographical Notes, although here we might note the very useful studies of early Mississippi by Dr. William B. Hamilton and Dr. Charles Sydnor and the work on Alabama by Dr. Thomas P. Abernathy; Dr. Arthur F. Whitaker has clearly described the complicated history of the Spanish Southwest.

The historian of this formative period in southern history has at his disposal a wide variety of widely scattered manuscript sources. In the use of these sources, the writer met many helpful archivists and librarians. He would like to acknowledge especially the assistance of the staff of the Fondren Library of the Rice Institute and the staff of the Mississippi Archives.

In writing this study the writer received valuable aid from Dr. William H. Masterson, under whose specific guidance this work was done, and from Drs. Katherine F. Drew, Frank E. Vandiver, and William H. Nelson who critically reviewed the manuscript after its initial completion.
Chapter 1
Background for a Territory

From 1795 to 1798, the United States and Spain focused much attention upon the struggling little port of Natchez on the Mississippi River. This sudden importance baffled the local inhabitants since the little river town had already survived a turbulent but unsung history.

As early as 1541, the Spaniards laid claim to the region by virtue of Hernando de Soto's exploration. In 1716, the French occupied the land and became the first white men to cultivate the Mississippi soil, but in 1729 the Natchez Indians completely destroyed this initial settlement. Little of significance happened to Mississippi until 1763 when the British assumed control in accordance with the terms of the Treaty of Paris. The Crown, between 1768 and 1780, granted large tracts of land to reward a number of its subjects. Most of these grantees, among whom were several English earls and admirals, never came into the district, although the few settlers of this type who did come gave the country an unusual flavor of gentility. Most of the actual settlers, however, were either retired army officials or American colonists, who with their families and dependents moved to Natchez where they early engaged in a simple plantation economy. The region was not without its rougher element for the first recorded permanent settlement contained a number of people whom the British governor described as "probably outlaws." The British not only began to populate the region, but they also persuaded the local Indians to recognize Great Britain's control over the lands around Natchez.

The outbreak of the American Revolution terminated this steady growth. A few American refugees moved into the region to escape the ravages of war along the Atlantic coast, but the principal shock of the Revolution came from
Captain James Willing. In 1776, he and a party of Americans descended the Mississippi River and stopped briefly in the Natchez District where they plundered the plantations of several individuals whom Willing thought were British sympathizers. Chief of these was Anthony Pintard Hutchins, a prominent British land grantee and recipient of an English pension, and Willing's predatory raiders ransacked Hutchins' home and plundered his crops.

In 1779, Spaniards from Florida took advantage of Great Britain's involvement elsewhere and conquered the region easily. This conquest, however, united the settlers as no previous event had done, and in 1781 they attempted a revolt which the Spaniards swiftly suppressed.4

By the Peace of Paris in 1763, Spain formally acquired control of the area, although Britain had already ceded it secretly to the United States. As a result, Spain and the United States theoretically contested the district, but actually Spain ruled the area. Shortly thereafter, the Spaniards adopted a more liberal immigration policy than before. By the offer of generous land grants and commercial privileges, they sought to attract American settlers. When this policy was first introduced the area contained a total of 1,926 settlers, but within five years the population had increased to about 4,300 citizens, and the town of Natchez, which was already the seat of government, had become a bustling river port. Gayoso de Lemos, Spanish Governor of the Natchez region, was mainly responsible for this rapid growth. His policy was moderate and he hoped to build loyalty among the Protestant settlers by not interfering in their religious activities.5

Although some progress had been made in this policy, certain events forced a change in Spanish strategy. In the new world, the Spanish Governor of Louisiana, Baron de Carondelet, frightened by American aggressiveness, soon feared that he had made a mistake in welcoming American settlers into Spanish
territory. In Madrid, Spanish officials who were suddenly terrified by the French Revolution decided to abandon the idea of religious toleration in the Empire. In line with these events Carondelet not only strengthened Spanish forts, but he also established several new posts. But then suddenly and unexpectedly, the Treaty of San Lorenzo, providing for American control, completely shattered the Louisiana Governor's new plans.

Since the Mississippi country was nothing more than "an English settlement, subject to the Spaniards," the citizens of the town of Natchez were able to adjust more easily to American rule than the Spaniards had expected. This little settlement, rising out of the cane, underbrush, and matted vine along the bank of a mighty river, was to become the vanguard of westward expansion. The area adjacent to the town was referred to as the "Old Natchez District." It included those lands along the Mississippi River between Walnut Hills at the south of the Yazoo River and the agreed-upon Spanish boundary line, as well as all the territory east of the Mississippi which had been acquired from the Indians. The Natchez District was about one hundred miles long and fifty miles in width at its widest point and formed a right-angled triangle with the Mississippi River as the hypotenuse, the Yazoo River as its vertex, and the Spanish line as its base.

The district was not only the remotest area under American control, but it also comprised the first territorial acquisition of the new republic. The westward advance of settlers had not reached this area by the time of its addition to the United States; consequently, the closest American settlement was a small group of people clustered along the Tombigbee River, although the nearest populated region of any size was the recently admitted state of Tennessee. The Natchez District could be reached either by way of the meandering Mississippi River or by way of the shorter Natchez Trace, an extremely dangerous
blazed trail from Nashville. Even by the Trace the distance was nearly six hundred miles; any other approach to the district had to be through either Indian or Spanish territory. The remoteness of the region combined with the inadequacy and uncertainty of communication compelled the inhabitants, during the first few years of American rule, to depend almost entirely upon their own resources.

The region was not a wealthy one. Under Spain the production of tobacco engaged the attention of most farmers, and as the main cash crop of the district it provided the basis for the whole economy. But its cultivation depended upon the uncertain favor of Spanish officials who alone could sell the tobacco to the mother country. Therefore in the 1790's, when Spanish agents under orders from their superiors began to prefer the better grade Kentucky tobacco to that of the Natchez District, many local planters faced possible ruin, and the hard-pressed farmers, with some cause, held Spain responsible for their plight.

The desperate planters soon began a shift from tobacco. First, they experimented with the production of indigo, but most of them soon abandoned it when they found that its cultivation and processing not only required more capital outlay than they could afford but also proved mysteriously harmful to Negro slaves. The invention of the cotton gin offered another alternative, and by 1797 a few gins were actually in operation around Natchez. Thereafter cotton production increased rapidly and provided a salvation for the debt-ridden agrarian class.

The inhabitants of this locality were aware that their settlement was part of a disputed area. Since the dispute had lasted for over ten years without any apparent change in authority, most settlers had come to consider Spanish rule as permanent, and a few even regarded it as advantageous. In 1794, three hundred citizens demonstrated this loyalty by volunteering their services to
the Spanish King and journeying to New Orleans to help protect that city against a threatened riot of radically democratic Creoles. On another occasion the Natchez citizens took up arms to repel a rumored expedition organized by the French minister, Edmond Charles Genet.11

In 1796, a rumor circulated throughout the Natchez District that the United States had signed a treaty with Spain establishing the thirty-first degree of latitude north as its southern boundary. If the report were true, clearly this district lay above the boundary line and consequently would soon be under American control.

Much activity thereafter resulted from a desire of the ambitious to obtain or to preserve power and prestige. But political designs were hardly the sole concern of the inhabitants. Underneath some of their anxiety lay a fear that the new government might invalidate the titles to their lands. Early settlers like the affluent Hutchins had originally acquired their lands by virtue of grants from the British government of West Florida, but later inhabitants had received their grants from either Spain or Georgia. Those settlers who held Spanish titles, patents, or warrants, to the rich river lands usually had to contend with a conflicting claimant who held a British warrant or patent of an earlier date. Furthermore, as soon as rumor of the transfer to the United States leaked out, Spanish officials proceeded to issue large grants of land under titles which were ante-dated prior to the signing of the Pinckney Treaty in order to insure validity. Settlers daily poured into the newly ceded area, and finding no land for sale, they frequently squatted on vacant lands which had already been granted to some British speculator or Spanish favorite. Often as many as three persons claimed the same land but under different titles. If the American government were to assume control, it would
be advantageous for all land claimants to gain favor with the numerous officials who might come to implement the treaty. 12

Another apprehension plagued the inhabitants. The end of Spanish control would endanger their vital river trade through New Orleans. Although Spain in the past had sometimes barred this port to American commerce, the Natchez merchants had reaped benefit from a continuous and unhindered outlet to the Gulf of Mexico, a depository for their goods at New Orleans, and a gateway for free importation of foreign goods. Rumor reported that one term of the treaty extended free navigation of the River and the right of deposit at New Orleans to the Americans, but Natchez merchants still feared that the report was untrue or worried that Spain might, at any moment, withdraw these privileges. Another rumor reported that Spain intended to retrocede the Louisiana province to France and France might rescind these rights.

For different reasons the Natchez planters, like their rivals the merchants, also feared a change of rulers. They were not as prosperous as the merchants, who had grown wealthy from Spanish government contracts in Louisiana as well as from acting as factors and bankers for neighboring planters. In 1790, Spain had drastically reduced the amount of tobacco purchased from the Natchez District, and the planters soon felt the effects of a depression. By 1795, even after experimenting with indigo and cotton, they were not completely out of their financial straits. They frantically sought, and occasionally obtained, aid from the Spanish government in the form of the regulation of interest rates and produce prices as well as several stays of execution for debts. 13 Yet the planters still suffered in comparison with the merchants who reaped profits from the New Orleans market. Little wonder that there arose between debtor and creditor a natural antipathy which drove one depressed farmer to believe "that the time is not very distant when the planters inevitably must destroy
the merchants, or the merchants destroy the planters.¹⁴ Finally in 1795, just after Carondelet had secured permission from the Court at Madrid to grant a five-year suspension of executions for debts, the Pinckney Treaty threatened to wipe out these hard-won indulgences.

Don Manuel de Godoy, the Spanish official who negotiated the Pinckney Treaty with the United States, had every intention of discharging the treaty faithfully even though it was decidedly unfavorable to Spain. Godoy, facing a crisis in Europe and regarding the Spanish provinces in the Mississippi Valley of scant economic benefit to the mother country, decided to employ these colonies in order to lure new friends. The treaty signed with the United States at San Lorenzo was an essential part of this diplomatic revolution, for Godoy expected to convert the United States into a friendly neutral instead of a possible threat. After extending commercial benefits to the Americans, Godoy made overtures to France hoping to retrocede the Louisiana country to that nation.

Since Godoy contemplated parting with Louisiana, he had no reason to sabotage the treaty with the United States, and presently he dispatched orders to the Louisiana Governor, Baron de Carondelet, to execute its terms. Carondelet, closer to the situation in the American West, saw in the treaty the destruction of his earlier plans to divide the West and to weld together the interests of several western states with those of Spain. He realized the treaty would give the United States domination of the Mississippi Valley, and he had always opposed relinquishing any privileges to the "Yankee imperialist." After protesting to no avail, the Baron as a loyal official determined to obey his orders. But the necessary preparations and exchange of instructions took time and gave the impression to many contemporary observers that Spain never intended to execute the treaty. As late as February 11, 1797, Carondelet, writing to the
Natchez Governor Gayoso de Lemos, said: "I observe your doubts about the execution of the treaty, but I assure you that they are unfounded." As proof of Carondelet's intention to evacuate, two Spanish posts, one at Fort Confederation on the Tombigbee River and the other at Chickasaw Bluffs, were abandoned as planned. By March, 1797, the Baron expected to have all the forts, including the one at Natchez, evacuated.\textsuperscript{15}

Then, during the long interval between the signing of the treaty and the final surrender of the forts, the situation changed, and Godoy ordered Carondelet to delay the matter indefinitely. The order was more congenial to the Baron's nature, and he proceeded without delay to countermand his instructions to Gayoso and to invent plausible schemes for blocking the treaty.

The Spanish minister's sudden reversal resulted from the apparent failure in his expectation that the treaty would bind American friendship to Spain; instead, the Federalist administration remained as tied to Great Britain as ever. In the second place, Godoy had been unsuccessful in his effort to peddle Louisiana to France.\textsuperscript{16} When combined with various circumstances in the American West, Godoy's new policy soon threatened to lead to war with the United States. At Natchez, where the United States centered its activities to secure control of the region and where the Spaniards sought to delay the cession indefinitely, the inhabitants were tense and excited. Only Spanish weakness prevented serious trouble.\textsuperscript{17}

According to the treaty specifications, Spain and the United States were each to appoint two commissioners to establish precisely the boundary line; accordingly, President George Washington nominated Andrew Ellicott and Thomas Freeman, and on May 24, 1796, the Senate confirmed these appointments.\textsuperscript{15} In experience both men were competent to determine the boundary line, but goaded by conflicting ambitions, their personalities often clashed.
After studying under the outstanding mathematician, Thomas Patterson, Ellicott had successively received appointments to survey the continuation of the Mason and Dixon line (1734), the running of the western and northern boundaries of Pennsylvania (1735), and, with the aid of Benjamin Franklin, the establishment of the southwestern boundary of New York (1739). In 1751, he was one of the surveyors for the site of the new federal capital but, on account of strained relations with his colleagues, resigned in 1754. The following year he received one of the commissions to lay out the town of Presqu'Isle, Pennsylvania. 19

When Ellicott obtained his southern assignment, he was a logical and well-experienced choice, although his various honors had left him with a somewhat inflated opinion of his own importance. Unwilling to listen to the advice of his colleagues unless their opinion coincided with his own, he never maintained cordial relations with his fellow officers. Before his Mississippi career terminated, he had successfully antagonized the Army of the United States, the Spaniards, his chief surveyor, and many inhabitants in the Natchez District. Upon arrival at his destination, the commissioner arrogantly assumed complete authority, and demanded obedience from the permanent settlers as well as from his own subordinates.

In political principles Ellicott was a loyal Federalist. Although never a zealous party man, he nevertheless was a conservative and always sought the favor of the "most respectable" merchant-commercial classes in Natchez. He deplored the continual influx into the region of citizens "who have fled from their creditors, and some (not a few) from justice"; and he warned that if debtors were given the franchise, the "creditors would certainly be much injured, if not ruined, gentlemen of wealth, probity, and information neglected,
if not persecuted, and to complete the misfortune, public confidence annihilated."  

During his Mississippi career, Ellicott kept a detailed journal of proceedings, as he had during previous assignments. Although his literary style and ability were not marked, his scientific and astronomical observations had always been accurate and painstaking, and, in 1786, the American Philosophical Society elected him to membership.  

If Spain had immediately surrendered her hold on the ceded territory, Ellicott would probably have done a creditable job in surveying the boundary line, for after he actually began the operation of determining this line, he accomplished the task with facility even though, to the utter distress of Secretary of State Timothy Pickering, with unusual expense. Fortunately such was not the case. As it turned out, his role in the South was as much that of a diplomat as of a surveyor, and Ellicott had none of the characteristics of a successful diplomat. Exceedingly suspicious, he saw intrigue and conspiracy everywhere about Natchez and suspected every stranger who came to Natchez of being either a leader of, or an agent for, some filibuster. He once described the political events in the region as "strangely variegated with intrigue, sense, nonsense and accident," and later as consumed by a "spirit of intrigue and villany." He also wrote an alarming report to the Secretary of State that Colonel John McKee was surreptitiously connected with the William Blount conspiracy. At that time, McKee had been secretly commissioned by the State Department to inquire into the relations of Panton, Leslie & Co. and Spain with the southern Indians. Consequently, Pickering discredited most of Ellicott's alarmist reports, even those he wrote concerning James Wilkinson, as unfounded.
Ellicott made mistakes in accomplishing his task. With some justification the Spanish officials charged that Ellicott promoted much trouble, and with this accusation, many local inhabitants agreed. In September, 1797, several persons complained that the conflicts did not originate with "a single inhabitant...but by those sent here by the U. S." and led by Andrew Ellicott.\textsuperscript{25} The commissioner was too desirous of furthering his own cause and augmenting his own reputation in the sight of the Federalist dispensers of office. Often he purchased favor for himself at the price of blackening the reputation of his colleagues. Therefore, rather than soothing the disturbances and discouraging plots, Ellicott frequently contributed to them himself.

Thomas Freeman, the other commissioner and chief surveyor, was a recent Irish immigrant to the United States. Although he did not arrive in America until 1794, an excellent scientific education made him desirable as a surveyor, and within ten years his services were in demand as one of the commissioners to survey the district selected as the new seat of government. He resigned this post, in which he had done an admirable and swift job, to accept the assignment with Ellicott of determining the southern boundary.\textsuperscript{26} At Pittsburgh, he joined Ellicott and his party for the journey to Natchez. Immediately, Freeman objected to the presence of a mistress for Ellicott's son.\textsuperscript{27} Therefore relations between the two emissaries began on a strained basis, and they grew steadily worse.

Soon after their arrival at Natchez, Freeman and Ellicott fell into bitter dispute. Freeman especially disliked Ellicott's dilatory and often "too pacific" maneuvers with the Spaniards, and Ellicott's apparent cordiality with the Spanish officials led Freeman to charge that the commissioner was "a dupe to Gov'r Gayoso." Under attack from many sides, the weary Ellicott complained that "today I am accused of being bribed, " tomorrow of being "in the British
interest, and at another in that of France; but never in that of my own country!"
A friend of Ellicott's, Lewis Evans, charged that Freeman had uttered "many
violent expressions" which Gayoso had employed to attack Ellicott and the United
States. 26

These charges not only advanced Spanish designs, but they also aided
the opponents of Ellicott who adopted Freeman as a permanent friend. But
Freeman usually remained aloof from the commotion and personal bickerings of
the district. In the interval between his arrival and the final departure
of the Spaniards, Freeman divided his time between Natchez and New Orleans
and seldom chose to quarrel with Ellicott. Whenever he became involved, however,
he always lined up with the side opposing Ellicott and rarely minced words
in contempt for his adversary.

Living in the ceded area which Ellicott came to accept from the Spaniards
was a strange and conglomerate population. Even though France, Great Britain,
and Spain had ruled the Natchez District, settlers from these countries were
scarce and those few usually inhabited the lower part of Natchez where they
made a living from the river traffic. There were some important exceptions,
however, like William Dunbar, John Henderson, and John Bisland, all from Scotland,
who became leading planters in the district. In general, the foreign-born
inhabitants remained relatively isolated from the American agrarians who made
up the bulk of the population.

The immigrants from the United States, however, constituted a heterogeneous
group coming as they did from almost every eastern, though mostly southern,
state and from varying ancestral backgrounds. If there was a predominant element,
it was the Scotch-Irish from Virginia, the Carolinas, and Georgia. As an example
of this wide variety, two of the earliest parties to migrate into the Natchez
District were the Phineas Lyman group composed mostly of New Englanders and the Samuel and Amos Ogden clans from New Jersey. They were soon followed by such family groups as the Calvins from Maryland, the Greens from Virginia who had settled briefly in Georgia, the Formans from New Jersey, the Surgets from New York and the West Indies, the Curtis-Jones families from South Carolina, and the Irish Bruins from Virginia. In the early days inhabitants sometimes identified a few settlements by the name of the state from which the settlers had come, but this practice, when it continued, was more convenient than accurate. In increasing numbers, individuals and smaller family groups came in to augment the population. Many of these were escaping something tangible like a sheriff or creditor, while others were either fed up with economic troubles in the East or just restless for new scenery.

The two principal routes used by immigrants into the Natchez District were either down the Mississippi River, or overland from Nashville to Natchez utilizing the poorly marked Natchez Trace. The water route attracted settlers from the northern and middle states who embarked from Pittsburgh and used the Ohio River to reach the Mississippi, and other migrants from the upper South who came up the Cumberland or Tennessee Rivers. Two other routes were also employed. Some came by sea around the Florida peninsula and up the Mobile or Mississippi Rivers, either of which routes necessitated passing through Spanish territory. Others journeyed overland from Georgia to the Tombigbee settlements and thence to Natchez. A few settlers in the Tombigbee frontier had come down the Tombigbee River from Tennessee.

Over these various routes, settlers came from every corner of the United States, yet before 1798 no general migration had occurred. The influx was small and insignificant, but the Natchez District was widely mentioned as a good place to settle. Signs of economic progress were evident; in fact, this
remote salient of American territory already contained several parvenus who were rich enough to import luxuries from abroad and to attract favorable comments from astonished visitors. In 1796, an officer who visited "eleven different families" was amazed "to see the style (truly elegant) they lived in. They are in fact all rich..."31 Many of these planters, together with a few professional men, shared as great an interest in intellectual, especially scientific, activities as many inhabitants in more civilized areas.

Of course, such enlightened settlers composed only a small fraction of the population. The rather frequent change of control had generally encouraged the restless, turbulent, and unpredictable frontiersman. On observing these westerners, Ellicott felt that "from their situation [of] being constantly in danger from the Indians, they are habituated to alarms, and acts of bravery become a duty..." Yet he warned that "this bravery, to frequently..., degenerates into ferocity."32

However, Spain, not the restless settlers, would create the first difficulties for the United States.
FOOTNOTES I


5 By far the best account of Spanish West Florida is Arthur Preston Whitaker, *The Spanish-American Frontier: 1763-1795* (New York, 1927). See also Charles Gayarre, *History of Louisiana, the Spanish Dominion* (New Orleans, 1903), III, nassim., Gayoso to Godoy, March 31, 1795, Gayoso to Beauregard, April 1, 1791, Spanish transcripts, Mississippi Provincial Archives in the Mississippi Department of Archives and History.


10 In the district a tradition grew that "the cultivation of tobacco was interrupted and broken by a crop being condemned and burned in New Orleans to make room in the King's warehouse...for the tobacco introduced from Kentucky by Genl Wilkinson." Quoted in *Ibid.*, 11-13; J. P. H. Claiborne, *Mississippi, as a Province, Territory and State* (Jackson, 1850), 139-140. Hereinafter cited as Claiborne, Mississippi.


13 Decree of Governor Estaban Kiro, July 18, 1795, copy in Claiborne Collection; Decree of Carondelet, February 13, 1792, October 18, 1794, Spanish Records, book F, Chancery Clerk's office, Adams County court house, Natchez, Mississippi. Microfilm copy of the latter is in Mississippi Department of Archives and History.

14 Undated memorial, written by Anthony Hutchins, in Claiborne Collection.


H. G. Dwight, "Andrew Ellicott," in Allen Johnson and Dumas Malone, eds., *Dictionary of American Biography* (New York, 1931), VI, 89-90; Andrew Ellicott to the Secretary of State, September 17, 1797, Andrew Ellicott papers, MSS division, Library of Congress. All citations from the Library of Congress will be from the MSS division unless otherwise indicated.

Ellicott to the Secretary of State, September 24, 1797, Southern Boundary papers.


Timothy Pickering to Ellicott, October 4, 1798, Ellicott papers.

Ellicott to the Secretary of State, October 7, 1797, Southern Boundary papers; Pickering to Ellicott, August 30, 1798, *Historical Index to the Pickering Papers in Massachusetts Historical Society, Collections* (Boston, 1896), sixth series, VIII, 128.

Ellicott to the Secretary of State, November 27, 1797, Ellicott papers; Ellicott to the Secretary of State, October 7, 1797, Southern Boundary papers.


Lewis Evans to Ellicott, September 7, 1797, Ellicott to the Secretary of State, September 27, 1797, Southern Boundary papers.

30  Sydnor, Wailes, 15-16.

31  This observation which was made by Lieutenant Richard Butler is quoted in Louise Butler, "West Feliciana. A Glimpse of its History," Louisiana Historical Quarterly, VII, 96; Sydnor, Wailes, 120-126.

32  Ellicott's diary, quoted in Mathews, Ellicott, 142; Ellicott, Journal, 25.
Chapter II

The Struggle for Possession of Natchez

In the autumn of 1796, Andrew Ellicott and Thomas Freeman, accompanied by some attendants and a military guard, began their overdue journey to the little river port of Natchez. They endured a particularly fatiguing journey because of uncommonly low rivers and an unusually severe winter. When he reached the mouth of the Ohio River, Ellicott recorded the temperature as "7° below 0" and the Mississippi River as "frozen over almost to the mouth of Yasous. . . ." These unexpected conditions delayed his arrival, but finally on February 24, 1797, a weary commissioner first gazed upon the bluffs about Natchez.¹

Although the commissioner was exhausted, he arrived so disturbed that he could hardly rest. Never too trustful of Spanish promises, he had become convinced that Spain would not evacuate the ceded territory and that he would eventually have to report failure. During his journey down the Mississippi River, Ellicott had encountered uncooperative Spanish subalterns who generally pleaded ignorance of the treaty terms, and one of them even tried to delay him indefinitely. When he reached Walnut Hills, at the mouth of the Yazoo River, he not only had observed "no preparation for the evacuation of any posts," but he also received a request from the Spanish governor to leave his military escort at the mouth of Bayou Pierre, sixty miles above Natchez, in order to prevent any "unforeseen misunderstanding." The commissioner considered the request improper, yet he complied in order to demonstrate his desire for a peaceful transfer.²

Ellicott had further been instructed to look out for possible intrigue in the West. A French officer, Victor Collot, had recently travelled through
the western country and had presented his government with recommendations for possible defense of the Mississippi Valley. Following Collot's visit, rumors circulated that the French Republic intended to reacquire Louisiana. In addition, Ellicott had heard of Senator William Blount's plan to wrest control of the Floridas and Louisiana from Spain. Before he left Philadelphia, Ellicott's apprehensions had been increased when President George Washington instructed him to observe closely the actions of General James Wilkinson, the subject of numerous conspiratorial rumors. Consequently, Ellicott could hardly envision the West as anything but a hot-bed of sedition, intrigue, and conspiracy.

After the commissioner had been in Natchez only a few months, Thomas Power, a notorious Spanish agent known to be on his way to Kentucky, stopped briefly in Natchez and talked with Ellicott. Power's visit further excited Ellicott, and under such circumstances he began to think of himself as more than a boundary commissioner. Thereafter, he engaged in diplomacy with local Americans, cooperated in intrigue against the Spaniards, and participated in political cabals with various friends. His first objective was still to drive out the Spaniards.

At this time, however, Spain intended to evacuate her fort at Natchez. When Ellicott arrived, preparations for evacuation commenced, and on March 22, 1797, the Spanish soldiers actually began to dismount the cannon. Just as the artillery pieces were being loaded upon a barge for shipment to some other post, a messenger arrived with contradictory orders from Governor Baron de Carondelet. The news of the alteration in plans barely came in time to save this post, and the soldiers quickly carried the weapons back into the fort. It seemed that Ellicott's worst fears had been verified. After a useless protest to Spanish Governor Jayoso, the commissioner dispatched the alarming news to Secretary of State Timothy Pickering in Philadelphia.
Ellicott then adopted a series of aggressive moves to show the Spaniards and the local American settlers that he meant to fulfill his assignment. First he raised the American flag atop a small hill which was within clear view of the Spanish fort, and then he boldly ordered Lieutenant Piercy S. Pope, commander of the American detachment, to pitch his camp between Natchez and the fort. Later the commissioner refused a cordial offer by Carondelet for an interview in New Orleans because he felt it was another Spanish ruse to delay evacuation.7

These maneuvers came too late, for the Spaniards were now determined to retard the matter. Gayoso and Carondelet proceeded periodically to offer new excuses for delay (such as need to clarify Indian relations), to reinforce various vulnerable posts, and to incite the Indians against the settlers. These two officials also intrigued through the Spanish minister to have Ellicott either replaced as commissioner or to have his power confined to the purpose of running the line.8

Meanwhile, Gayoso at Natchez attempted to keep the inhabitants quiet while Spain plotted means to annul the cession. He understood the problems of these settlers better than Ellicott, and in March he issued two proclamations in which he tried to profit by this knowledge. After outlining certain advantages derived from Spanish rule, he then implied that they would be removed if the United States took over. He promised the inhabitants that Spain would keep the Indians peaceful and assured them that he would not molest any debtor during the coming planting season. He also warned the settlers against American land speculators who served not the public but their own ends. He then informed the land-holders that before Spain evacuated her officials hoped to secure an additional article to the Pinckney Treaty which would assure to all land-holders a full title to their lands.9
While Secretary Pickering denied that any such negotiations had been
planned with Spain, Ellicott seized another possible line of attack for he
also was aware of the settlers' problems. Aware that the inhabitants were
predominately Americans, he planned to convince them that the United States
offered a greater chance for liberty and local rights of self government than
Spain. As a first step, he arranged for some local partisans of American
control to draw up a petition, addressed to himself, complaining about the lack
of freedom under Spain and asking him to demand that Gayoso grant passports
to anyone wishing to dispose of his Spanish property and move to one of the
American states. Upon receiving this petition in a note from Ellicott, Gayoso
curtly dismissed the complaints as containing "not a word of truth." 11

Ellicott then became bolder. He was now certain that the settlers
were desirous of "speedily becoming citizens of the U. S." An anxious few
had already suggested such violent means as organizing an expedition of a
hundred armed men to oust forcibly the Spanish soldiers or kidnapping the
Spanish governor and holding him until Spain consented to evacuate. Although
the commissioner listened to these suggestions, he rejected them as much from
dislike for the originators of the plots as from fear of Spanish retaliation. 12

After the settlers became visibly alarmed by the quasi-naval war between
the United States and France and by the renewed intrigue of Spain with several
prominent westerners, Ellicott considered the days of Spanish control numbered.
In fact, he likened the disturbed public mind to "inflammable gas" which needed
only "a spark to produce an explosion." 13 Therefore, he prepared Pickering to
expect anything and convinced the State Department that additional troops were
necessary. Accordingly, the War Department despatched a detachment of soldiers
under Captain Isaac Guion with orders to relieve Spain of her forts along the
east bank of the Mississippi River if no resistance were offered, while Ellicott quietly began to build up a local force composed of Spanish Deserters and American Volunteers. 14

After such careful preparation, the smallest spark would touch off violence. On June 4, 1797, Gayoso unwisely allowed an itinerant Baptist preacher to hold a revival in Ellicott's camp. The service attracted considerable interest, and the preacher, elated by this attention, began to boast among some fervent Irish Catholics. On one occasion, this minister, while wandering about the disorderly part of Natchez, entered with these Catholics into a religious controversy "which was a little heightened by liquor," and in revenge, his Irish adversaries gave him a severe beating. Immediately, the enraged preacher appealed to Gayoso for justice, and, if not granted, he threatened to settle the matter in his own way. The mild-mannered Gayoso politely asked him to repeat his statement, and when he again issued his ultimatum, the governor had him placed in jail. As soon as the settlers learned that an American citizen had been committed to prison and put in the stocks, they interpreted this action as an attack upon their privileges as American citizens. Within a few hours, the inhabitants had Gayoso and his soldiers penned in the Spanish fort. Immediately the rebels gathered signatures to a "Declaration of Independence" in which they declared themselves citizens of the United States, and then they called a public meeting at the home of Benjamin Belk to plan their attack. 15

Although Ellicott had not instigated the rebellion, as Spanish officials charged, he hoped to direct the commotion to best advantage for himself and the United States without actually becoming involved. Believing that Gayoso had been sufficiently frightened, he next opened the way for negotiations, but while both men wanted a restoration of tranquility, neither could afford to seem too anxious. Consequently, meetings between the two were usually heated, and
one proposed agreement resulted in failure merely because Ellicott saw "no need of repentance" by the rebels. Furthermore, the rashness of Lieutenant Pope, who tried to steal the show from Ellicott by repeatedly sounding a charge and menacing the Spanish garrison "with an escalade," often interrupted the proceedings. 16

Frightened by the formation of a "committee of safety" composed of the leading citizens and by the prospect of reinforcements under Guion, Gayoso eventually consented to an agreement extremely favorable to the Americans. Besides exonerating all citizens involved in the commotion, he promised to call out the militia only in cases of Indian raids and local riots, to execute Spanish law "with mildness and moderation," to give the citizens a voice in choosing new alcaldes, and to allow a right of appeal in civil cases. 17 By signing this agreement, Gayoso relinquished much power, and in July, when Stephen Minor, a boyhood playmate of Ellicott in Maryland, replaced Gayoso as Governor of the Natchez district, Spanish control had all but passed. 18

Meanwhile, as a means of improving his own position in the district, Ellicott converted the committee of safety into a "permanent committee" which would be under his control. Included among its members were those who had acted with Ellicott in putting "the finishing strokes to Spanish authority" and those whom the commissioner regarded as "decidedly republican" and "firmly attached to the... United States." 19 Excluded from this committee were several local rivals of Ellicott and men whom the commissioner disliked. Prominent among these was Anthony Hutchins, one of the most prominent and oldest settlers in the district.

To keep as friendly a relationship as possible with the Spaniards, Ellicott also barred certain avowed enemies of Spain from membership in his committee. Included in this group were Thomas Green, who had only recently
escaped from a Spanish prison in New Orleans, his son Thomas Harston, and his son-in-law Cato West. All of these had been involved in an abortive rebellion against Spain in 1731 and in the unsuccessful Bourbon County project by Georgia in 1735. 20

But these men were too ambitious to be excluded from political power so quickly or so easily. Hutchins, active despite his eighty years, immediately began to contrive various methods to suppress and then to supplant the permanent committee. He attacked the committee not only as unconstitutional but also as undemocratic since the members had elected themselves. He proposed a new election in which the people would choose a popular committee and an agent who would place their grievances before the American Congress. To a Federalist like Ellicott, this suggestion sounded ludicrous, if not dangerous. He described Hutchins as "a perfect Democrat, - he will either have power to act the tyrant, or move heaven and earth to annihilate government. . . ." 21

Meanwhile, the persistent Hutchins obtained permission from the Spaniards, who welcomed an opportunity to split their adversaries, to hold an election and carry out his plan. 22 Ellicott and Lieutenant Pope tried to thwart this scheme, but the election occurred as scheduled. In spite of a light vote, Hutchins and a few of his associates, who claimed victory, organized the "committee of safety and correspondence" and selected Hutchins as its agent. 23 Hutchins promised to lay before Congress a true and clear picture of all debts which had been "contracted on the paper system," and he assured the citizens that Congress would "unweave its intricate entanglements and discover. . . the most complex parts of that artificial cobweb. . . ." He also called for a "reform of fraudulent accounts & obligations" so that "those who appear a Debtor will justly become a creditor." 24
Colonel Hutchins, the Greens, and others who had been out of favor with the Spaniards were also alarmed because Spain continued to grant ante-dated land titles to her favorites. They wanted this practice instantly stopped and these grants declared illegal. Hutchins and his friends also feared the probability that they would not receive any offices in the new government. If Ellicott remained the self-appointed liaison officer to Philadelphia, they would never obtain offices, and the merchants, who courted Ellicott, might secure full political power. Consequently, Hutchins hoped either to have Ellicott removed or to confine his activities to "nothing but Latitude & Line."  

With the main emphasis of Ellicott's opposition thus centered around debts, land claims, and patronage, the committee of safety and correspondence attracted most of the agrarian element. In addition, a few individuals who had encountered the wrath of Ellicott or who were disappointed in their quest for office sided with Hutchins. Such an individual was Warsworthy Hunter. He had originally been hired by Ellicott as his personal messenger from Natchez to Philadelphia, but the two men soon clashed. After Hunter had revealed a surreptitious plan involving Ellicott and Minor and consequently earned the hatred of Ellicott, he was only too happy to relay dispatches for the new committee of safety and correspondence.

A third group, composed of western adventurers who had become annoyed by Ellicott's peaceful policy with Spain, allied themselves with the Colonel. Many of these restless men had been involved in previous schemes against Spain, and a few had been connected with the Regulator Movement in North Carolina. Ellicott especially disliked law breakers who had come West solely to escape their rightful punishment.  

Since most of the western farmers were generally apathetic about politics, only Ellicott's support of the merchants spurred the farmers into some organization.
Most merchants quickly saw in American rule an opportunity to collect their lawful debts if only they could acquire control of the government. Consequently, they found Ellicott, himself a Hamiltonian Federalist, a congenial companion as well as a useful politician. In addition, a merchant like George Cochran could find Ellicott valuable in his business operations since he secured a contract to furnish the commissioner's party and the army with supplies.

Not only merchants but also office seekers, land promoters, and various speculators sought Ellicott's support. Thus Peter Bryan Bruin, a debtor planter, was so anxious for some local office that he had wined the new commissioner at "Bruin Castle" even before Ellicott reached Natchez. Thereafter these two became close confidants. Land speculators likewise tended to regard Ellicott as more useful than Hutchins. Daniel Clark, who wanted a federal fort located on his lands along the Mississippi River, became very friendly with Ellicott. James White, a ubiquitous speculator who appeared wherever land was available, shifted from support of Spain to support of the commissioner when it seemed Spain would leave the district. One of the most prominent gentlemen of Natchez, William Dunbar, "whose extensive literary and scientific knowledge," Ellicott felt, "would give him a distinguished rank in any country," had a particular obsession for land speculation. Since he had been a special favorite with Spanish officials, he had received numerous ante-dated titles which he was anxious to legalize. After Hutchins began his attack on these grants, Dunbar sought the company of Ellicott even more. Hutchins, who admitted that Dunbar was "very famous in the Land scheming way," accused him of having "ground [his fortune] out of the faces of the suffering inhabitants." 23

These various adherents were typical of a group of adventurous speculators, creditor merchants, office seekers, and various profiteers who looked to Ellicott. The economic and political alignments of the earlier Spanish rule—involving
land speculators, creditor merchants, and debtor farmers—thus persisted in the division between those who supported Ellicott and those who supported Hutchins. But when American control became inevitable, new issues arose. For instance, personality clashes assumed increased importance, and factions, built around a local personality, soon emerged. In fact, personal antipathy goes far to explain the bitter rivalry between Ellicott and Hutchins. These two ambitious men, who had cooperated to put across the June rebellion against Spain, soon were at loggerheads because both desired to lead. After a brief period of mutual cooperation, their ambitions collided, and each went his separate way. Likewise, Thomas Freeman and Andrew Ellicott seemed always to annoy each other. Although Freeman spent most of his time in New Orleans rather than in Natchez, he furnished the opposing committee with valuable issues by criticizing his fellow commissioner.

Family ties also provided a basis for alignment into factions. In fact, leaders within the committee of safety and correspondence were usually closely related. Hutchins resembled a Hapsburg monarch more than a frontier river planter as he moved his children about like chessmen matching them with someone from another prominent family in order to build up his own prestige and influence. For instance, his son John married Elizabeth Green, daughter of Thomas Harston Green; his daughter Mary was wedded to a son of the elder Thomas Green while another daughter became the wife of an Irish merchant and planter near Natchez, William Vousdan. The other leading figure among Ellicott's opponents was Cato West, who had married a daughter of Thomas Green.30

Hutchins' continual pleas for democracy attracted most democrats to his banner even though, to many citizens, a Tory and suspected monarchist appeared out of place in this role.31 From the beginning Hutchins, who otherwise would have been excluded from local government, demanded that the people should have
a voice in selecting local officials to formulate laws. On the other hand, even Ellicott, who clung to the Federalist philosophy of government by the well-born, wealthy, and talented, could not ignore western demands for freedom and participation in government. The permanent committee also claimed to be the true representative of the people, however, and Ellicott argued that his work had received "the unanimous thanks of the inhabitants" as shown by the naming of a little town "Ellicottsville."

In an effort to blacken the reputation of his adversary, each factional leader tried to imply that his opponent was disloyal to the United States. Hutchins was pictured not only as a British sympathizer but also as "a bitter enemy" to the Constitution and decidedly "anti-American." In return, Ellicott's enemies accused him of being "the dupe of the Spanish Governor...who found him a proper plaything suited to the theme of evasion."

The two committees, however, were more often in agreement than in disagreement on important points. The immediate objectives of both remained the removal of the Spaniards and the extension of American control. Daniel Clark once accurately described the situation when he explained to a friend that both committees were Republican and if "a spark [should] cause an explosion the moderate party [permanent committee] will be forced to adopt the measure of the other to save them from the fury of the Spaniards and to avoid participating in their ruin."

Even when the question of the proper form of government came up, these factions were in considerable agreement. They actually clashed over only two points, and one of these differences, which concerned slavery, was more sensational than substantial. Although Ellicott considered the institution of slavery barbarous, he was too realistic to recommend its abolition in the Natchez district; instead he reluctantly granted that it was too firmly embedded to be suddenly
uprooted. Yet Hutchins skillfully twisted Ellicott 's personal feelings in order to make them appear as a demand for the abolition of slavery.

The other point at issue involved the disposal of the public domain, and here a significant disagreement arose. Since the committee of safety and correspondence represented the agrarian interests, its members wanted a liberal disposal policy which would provide cheap lands available in small tracts. On the other hand, the permanent committee, dominated by speculators or merchants with liquid capital and anxious for speculative profits, recommended a policy similar to the one established by the land ordinance of 1785. Since land constituted the most important inducement for western migration, this conflict was nothing more than the ancient antagonism between speculator and pioneer, and almost every member of the two committees fitted into at least one of these categories. Ellicott, who busily purchased various lands which he later sold, had more than an ideological interest in this argument.

With issues fairly well defined and factions rapidly crystalizing, the conflict became increasingly heated. Besides the usual amount of personal invective, innuendo, exaggerated charges, and baseless lies, the participants learned certain valuable techniques of electioneering and mass persuasion. Necessarily crude and initiatory, these techniques frequently showed ingenuity. Initially, the opponents resorted to petitions and memorials to Congress, public addresses to the governor and the two committees, circular letters, and the distribution of various handbills and broadsides. On at least one occasion, moreover, Hutchins dispatched riders throughout the district to nail copies of an address upon prominent trees where they might be easily read.

Since the district suffered from the absence of a printing press, much of this literature had to be copied laboriously by hand; consequently the signed petition was most often used. The district became so flooded with this type
of material that Governor Minor desperately prayed for "God [to] send a speedy
determination of things," or else "they will be all run mad with memorials,
certificates, circular letters & c." 3\textsuperscript{39}

The participants did adopt other less wordy and more important forms
of political warfare. Elected committees, which were chosen by carefully
screened voters, spearheaded the activity and directed policy for each faction.
Ellicott was especially anxious to place all decisions in the comfortable hands
of a "little cabal," while retaining the appearance of a popular movement. 4\textsuperscript{C}
Hutchins was no less anxious to place control of his faction in the safe hands
of relatives.

To excite popular feelings further, periodic meetings were held at the
home of prominent citizens where tactics might be determined or the citizenry
might be aroused. Both factions kept messengers scurrying back and forth to
Philadelphia. On one occasion Ellicott plotted to cut Hutchins' communications
when he hired two ruffians to intercept a packet which contained a memorial
to Congress from the committee of safety and correspondence and sent another
partisan to Philadelphia in order to forestall any documents coming from Hutchins.
An enraged Hutchins had little difficulty in discovering the one responsible,
and he charged that Ellicott had "treated the robbers with refreshments & marks
of hospitality for their heroic & worthy action." 4\textsuperscript{1}

While Ellicott had little trouble in getting his communications perused
by the state department or read before Congress, Hutchins was not so fortunate.
In fact, Pickering usually filed Hutchins' memorials and letters away without
even reading their contents. To circumvent this impasse, the committee of safety
and correspondence selected an agent to represent it, an action for which they
found a precedent in territorial government. Although this agent dealt directly
with Congress and ignored Pickering, he had no better success, since Congress
was under the tight control of Federalists who appeared deaf to western grievances. Short of open rebellion, which they never contemplated, the "Hutchinetes" attempted all possible actions, and although unsuccessful, they were far from dejected. In fact, they had discovered all the political techniques which would be necessary to put across a successful political revolution in 1800. 42

During this political warfare Captain Isaac Guion arrived to relieve Pope as commandant of the garrison and to complicate the situation further. Forewarned of political affairs by Wilkinson, Guion remained aloof from both factions, yet antagonized both political leaders. Certain members of the permanent committee so annoyed him that he threatened "to be harder upon [them] than ever Hutchins was." 43 When he proceeded to attack members of the other committee similarly, and Guion eventually concluded that neither committee was "of any account here amongst the better kind of the Community." He flirted with the idea of forming, with the support of an adventurous speculator, General George Mathews, a "military coalition," but he did nothing. 44 At the same time that he was worrying Ellicott and Hutchins, he was annoying the Spaniards. Ferris of Spanish procrastination, Guion, with an army at his back, could afford to be more demanding.

In the midst of these various contentions, the common goal of all—Spanish departure—was suddenly achieved through circumstances beyond any faction's control. The Spanish ministers in Madrid, despairing of success from their western intrigues and alarmed by conspiracies such as Blount's, finally decided to pull the Spanish soldiers from the Natchez fort. Consequently, on March 22, 1796, a surprised Ellicott woke to the pleasant sight of the Spanish rear-guard leaving the fort. At noon Guion ordered a fifteen-gun salute to celebrate the occasion. Commissioner Ellicott immediately prepared to take up his original mission of marking the boundary line. 45
With the departure of the Spaniards and Ellicott in April, 1793, the Natchez district was plunged into new turmoil. Now that the territory had lost all organized government, a bitter struggle began for power among three groups: the old permanent committee now headed by Bruin, Daniel Clark, and George Cochran; the committee of safety and correspondence now controlled more by Voudan than by Hutchins, who had partially retired due to his infirmities and the constant slanders of Ellicott; and the military junta represented by Guion.

After denying that he himself had the authority to assume the functions of civil government, Guion blocked a maneuver by local merchants to take over and thwarted a scheme by Green to hold another election. Then he proceeded to assume most of the functions of government until a territory could be formally established. 46

Meanwhile Congress erected a territorial government in the ceded area when, on April 7, 1795, it provided for the establishment of the Mississippi Territory. With the exception of the clause forbidding slavery, the Ordinance of 1787 was to operate in the new territory. 47 In accordance with this act, President Adams submitted to the Senate a list of nominees which included George Mathews as governor, Arthur Miller as secretary, and Daniel Clark, William Wetmore of Massachusetts, and Daniel Tilton of New Hampshire as judges. An instant wave of protest greeted the nominations of Mathews and Miller, since they were at that time active agents for one of the land companies claiming large tracts of the "fraudulent" Yazoo grants of 1795. 48 This storm compelled Adams to withdraw this slate of nominees and to submit an entirely new list which the Senate eventually confirmed. The first officers of the territory were to be Wintrop Sargent of Massachusetts, governor; John Steele of Virginia, secretary; and William McGuire of Virginia, Bruin and Tilton, judges. 49
Presently, these new officers began preparations for their journey to Natchez, and Ellicott, perhaps disappointed by the appointments, started his enormous task of marking the boundary. The future was uncertain but inhabitants of the Natchez district were not without hope for a brighter future under American rule. No articulate opposition to control by the United States was heard, yet the citizens were immensely curious about their new governor.
FOOTNOTES II

1 T. Craig to Pickering, October 26, 1796, Southern Boundary papers; Ellicott to Gayoso, February 24, 1797, Ellicott papers.

2 Ellicott to Gayoso, March 11, 1797; March 23, 1797, Ibid.; Ellicott to the Secretary of State, April 1, 1797, April 14, 1797, Southern Boundary papers.


5 Silicott to the Secretary of State, June 5, 1797, Silicott papers; Deposition of Power, March 12, 1805, American State Papers, Miscellaneous, II, 60, 57; Gayarre, Louisiana, III, 345; James R. Jacobs, Tarnished Warrior (New York, 1933), 129, 149.

6 Silicott to the Secretary of State, April 14, 1797, Southern Boundary papers; Silicott, Journal, 57; Whitaker, Mississippi Question, 39.

7 The traveler, Francis Daily, gave Pope more credit than Silicott for this flag incident. Daily, Journal, 280-281. Silicott to the Secretary of State, April 14, 1797, Silicott to Pope, March 25, 1797, Southern Boundary papers.


9 These proclamations by Gayoso, both dated March 29, 1797, are in Southern Boundary papers.

10 Report of the Secretary of State to the President, June 10, 1797, American State Papers, Foreign Relations, II, 25; Silicott to Pickering, April 15, 1797, Silicott papers.

11 An address of a number of inhabitants to Silicott, March 27, 1797, Southern Boundary papers. The commissioner named Worsworthy Hunter as its author. Silicott, Journal, 72. Gayoso to Silicott, March 31, 1797, Southern Boundary papers.


14 Ellicott to the Secretary of State, May 10, 1797, Southern Boundary papers; Ellicott, *Journal,* 74-75.

15 Ellicott to the Secretary of State, June 27, 1797, Southern Boundary papers; Pope to Fellow Citizens of the District of Natchez, June 12, 1797, *American State Papers,* *Foreign Relations,* II, 54; Ellicott, *Journal,* 96-105; Gayoso to Santa Clara, September 24, 1797, Spanish transcripts.


17 Committee of Safety to Gayoso, June 22, 1797, Proclamation of Gayoso, June 22, 1797, Claiborne Collection.

18 Gayoso to Ellicott, July 27, 1797, Ellicott to the Secretary of State, September 12, 1797, Southern Boundary papers.

19 This committee was composed of Gabriel Benoit, Philander Smith, Daniel Clark, Peter Bryan Bruin, Frederick Kimball, William Ratliff, Roger Dixon, and Isaac Gaillard. Memorial of the permanent committee to Congress, October 23, 1797, Carter, *Terr. Papers,* V, 9-11; Ellicott, *Journal,* 139.


21 Hutchins to Planters, Mechanics, and Labourers of Natchez, August 13, 1797, Claiborne Collection; Hutchins to the Secretary of State, September 12, 1797, Southern Boundary papers.

22 Proclamation of Minor, August 15, 1797, Claiborne Collection.

23 Hutchins to Pope, September 6, 1797; Hutchins to Pickering, November 10, 1797, *Ibid.*; Ellicott to James Ross, September 24, 1797, Ellicott papers.

24 Hutchins to whom it may concern, October 12, 1797, Hutchins to Planters, Mechanics, and Labourers, August 10, 1797, Claiborne Collection.


26 Ellicott to Bruin, April 8, 1796, Ellicott papers; Ellicott to the Secretary of State, December 29, 1801, Carter, *Terr. Papers,* V, 132-133.

27 Bruin to Ellicott, September 3, 1797, Ellicott papers; Hutchins to Gentlemen Electors, August 25, 1797, Claiborne Collection.
28 Gayoso to Carondelet, July 7, 1767, Spanish transcripts; Dunbar to Ellicott, August 27, 1737, Ellicott papers.

29 Ellicott to the Secretary of State, April 14, 1737, Southern Boundary papers; Hutchins to Pickering, November 10, 1737, Claiborne Collection.

30 William B. Hamilton, "Politics in the Mississippi Territory," Huntington Library Quarterly, XI, 277-291. Most of these various marriages are also listed in Alice Tracy Welch, Family Records Mississippi Revolutionary Soldiers (n. p., n. d.).

31 Years later, one traveler, after noticing the "considerable landed property" left by Hutchins, noted that the Colonel had been "very hospitable, and had great influence in the political business of the territory, which by the manner he used it, acquired for him the character of an ambitious monarchist." Such was the legacy left by Hutchins. Cruikshank's Tour to the Western Country in Reuben G. Thwaites, ed., Early Western Travels 1748-1846 (Cleveland, 1904), IV, 326.


34 Ellicott to the Secretary of State, November 14, 1757, November 26, 1757, Lewis Evans to Ellicott, September 7, 1757, Southern Boundary papers; Hutchins to Pickering, November 10, 1757, Claiborne Collection.

35 Daniel Clark to Daniel Cox, December 8, 1757, State Department Records.

36 For a comparison of the demands and recommendations of the two committees consult P. L. Siley, "Transition," 293-296. See also circular letter, October 13, 1757, Ellicott papers.

37 In 1801, Ellicott gave Peter Walker the necessary power to dispose his lands near Natchez. Statement of Ellicott, January 15, 1801, Claiborne Collection. See also Spanish Records, Adams County courthouse, book D, 192 (microfilm copy in the Mississippi Department of Archives and History); Adams County Deeds, book B, 136.

38 Claiborne, Mississippi, 156.

39 Minor to Gayoso, October 14, 1797, October 18, 1797, November 21, 1797, Spanish transcripts.

40 Stoddard, Sketches, 94.

41 Hutchins to Pickering, November 12, 1757, Hutchins to Planters, Mechanics, and Labourers, n. d., Claiborne Collection; Ellicott to the Secretary of State, November 26, 1757, Southern Boundary papers.

Ellicott to Pickering, February 10, 1798, Ellicott papers.


Gayoso to Andres Lopez Armento, January 19, 1760, Spanish transcripts; Ellicott to the Secretary of State, June 13, 1798, Ellicott papers; Ellicott, *Journal*, I:2-I:7.


From an oil portrait in the Mississippi Hall of Fame
Chapter III

The First Territorial Governor: Winthrop Sargent

On Monday, August 6, 1796, a boat bearing Winthrop Sargent, the first territorial governor, docked at the Natchez wharf. Immediately the little port bustled with activity, as hundreds of citizens who had anxiously waited to gaze on "his Yankeeship" milled about, and a few, with more at stake, tried to approach him in the hope of securing some office. Indiscriminately Sargent refused them all, and they had to be satisfied with merely sending a cordial note to "his gentleman in waiting." Although most were annoyed by this gesture, none was more irritated than the "Military Jentry" who had expected to discover a special friend in the former revolutionary soldier, especially since General James Wilkinson had accompanied him down the river.¹

The governor's refusal to grant anyone an audience or to greet the cheering mob resulted from his physical condition and not from any personal inclination to avoid crowds, well-wishers, and patronage hunters. He arrived in exceedingly poor health. In fact, the governor remained aboard the river boat which brought him until August 8, when he, accompanied by Judge Peter B. Ruin (who seemed always to be among the first to confront a patronage dispenser) and Captain Isaac Guion left for the former residence of the Spanish Governor, the fabulous Concord, where he spent another week convalescing.²

Most citizens were sympathetic because of the governor's physical infirmities, but they were concerned that the territory should remain without a functioning head. For almost six months the territory had been ruled by a make-shift military junta whose right to rule had been contested vigorously by the Autonins group and mildly by the permanent committee. During this interval, political confusion had disturbed the Natchez district while
inhabitants in the eastern half of the territory along the Tombigbee River remained securely under the Spanish yoke. Therefore, most settlers were anxious for firm leadership.

The delay was not entirely, nor primarily, the fault of Sargent. President John Adams, by initially nominating an unwelcome list of officers headed by George Mathews, had contributed to this anxiety, and then Congress added its share by a lengthy and sometimes bitter debate over the nomination of Sargent. After Secretary of State Timothy Pickering had failed to push the name of Mathews through the Senate, he supported Sargent, who possessed several essential qualifications. First of all, he had military experience, which would help in organizing a militia and in quieting the apprehensions of settlers who daily lived in horror of a slave insurrection, an Indian uprising, or an attack by conniving Spaniards. Secondly, he had acquired valuable administrative experience while serving as Secretary of the Northwest Territory. Finally, he had proved himself a diligent worker, staunch Federalist, and loyal servant; besides he was from Massachusetts and a member of one of Gloucester’s prominent families.

The very traits that recommended Sargent to Pickering, however, displeased many Senators. Southerners especially disliked Adams’ predilection for easterners, while not a few felt Sargent’s record in the Northwest left much to be desired. In the end, Sargent’s supporters, led by Senator John Ross of Pennsylvania, barely mustered enough strength to have him confirmed by a close vote of 11 to 10.

After the disappointing vote, Sargent, concerned over his health, hesitated momentarily before accepting. Realizing that "First Impressions are strong," he delayed his departure to give the judges ample time for preparing their journeys in order that all officials of the new territory might arrive simultaneously. In this hope, Sargent was to be disappointed. With the exception of Judge Bruin, who lived within the territory, the judges were slow to arrive,
loath to remain on the job, and anxious to leave. After the new governor finally left for Natchez, he encountered rough weather and continually had to endure very painful physical disorders.⁶

While Sargent waited for the judges, the local citizens, curious about their new executive, began to spread rumors, hearsay, and opinions about him. Friends of Mathews, displeased by his rejection, either registered loud protests or merely made sneering remarks about the governor. Furthermore, many people had found him a "haughty over-bearing man," and when this report spread through the territory, William Dunbar discovered that the country people were already dissatisfied even though his appointment had given "great pleasure to the well disposed."⁷ Even if one observer were correct in believing that these feelings began "to subside the minute Sargent's boat docked...," this honeymoon lasted only briefly.⁸

Much of the early opposition to Sargent was based on his personality. A New England puritan and conservative, he had different ideas of society from those of most of his southern constituents. He was much concerned with morality, and often misinterpreted frontier exuberance as examples of western lawlessness and profligacy. He especially found life along the waterfront of Natchez disgusting and deplorable, and constantly complained of the unwillingness of many westerners to keep the Sabbath holy.⁹ Always suspicious of westerners, he regarded too many of the inhabitants as nothing more than fugitives from justice, lawless characters, or aliens of various types, among whom were "the most abandoned of Vilians who have escaped from the Chains and Prisons of Spain and been convicted of the Blackest of Crimes."¹⁰

This unfortunate prejudice made Sargent appear snobbish and haughty. One of the most often voiced criticisms against him concerned these mannerisms. Even Pickering was afraid that this trait might cause him difficulty, and he
instructed the governor that "condescending manners toward our fellow-citizens of all degrees are very compatible with self-respect and official dignity." Although Sargent valiantly tried to alter his personality, he found it impossible. Even an early friend soon became annoyed with the governor's "phlegmatic and austere disposition," and admitted that a "man so frigid and sour" could never satisfy a "free people."  

Exhibiting an air of precision and formality, Sargent closely resembled a military man. He once admitted that he would rather obey orders than give them, and along with his military sense went an enraging respect of, and a demand for, obedience. As an administrator, he was "industrious, methodical, and indefatigable...," yet he often paid too close attention to trivia to the neglect of more important concerns. On the other hand, his devotion to duty and respect for law was exemplary.

In two respects particularly, Sargent aroused opposition. He had been an active speculator in Ohio lands, and numbered among his eastern friends were several notorious speculators such as Samuel Hodgson, William Duer, and Theophilus Parsons. The fact that Sargent lost more money from speculation than he gained mattered little to his western critics. Since pay for public offices was meager, territorial officers would have been far less capable had it not been for possible profits from land speculation. Usually speculators also served the extremely useful purpose of advertising the West to prospective settlers, and they, as much as the federal government, encouraged western migration. Not only did they render a financial service, similar to a modern banker, but they also served as press agents for migration. Despite these beneficial results, the frontiersman continued to regard them as predatory and malicious men, and Sargent's background in speculation hindered his administration.
More serious was Sargent's disdain for democracy. Totally unwilling to believe the frontiersmen capable of self government, he looked upon those who advocated popular participation in government as "wicked and designing men," and he prided himself on the fact that he always sought advice from "the most respectable characters" among property holders. His motto remained an unbending "no encroachment on his prerogative."\(^{15}\) Although he admitted that he had an "inordinate passion for fame," he would rather forget it than secure it by becoming a "machine of the Multitude." "Better face relentless opposition," he wrote, "than stoop to gain peace and popularity by the cheap methods of the demagogue."\(^{16}\) Therefore, Sargent, like Ellicott, found the suggestions of Hutchins and others for local democracy unpalatable.

Since the first grade of territorial government placed an enormous amount of arbitrary power in the governor's hands, Sargent was even more vulnerable than Ellicott to a charge of tyranny. Congress made the governor's burden even heavier by ambiguously handling several perplexing problems. By prohibiting the importation of Negro slaves from foreign countries, Congress antagonized many farmers who also owned slaves in Spanish territory. More annoying was the absence of any provision respecting land claims. Some even felt that this omission had been intentional in order to aid British, Georgian, and fraudulent Spanish claimants.\(^{17}\)

In summary, Sargent's position was not an enviable one, and there was little wonder that he might be slightly hesitant to act. After a week's rest, however, he felt strong enough to assume some of his mounting duties. To quiet public anxiety and to set the tone for his administration, he decided upon a public address, and he chose the local church as the proper place in which to deliver it.\(^{18}\)
After a brief disquisition on the type of government, the governor turned
to a consideration of his own powers. First, he assured his listeners that
in making appointments the merits of each individual would be his only guide.
After apologizing for the absence of a legal code, he promised that "a concise
and clear code of laws" would be adopted as soon as another judge arrived.
He also stressed the necessity for a "well appointed and well ordered militia"
and attributed the delay in its organization to his own ignorance concerning
suitable men for office. 

Within a few weeks after this speech, the governor busily began fulfilling
some of his promises. Before he decided upon capable men for office, he personally
visited Ellicott who was then engaged in marking the boundary line. Returning
with a suitable list for appointments, he proceeded to organize the militia.
After dividing the Natchez district into a northern and southern legion, he
made all free males between the ages of sixteen and fifty liable for duty,
provided for necessary punishments in case of disobedience or insubordination,
and issued a list of military appointees. 

When the judges continued to be absent, Sargent was forced to fill certain offices. In addition to naming
sheriffs, coroners, justices, and clerks, the governor, by executive proclamation,
created two judges of the Probate who had the power to administer estates, take
bonds and security, and care for orphans.

By arbitrarily creating a new judicial officer, Sargent opened himself
to determined opposition. Several critics charged that by a single stroke
the governor had fashioned an office, prescribed its powers, and appointed
his favorites, William Dunbar and John Girault, to these offices without any
check on their authority. Murmurs arose that "Royalty could do no more."

Behind this outburst of opposition to the appointees lay the name of
Andrew Ellicott. Instead of relying on Bruin for advice, Sargent ignored him
and went to see the despised commissioner. "Now it maters not what you recommend," a friend reported to Ellicott; "It is Saide it is a law and this current of oppinion is that the G____ was ordered to your camp for his instructions how to acte. . . ."23

In choosing militia officers, Sargent included several of Hutchins' friends, but any possible conciliatory effects from this move were quickly nullified by his obvious preference for Ellicott's advice. To all "Hutchinsites" the name of Ellicott was anathema. On the other hand, when Sargent offered a militia commission to one of Hutchins' sons, even a few of the governor's friends could no longer be silent. Daniel Clark predicted that "the conciliatory system which our seemingly worthy sergeant is fond of adopting will not Suit those implacable spirits that have lately been the terrorists and anarchists of Natchez."24

Having scattered militia appointments among all factions, Sargent was more discriminating in making civil appointments. With the exception of Cato West, few members of the old committee of safety and correspondence were honored with these offices. If Ellicott and Sargent, however, hoped to seduce West into joining their political circle, they were to be disappointed. Perhaps Sargent, who held a high respect for law, could not bring himself to offer judicial posts to men whom he considered wicked and perverse.

While the opposition was not yet strong enough to assume political importance, plenty of unrest nevertheless prevailed. The most serious cause of this restlessness was the problem of land titles and claims. Land hunger more than anything else had sped the settler westward, and his appetite often remained insatiable. In the face of this enormous thirst for landed wealth, since land constituted the measure of a man's prestige and riches, there existed
a peculiar scarcity of land. Selective and discriminating about his land, the western immigrant stayed clear of sandy soil where pine trees predominated and eagerly sought lands where oak was abundant. Furthermore, he was so dependent upon water transportation that he always tried to be near a navigable stream or river. Since much of the vacant lands in the Mississippi Territory could not pass these initial tests, the migrant either moved on or stayed to wait until better lands were available.

Indians held especially valuable areas along the Mississippi, Tennessee, upper -ombigbee, and Alabama Rivers, and most immigrants early learned to despise their red neighbors if for no other reason than that the white men coveted these lands. Likewise, the Spaniards not only possessed fertile acres, but they also controlled the mouths of most navigable streams and rivers. Because of these factors, unclaimed and untenanted land were practically nonexistent.

Land questions, therefore, attracted much of the settlers’ attention. To complicate the matter further, many land claims overlapped since several different governments had either ruled or claimed the region. Originally France controlled the territory, but except for a few settlers along the Mobile River, no one held land under a French title. Far different was the matter of British claims. During her rule, Great Britain had generously donated some of these lands to favorites. In most cases, the large grants had never been cultivated or occupied by the grantees, yet these grantees insisted upon the legality of their claims and threatened any subsequent settler with an expensive suit.

Of more immediate concern were grants made by two other governments. Spain, during her rule, had confirmed all occupants in their lands and granted small tracts to new immigrants. Far more than any previous ruler, Spain had briefly put a halt to the activities of speculators in an effort to attract
population. After the Pinckney treaty, however, Spain encouraged a new wave of land speculation by granting to local favorites land titles which had been carefully dated before the signing of the treaty in order to give them an appearance of legality.

After Sargent arrived, most settlers expected him or Congress to repudiate these antedated Spanish grants, and when neither did, a new outburst of rumors increased discontent. While some settlers were alarmed over these "fraudulent" grants, others were more concerned over the question of the Yazoo grants of 1795 made by the Georgia legislature. Since the Treaty of Paris in 1783, Georgia had claimed these lands of the Mississippi Territory. In 1795, the Georgia legislature had granted much of this area to several land companies in which most of the legislators had an interest. The legislators involved, however, were almost immediately voted out of office, but even though the new legislature repealed these grants, several companies dismissed the repeal as illegal and proceeded to sell lands and stock to individuals and other companies. In 1797, one of these latter companies, The New England Company, employed George Mathews, who had been originally nominated as governor of the Mississippi Territory, as its agent. Even after Sargent informed him politely but firmly that he knew of "no right in any company to lands within the Mississippi Territory. . . .," Mathews remained in the territory.26

More serious than Mathews was another notorious speculator in Yazoo lands, Zachariah Cox, who, in 1795, came at the head of an armed band. After some hesitation, Sargent ordered his arrest when it was rumored about that he had arrived "to assume government for the State of Georgia." Shortly afterwards, Cox, aided by some local friends, escaped to Tennessee where he successfully avoided the extradition requests made by Sargent. However, Sargent was furious
when some of his critics came to Cox's defense, and the governor immediately ordered the arrest of Cox's accomplices.

Several of Sargent's critics soon linked the governor's arbitrary action against Cox with the exodus of some settlers into Spanish Territory. In 1796, James White, another investor in Yazoo lands, led a wave of migrants who were supposedly anxious to accept the liberal offers of the Spaniards, and a number of individuals voiced the opinion that if Sargent did not resolve the land question the whole Mississippi Territory might be vacated. The charge was more sensational than true, however, since many migrants were like Samuel Hutchins who had been sent to Spanish territory to supervise his father's lands and negroes. Sargent, however, was helpless for Congress alone could legislate on these matters.

The problem of squatters was different. As soon as Sargent heard that immigrants were "marking trees &c. with a view to settlement," he immediately threatened any subsequent violator with a fine and imprisonment. On the other hand, he allowed existing squatters to remain and recommended a liberal land policy. Under the weight of office, he not only lost his interest in speculation, but he also began to worry about the sparseness of settlement on an exposed frontier. With a view to encouraging population and decreasing migrations into Spanish territory, he therefore suggested a speedy and "Equitable decision upon . . . Land Claims" and the early opening of an accessible land office. These suggestions he made quietly to Pickering, so that the people knew only of his harsh policy toward illegal squatters.

Besides the troublesome land questions, Sargent daily had to face petty problems arising from Indian relations and to resolve misunderstandings with Spain. In these matters, the governor had not only to contend with threats from the Indians, but he also had to control his own citizens. In fact, the
latter were more difficult. Before 1811, the Indians never constituted a serious menace, yet the whites, by supplying them with liquor and killing them in fights or accidents, created a constant string of dangerous incidents. The United States government attempted to counteract these blunders by supplying the Indians with articles of necessity and by employing skillful Indian agents like Benjamin Hawkins for the Creeks and the witty Silas Dinsmoor for the Choctaws. Later the government also established several factories for Indian trade. 30

Spanish relations had a more serious side since they were often international in their consequences, especially during the period of the quasi-naval war with France. Most Americans accused the Spaniards of being behind all Indian troubles. In addition to threatening the peace of the territory, Spain was in a good position to hinder the economic well-being of the farmers and merchants since she controlled the avenues of trade. Spanish territory also acted as an accessible haven for fugitive slaves. Spanish relations, however, became more cordial when Sargent married a wealthy widow, Mrs. Maria McIntosh Williams. Since Governor Gayoso was godfather of one of the bride's five children, subsequent correspondence between Sargent and Gayoso demonstrated a desire for friendship and spanned a variety of subjects from flora to fugitives. Yet the American governor still was afraid that Spain might cede Louisiana to France, in which case he felt force should be used to prevent it. 31

In 1799 Judge Daniel Tilton's appearance made possible the first territorial legislation. Under the first stage of territorial government any two judges and the governor may "adopt and publish...such laws of the original states[,]

Criminal and civil, as may be necessary...", limited only to the extent that they must not interfere with disposal of public lands or titles to the soil. In turn, Congress might veto any territorial act. 32
Sargent and Judges Bruin and Hilton, immediately began preparing a criminal code, but they soon ran into difficulty. While these men admitted a deficiency in legal knowledge, they were also without codes of the several states to follow and therefore they had to refer only to the codes of the Northwest Territory which even Sargent admitted was not "a very good basis." Undaunted, they proceeded with the task while Sargent explained to Pickering the necessity of making instead of adopting laws for the territory.\textsuperscript{33}

The three territorial officials began by legalizing Sargent's executive proclamation providing for two Probate Judges; they then turned to establishing a county court system and establishing rules and regulations for a local militia. While these acts received general approval, a different reception greeted the criminal code, later to be inaccurately called "Sargent's code." This code provided not only for such punishments as cropping, pillorying, and whipping, but it also allowed forfeiture of estates in cases of treason, arson or burglary. Other acts regulating marriages and taverns granted to the governor fees of eight and ten dollars respectively, sums which many felt enormous.\textsuperscript{34}

Although opposition had gradually been building up, Sargent's code furnished opponents with an immediate cause. Already thoroughly irritated by Sargent's friendship with Allicott, his disappointing land practices, and his close ties with the merchants and creditors in Natchez, his opponents were nevertheless hesitant to attack him upon these points, but the harsh criminal code was a perfect issue. They relentlessly charged that the code was tyrannical and the fees exorbitant.

Meanwhile, the agrarian element had gone through a significant change. Still dominated by the old opponents of Allicott, leadership of this group had definitely fallen into the eager grasp of the Green family while the influence of Hutchins declined. Several reasons accounted for this alteration. Hutchins,
aggravated by a series of serious illnesses, was less active. In addition, the former cordial relations between the Hutchins and Green families became strained as a result of a sordid divorce case involving John Hutchins and Elizabeth Green Hutchins. 35

More important than these circumstances in explaining the Hutchins-Green shift was the effect of the creation of county governments. Early in the year 1799, the legislators divided the Satchez district at Fairchild's Creek, naming the northern county for Secretary Pickering and the southern county for President Adams. By this division the merchant element of Satchez secured control of Adams County, but the agrarian group was left dominant in Pickering County, where the Green families behaved like squires. Since Hutchins and Voussen resided in Adams County, they were overshadowed by the more numerous supporters of Sargent and declined in power. This situation soon led to a clearly marked town-country cleavage which threatened to disrupt Sargent's administration.

Although Thomas H. Green and Cato West thus gained new prominence, Hutchins could still get just as excited or just as violent as the Greens when attacking Ellicott and Sargent. Therefore, cooperation between these families upon political matters continued. The first evidence of dissatisfaction with Sargent came in a number of sudden resignations from office. Hutchins, who had been conspicuously overlooked when appointments were made, joined his influence with that of West and Green to persuade relatives and friends to flood Sargent's office with resignations. 36

After this occurrence, only a few of the anti-Ellicott group, which Sargent had tried to placate, remained in office. From the remaining public officers, who became loyal supporters of Sargent, the governor began building his own faction. Foremost among these were John Girault, a capable Huguenot
with an amazing command of languages; Lewis Evans, a lively partisan silversmith of Natchez; William Ferguson, who braved the wrath of the Green family to become sheriff of Pickering County; and Lyman Harding, an ex-schoolmaster who found the practice of law more profitable.

Allied with these office-holders were several conservative-minded men like Dunbar who believed in the necessity of a strong executive; the commercial leaders of Natchez who found the interests of the man from Massachusetts to be as congenial to them as those of Silicott; lawyers of the territory who expected the Federalist policies of the Governor and President to provide lucrative land cases; and those claimants who held ante-dated Spanish titles and who could hardly find favor among the Green-West faction. It was not surprising that Sargent found his friends within the town of Natchez which resembled his home state far more than the backcountry with its Negro slavery (an institution he disliked) and its democratic feelings.

Nor was it unexpected that the Green-West faction employed the same democratic issues used against Silicott in opposition to Sargent. This group first attacked the militia, an organization which was never popular. Except during occasions of extreme emergency, the frontiersman found military life, with its rigid discipline and its fatiguing parades and inspections, very annoying. Also the monthly muster often took the farmers away from the field in a season when their work was heaviest. Furthermore, by its very nature the militia was undemocratic; thus it seemed a perfect target.

To make the militia less autocratic, the West-Green group suggested that the individual soldiers select their own company officers. Standing squarely by his motto of no "incroachments on his prerogatives," Sargent flatly refused, and then he and the judges adopted a scale of fees to be imposed for non-attendance at musters. The governor even announced an end to his policy
of accepting volunteer companies lest that be construed as relinquishing his power of appointment. 38

In answer to Sargent, a few determined opponents, sometimes stirred up by the officers and usually with their officers' consent, held public meetings where they elected their own superiors. They also made it clear that they would continue to serve only if the governor commissioned these nominees. Sargent was furious, but he wisely concealed his anger. He ordered the two legion commanders, Daniel Clark and John Girault, to inform the men "that where all the necessary Qualifications for Office Unite in a man most agreeable to the people such should be my election. . . ." On the other hand, the Governor wanted it clearly understood that he would never violate his constitutional trust to "appoint all officers" and that "Determined Systematic opposition to Sovereign Will" was so serious a crime that he hoped it might never be committed. 39

Neither this warning nor the vigorous efforts of the legion commanders could stem the tide of this opposition and Sargent and his commanders soon learned that local opinion was stronger than law. Clark aptly phrased the dilemma when he reported that "officers will not serve if their men dislike them nor do they like to enforce the militia law by fining any delinquent Neighbors." While Clark called for some punitive measures and a revision of the militia law, Girault merely reported that the Pickering County militia was "in a perfect state of disobedience. . . ." 40 In May, 1800, after repeated and frantic requests from various militia officers, the judges and governor provided for harsher punishments in case of disobedience of orders but they also reduced the number of muster and field days. 41

Stymied in their efforts to have officers chosen by a popular vote, opponents of the militia began a wholesale attack upon the officers and eventually forced several to resign. Their biggest prize was the resignation of a frustrated
and angry Colonel Daniel Clark who listed the inertia of the men and the "lack of emulation" among the officers as his reasons. On a later occasion, Clark even went to court in an effort to silence one of his public critics. In disgust, he warned Sargent that if "an itinerant calumniator, a Slanderer, Libeller, or Blackguard" could publicly ridicule territorial officers, then offenders "will pass on and smile at their impotence and the feebleness of their legal power."\textsuperscript{42}

Since most of the high ranking militia officers might also be justices, sheriffs, or other county officers, opponents of the governor not only criticized the military failures of these officials but also challenged their judicial actions. In fact, this type of criticism provoked Clark into court and forced him to resign his judicial offices in order to free himself from "insults and abuse." Similar attacks upon William Dunbar led to the same result. Since he thought that Sargent had "a perverse generation to deal with," he would feel much happier and more influential out of office.\textsuperscript{43}

The revolt against the justices and the court system reached its height in Pickering County. In February, 1800, when inclement weather had delayed the Adams County courts, Sargent postponed the inferior courts in order to avoid any inconvenience which might arise from both courts being simultaneously in session. Although a copy of the governor's proclamation had arrived in time, it lacked the proper signature, and even if the copy had been perfectly legal, the sheriff did not have sufficient time to notify all justices. Consequently, the court assembled as scheduled, but the justices agreed to a two-day adjournment. Upon reassembling, the justices found the postponement to be correct and accordingly adjourned until March 3.\textsuperscript{44}

When the court met again, a local lawyer, Robert Knox, rose to move an adjournment. After charging that the governor could not postpone a court
of law, he insisted that an adjournment was necessary because a jury could not be summoned for a special court. Attorney General Lyman Harding immediately objected and moved that the court open as a regular session, but when two of the three justices voted Harding's motion down, the court adjourned until the May term. "Justice has been delayed and the known laws of the territory disregarded," reported a horrified Attorney General who believed that the justices were guilty of violating an executive proclamation. Court clerk John Jirault was convinced that the proceedings had been adroitly planned by certain individuals who wanted "to promote confusion and discord."  

Bitter disputes over county seats and sites for public buildings likewise held up the courts, led to bitter resentment, and resulted in numerous resignations from office. In choosing these sites, Sargent had not only to consider the question of convenience but also to contend with the plans of numerous speculators who hoped to increase the value of their lands by locating a county seat on them. Some agreed to donate the lots for the buildings if their lands were chosen, and a few promised to erect a jail and courthouse without charge. In Adams County Sargent rejected the overtures of John Foster, who planned a town near Silicott's Spring, and chose Natchez as the seat of government. Although a few objected more from habit than reason, the site was not only logical and appropriate since it was the center of commerce and population, but it was also fitting since Sargent had earlier placed the territorial offices there. However, when he also selected this town for the federal port of entry, charges of favoritism and accusations of personal interest were loudly voiced about and often accepted without hesitation by backcountry farmers.  

As usual, a more violent conflict occurred in Pickering County. Sargent hoped to avoid difficulty by naming Villa Jayoso, where the Spaniards had erected several buildings, as the county seat. At that time, the United States Army
was in possession of these buildings which the Spanish governors had employed
to house civil offices. After a brief quarrel with Wilkinson, Sargent obtained
possession and ordered the buildings renovated for county purposes.

But Thomas Green suddenly claimed Villa Gayoso and began legal action
to recover "his property." Sargent, however, clung to this property, even
permitting the County Clerk Girault to plant a cotton crop there, while Green
unsuccessfully tried to hurry up the court trial before some detrimental witnesses
returned. This controversy eventually dragged out in the courts until 1862
when the federal government returned the property to Green.45

This dispute had two important and, for Sargent, unfortunate results.
In the first place, numerous complaints about county justices led to so many
resignations that Girault feared the Pickering courts might be closed. To prevent
new, and this time valid, complaints, he begged Sargent to appoint new justices
immediately.45

In the second place, the controversy over Villa Gayoso made it necessary
to consider another place to locate the county seat. Of the various suggestions,
the petition offered by certain Adams County citizens proposing Union Town
as a seat of justice for Pickering County created the greatest outcry. Instantly,
the Pickering citizens were up in arms. Not only was Union Town just six miles
from the Adams County line, but also some of the signers, including several
Natchez merchants, had personal interest in the proposed land. Immediately,
a rumor spread that Sargent had privately assented, and the whole county was
appalled at the thought that "the purses of the Merchants of Natchez should
have any influence in a matter so momentous."50 Sargent never seriously
considered any of these proposals, but by not denying the Union Town rumor
he seemed to give it more credence than it deserved.
To correct such misunderstands and the numerous false statements made by his opponents, Sargent felt that a printing press was essential. He hoped, for instance, that by printing the heavily criticized laws, he might lessen, if not destroy, the influence of his opponents and accordingly, both he and Pickering looked for a suitable young man to act as public printer. Later in the year 1794 the search ostensibly ended. A Lieutenant Andrew Marschalk, stationed at "alnut hills, printed a ballad, "The Jolley Slave," and made certain that this ballad found its way into the hands of Governor Sargent. Delighted by the presence of an experienced printer in the territory, Sargent immediately got the permission of General Wilkinson to hire Marschalk to print the territorial laws without bothering to investigate his political beliefs. Despite the jealousy of his fellow army officers, Marschalk had completed the task by October 21, 1794, but his ambition of becoming editor for the administration was ruined when he antagonized Sargent. Sargent had even considered firing Marschalk before the laws had been printed.

Unable to be public printer, Marschalk remained in the army and sold his two presses to a friend from Pittsburg, Benjamin N. Stokes, who came to accomplish what Marschalk had failed to do. Sometime before February 10, 1800, Stokes began publication of the first newspaper, the Mississippi Gazette, but he soon ran into difficulty with Sargent. He then sided with the governor's opponents, and his attacks became so bitter that Sargent contemplated instigating libel charges against him.

During the spring of 1800, Sargent, while searching for another printer, discovered James Green who began publication of Green's Impartial Observer. After Green failed to receive what he regarded as proper emoluments from the governor, he attempted to uphold the name of his paper by opening its pages
to writers of every political view. Unfortunately for Green, this type of paper did not satisfy the taste of local politicians, and he sold his press to a pair of newcomers, James Ferrell and Darius Merret, who established the short-lived Intelligencer. By 1802, however, there were no longer any newspapers, including the more successful Gazette, in existence. 53

The introduction of a press had not been without importance, for it was the harbinger of a curious variety of printed propaganda and political polemics. In the summer of 1799, Marschall struck off a polemic by John Anderson entitled Paine Detected, or the Unreasonableness of Paine's Age of Reason. Thereafter, Marschall and Green printed up numerous hand bills which Sargent had distributed throughout the district. 54

Less successful with newspapers, the opposition turned to other methods of proclaiming its grievances. At first, the leaders experimented with the idea of sending petitions, which spanned a variety of subjects but usually concerned the militia, land titles, and sometimes education, to the federal government. Yet these petitions had little influence with Pickering who usually discarded them in an obscure file and with President Adams who continued privately to express confidence in Sargent and publicly to praise his "Zeal, Industry, Economy, Integrity and Ability." 55

Blocked in Philadelphia by a stubborn administration and by an adjourned Congress, the Green-West faction looked for a local body in which to express its complaints. Since the territory was without a popular legislative branch, these opponents decided on the grand jury. During June, 1799, grand juries, in lengthy presentments, lamented various evils and suggested certain changes, but they were always critical of Sargent's code. Besides the usual charge of oppression, the jurors agreed that not only had these laws been framed by men who were totally ignorant of local circumstances but they were also unconstitutional
since the judges and governor had assumed "the liberty of making laws" instead of adopting them. A Pickering jury also accused the governor of appointing to public office persons "well known to be backened in Spanish duplicity and drudgery. . . ."  

Sargent and his forces replied in kind. The governor allowed Daniel Clark to lecture the citizens on their civic responsibilities. In a charge to the grand jury, Judge Clark informed the Adams County citizens of Sargent's extreme displeasure at the refusal of some inhabitants to perform militia duties "on an ill grounded belief that they have a right to chuse their officers." He closed with an able defense of the governor's right to appoint these officers.  

Despite Clark's statements, political maneuvers far more than logical arguments would eventually decide the issues separating these factions. For a conflict of this kind, Cato West and Thomas W. Green displayed more adaptability than Sargent. West and Green took a long step toward molding their faction into a political party when they called a public meeting at the home of Benjamin Belz. Regardless of whether Sargent's accusation that these agitators "whispered" information of the meeting only to a few individuals "who had been loud in Disaffection to the Government" was true, these opponents organized another committee and made Cato West its chairman. Besides West and the Greens, this committee included Joseph and Thomas Calvit, Gerard Brandon, Ebenezer Dayton, and Samuel Gibbon. With the exception of Dayton, these men were rising planters who shared a suspicion of merchants and jealousy of Natchez. Along with Hutchins, Brandon came into the district while it was still ruled by Great Britain. The Calvits were part of a large clan who had migrated from Maryland, and the brothers Thomas and Joseph were political spokesmen for this influential family. The Gibbons also were early immigrants, but instead of settling near Natchez,
they acquired land along the Bayou Pierre Creek. Samuel, patriarch of this family, promoted a settlement which later grew into the town of Port Gibson.

The most interesting of this group was Ebenezer Dayton. Originally from Connecticut, he took hasty departure from there to escape his creditors. Hoping to make further pursuit futile, he had carefully deposited his clothes along a bank of the Connecticut River, and scribbled upon the soles of his shoes "the last of poor Dayton." A former acquaintance who later spotted Dayton on the streets of Natchez suggested that he must have dived all the way from the Connecticut to the Mississippi River, and gave him the appropriate nickname of "diving Dayton." Even though Dayton had been a businessman in the Spanish period, he quickly sensed the possibility of profits from land conflicts. Therefore, he formed an agreement with an unsavory New York lawyer, Leonard De Klyne Shaw, whereby they would divide the latter's legal profits. As brains of the organization, Dayton would receive a lucrative one-third.59

Following the formation of the West committee, the members reiterated their objections to the codes and to the appointment of Spanish favorites to office once more and demanded that the people be allowed to select their militia officers. This committee also suggested that civil appointments ought to be made by the people. After reminding the governor that even the "despotic" Spaniards had sought advice from the inhabitants, the West committee graciously offered its services as an advisory body.60

After labeling these proceedings "disingenuous and wicked," the governor clearly stated that "Incumendoes, and insinuations against the Gentlemen in Commission generally, or even an Individual of them, could not operate a removal . . . [but only] direct charges of Malconduct Substantiated by Facts" would influence him.61 While admitting that they were unable to enact new laws, the judges and the governor considered the suggestion of delegating powers to
an advisory council of citizens utterly ridiculous. Anyway, they argued, Congress and not the judges would decide this issue, since Congress could disallow any unconstitutional act. 62

Frustrated in their attempts to acquaint the federal administration with actual conditions within the territory, or to obtain new concessions, leaders within the West committee felt fully justified in making a direct appeal to Congress. No longer content with merely a demand for the popular election of county justices and militia officers, they now requested an elective legislature as well. According to the Ordinance of 1787, a territory might acquire an elective lower house when it contained a population of 5,000 free males, but the West Committee could hardly make such an exaggerated claim for the territory. At least, however, it could bitterly complain that even after many citizens had fought in the Revolution and had placed their fortunes "all to rest at the nod of" Ellicott, they were still "suspected and held in a grade little better than a conquered People." 63

Consequently, in the autumn of 1799, this committee sent Sarsworthy Hunter to Philadelphia with two memorials for Congress. In an effort to pass out of the territory without being detected by Sargent, Hunter did not apply for the required passport. Instead he made his way illegally through the Indian country and safely into Philadelphia, but with all this precaution his departure was still detected. 64 When Hunter reached Philadelphia Ellicott had already learned of the agent's plans, and Sargent had prepared Pickering for "his duplicity." 65

Upon reaching the capital, Hunter immediately singled out two ambitious western representatives, William Charles Cole Claiborne of Tennessee and Thomas I. Davis of Kentucky, and persuaded them to champion the cause of his oppressed people. These young westerners, who were thoroughly versed in the language
of democracy, would need no lessons to fight for the rights of man. Since
many of their constituents had friends and relatives in the Mississippi Territory,
these politicians could hardly lose favor back home by championing the cause
of the Mississippians. Perhaps their ambitions included new areas of political
activity since they later accepted posts in territorial governments. Regardless
of the reason, they worked diligently to place these grievances before Congress.

One of the West committee petitions called for the extension of the second
grade of government to the Mississippi Territory. The petitioners rested their
case upon the broad concept of the natural right of man to participate in a
government to which he was forced to pay taxes. In reviving some of the arguments
used earlier against England, especially that of no taxation without representation,
the petition could hardly fail to impress favorably the liberal Jeffersonians.

On the other hand, Sargent was dismayed at the thought of irresponsible
democracy entering his territory. After informing Adams that Hunter represented
only "the smallest and the least respectable part of this community," he tried
to impress upon Pickering the fact that since only a few "...passionate men
of cultivated minds" resided in the territory, they could never control the
vast number of degenerate citizens. In summary he stated that the inhabitants
were "unfitted in every view of the matter for that second stage of order. ..." 56

The second petition relayed to Congress by Hunter disregarded the question
of abstract rights and concentrated on the more practical subject of land
claims. By stressing a liberal land policy, the petitioners again aimed their
demands at the Republicans. "They called for Congress to grant a reasonable
portion of land to all immigrants who had entered since the treaty and to
provide a policy for allowing new settlers to obtain land with the same facility
as they would under Spain. Since it was felt that no one could entertain any
doubt of the superiority of grants legally made by Spain before the signing
of the Pinckney Treaty, the petitioners requested that Congress declare these
claims legal and reject entirely the ante-dated Spanish titles and unsettled
British grants. Suspense over land titles, the petition read, "diminishes the
actual value of our properties—interrupts in some measure our peace and tran-
quility of mind and checks the Spirit of industry." 57

Upon the question of land claims, however, there was little articulate
disagreement. Since most settlers generally supported the demands of the West
Committee, neither holders of ante-dated Spanish grants nor lawyers anxious for
land litigation could afford to jeopardize their positions by a public espousal
of such questionable titles. Consequently the real struggle had become essentially
a political power fight over whether the Sargent-Federalist faction would
monopolize territorial government or whether the Green-West faction might gain
an important foothold. Furthermore, since only Congress could finally decide
this conflict, the success of the West democrats depended upon the ability
of agent Hunter to persuade enough Congressmen that his constituents were
threatened by Federalist tyranny.
FOOTNOTES III

1 Evans to Ellicott, August 13, 1793, Ellicott papers.

2 James White to Ellicott, August 15, 1793, Ibid.; Gayoso to Peter Walker, February 14, 1779, Claiborne Collection.


6 Sargent to Pickering, August 20, 1793, Ibid., 30-32.

7 For instance, Daniel Clark wrote that the president "conceived that a general is too high a rank for us and therefore sent a Sergeant [sic.] to govern us." Clark to Ellicott, July 8, 1793, Ellicott papers.

8 Dunbar to Ellicott, July 6, 1793, Richard Harrison to Ellicott, August 10, 1793, Ibid.

9 Sargent once wrote that "Natchez, from the perverseness of some of the people, and the ebriety of negroes and Indians on Sundays, has become a most abominable place." Quoted in Claiborne, Mississippi, 206. For a clear indication of his Puritanism, consult LS will of "Winthrop Sargent, October 1, 1823 (revised November 21, 1827), "Winthrop Sargent papers, Miscellaneous Manuscripts, Mississippi Department of Archives and History.


11 Pershing, "Sargent," 165-166; Pickering to Sargent, May 11, 1793, Sargent papers (LC).

12 Dunbar to Ross, May 2, 1793, quoted in Claiborne, Mississippi, 205.


15 Sargent to Pickering, January 8, 1799, Rowland, Miss. Terr. Archives, I, 100; Evans to Ellicott, August 16, 1798, Ellicott papers.


17 A brief discussion of territorial government may be found in Leonard D. White, The Federalists (New York, 1956), 362-386. For the act establishing the Mississippi Territory see Carter, Terr. Papers, V, 18-22.

18 Bruin to Ellicott, August 16, 1798, Ellicott papers.

19 Address, Sargent to the Inhabitants, August 18, 1798, Rowland, Miss. Terr. Archives, I, 26-28.


21 Governor to the Inhabitants, September 9, 1798, Sargent to Dunbar, November 7, 1798, Ibid., 42-44, 78-79.

22 John H. Chilton, "History of Mississippi," Demo's Review, X, 611; Ellicott to Jirault, August 15, 1797, Ellicott papers; Dunbar to Sargent, November 8, 1798, Sargent papers (MHS).

23 Evans to Ellicott, September 2, 1798, Ellicott papers.

24 Clark to Ellicott, September 10, 1798, September 17, 1798, Ibid.


26 Mathews to Sargent, October 11, 1798, Sargent to Mathews, October 13, 1798, Sargent papers (MHS).


28 Spain had earlier forbidden Samuel's father, Anthony Hutchins, from settling in Spanish territory, and the United States had prohibited the importation of foreign slaves into the territory. Ellicott to the Secretary of State, June 19, 1798, July 12, 1798, Southern Boundary papers. Another possible reason for Samuel's sudden departure may have been too much familiarity with brother John's wife. Hamilton, "Mississippi Phase," 527-528 fn.

29 Proclamation by the Governor, October 4, 1798, Sargent to Pickering, December 20, 1798, Rowland, Miss. Terr. Archives, I, 59-60, 89-91.

31 Evans to Ellicott, October 31, 1796, Ellicott papers; Wilkinson to Sargent, October 28, 1796, Sargent papers (MHS); Sargent to Pickering, September 18, 1796, Rowland, *Miss. Terr. Archives*, I, 48-49.


34 *Laws of the Mississippi Territory... at a Session of the Legislature begun... 22nd Day of January... 1799... and Continued... to the 25th Day of May...* (Hatchez, 1799), pamphlet in New York Public Library. Inhabitants to the Governor and Judges, October 21, 1799, Carter, *Terr. Papers*, V, 57-58; Claiborne, Mississippi, 209.


36 These various letters of resignation are in Governor's Records, series A, vol. 1 and in Sargent papers (MHS).


38 Sargent to Pickering, March 21, 1799, Rowland, *Miss. Terr. Archives*, I, 116-117; *A Law in aid of... the Militia*, January 8, 1799, pamphlet in Mississippi Imprints, 1799-1830, Mississippi Department of Archives and History.


40 Clark to Sargent, March 9, 1800, Jirault to Sargent, July 9, 1800, Sargent papers (MHS).

41 "A Law in addition to and amendment of the law for permanent establishment of the Militia..." May 27, 1800, MS Laws of the Mississippi Territory, in Records of the States of the United States, microfilm in the Fondren Library, The Rice Institute.

42 Sargent to Clark, June 7, 1800; Sargent papers (OHS); Clark to Sargent, March 9, 1800, Deposition of Bruin, June 15, 1799, Clark to Sargent, June 18, 1799, Sargent papers (MHS).
Dunbar to Sargent, October 12, 1800, October 29, 1800, Ibid.

Proclamation by Sargent, February 12, 1800, Rowland, Miss. Terr. Archives, I, 207-208; Deposition of Girault and William Ferguson, May 1, 1800, Sargent papers (OHS).

Harding to Sargent, March 6, 1800, Roger Dixon to Sargent, March 4, 1800, Girault to Sargent, March 3, 1800, Sargent papers (OHS).

Girault to Sargent, August 26, 1800, Sargent papers (OHS).

Statement of Peter Walker and Lewis Swane, September 15, 1800, Ibid. Marsworthy Hunter later falsely charged that this site "received the immediate disapproval of the court." Hunter to W. C. C. Claiborne, February 8, 1800, Carter, Terr. Papers, V, 101-102. See also Sargent to Oliver Wolcott jr., September 17, 1799, Rowland, Miss. Terr. Archives, I, 168-169.


Girault to Sargent, August 19, 1800, Sargent papers (OHS).

Petition, Inhabitants to Sargent, October 21, 1800, Girault to Sargent, November 2, 1800, Ibid.

Pickering to Sargent, August 31, 1799, Sargent papers (LG); Sargent to Pickering, August 30, 1799, Rowland, Miss. Terr. Archives, I, 32.


John Murray to Sargent, December 7, 1798, John Adams to Sargent, April 7, 1798, Sargent papers (OHS).

57 Clark to Sargent, June 3, 1799, July 24, 1799, Sargent papers (MHS).


60 Inhabitants to Sargent, August 26, 1799, Inhabitants to Sargent, McGuire, and Bruin, August 27, 1799, Carter, Terr. Papers, V, 71-72, 77-78.


63 Cf. Committee of the Inhabitants to Congress, October 2, 1799, Ibid., V, 79.

64 Committee of the Inhabitants to Congress, October 2, 1799, quoted in Claiborne, Mississippi, 210; Sargent to Pickering, November 1, 1799, Rowland, Miss. Terr. Archives, I, 185.

65 Evans to Ellicott, October 10, 1799, Ellicott papers; Edward Hunter to E. L. C. Wailes, April 2, 1859, Benjamin L. C. Wailes papers, Mississippi Department of Archives and History.

66 Sargent to Pickering, November 1, 1799, Rowland, Miss. Terr. Archives, I, 184-185.

67 Committee of the Inhabitants to Congress, October 2, 1799, Carter, Terr. Papers, V, 73-75; Petition of Gato West Published by Order of the House of Representatives (Philadelphia, 1800). MS copy of this pamphlet may be found in the Claiborne Collection.
Chapter IV

Demand for More Democracy

In Natchez town, and country round,
Are demo's, feds contending;
Good Lord, what fun it is to some,
Who laugh behind the curtain.

What is the ground, on which they found
So great an opposition?
Is it mere fun, measures or men,
Gives rise to this contention?

In early times, when first the lines
Between the states and Spaniards
Were pointed out by Sillicott,
This farce here took its standard.

(Mississippi Herald, September 28, 1802)

The West faction had found Congress, especially the Jeffersonians, extremely sensitive to their demands and willing to employ their grievances in order to embarrass and defeat John Adams and the Federalists in the elections of 1800. In Congress Marsworthy Hunter, agent for the West faction, found several able westerners friendly to territorial demands, and he also met another ambitious young Jeffersonian, William Henry Harrison, who was the Delegate of the Northwest Territory. These two men, without votes but not without influence, exchanged notes on executive tyranny and frontier justice while they battled the Federalists in Philadelphia. Although the western settlers were loyal Americans, they never hesitated to voice their grievances, and most of them regarded the overthrow of the Federalists as a panacea for their ills. Since westerners, from aristocrats to rabble, joined in the effort to remove the Federalists from power, there was nothing incongruous in wealthy land-holders, such as John C. Breckinridge of Kentucky and Thomas Green of the Mississippi Territory, being leading spokesmen for western Republicanism.
Friends of Jefferson confidently predicted defeat for the Federalists in the election, while Sargent and his friends were not very optimistic about the chances of Adams. Samuel Hodgdon glumly wrote Sargent that "the Demo's are sanguine that there will be a new order of things" and warned that, if Jefferson won, many present "officers of Government will be excused from further attendance—", but the governor was fully aware that his own overthrow would closely follow Adams' defeat without this admonition.2

In Congress Hunter, armed with numerous petitions from Mississippi residents, busily worked for the ratification of all Spanish land titles which were dated before the Pinckney treaty and for the extension of the second grade of territorial government to Mississippi. Although the Mississippi agent was unable to persuade anyone to tackle the thorny problem of conflicting land claims, he found two Congressional champions, W. C. Claiborne of Tennessee and William W. Davis of Kentucky, for the cause of frontier democracy. Agreeing with Jefferson that the first stage of territorial government was "a despotic oligarchy without one rational object," these two Congressmen pictured the question to be a struggle between democracy and aristocracy.3

While Claiborne and Davis were thus oversimplifying the issue, Hunter supplied them with information which grossly exaggerated the number of free inhabitants in Mississippi to be no "less than six thousand" and falsely claimed those inhabitants able to bear the financial burden of the second grade of government. He even contended that the territory produced annually close to "three million of pounds of merchantable cotton, equal to 750,000 dollars," and that the soil was just as adaptable to indigo, tobacco, and sugar cane as to cotton.4 Claiborne, who characterized the present government of the territory as "bad in theory...and still worse in practice," also denounced
the mingling of several powers "in the hands of three or four individuals"
who had exercised their "immense power" neither with "liberality nor beneficience." Influenced by the tireless efforts of Claiborne and the gross misrepresentations of Hunter, Congress, on May 10, 1800, provided for a territorial General Assembly with the lower house (to be named the House of Representatives) elected by the people even though the territory did not have the required five thousand free males. The five members of the upper House (to be called the Legislative Council) were to be selected by the President from a list of ten men nominated by the lower house. The counties of Pickering and Adams were to have four representatives each in the territorial house of Representatives and the settlements along the Tensaw and Tombigbee rivers one representative until the Territory should contain five thousand "free male inhabitants of full age."

Following this act, a congressional committee, headed by Claiborne, introduced a set of resolutions to repeal the Mississippi territorial laws regulating taverns and listing fees to be charged by the justices. Although these resolutions passed the House, the Senate postponed consideration of them until the following session. Undismayed, republican members of Congress pressed the assault further by ordering an investigation into the conduct of Winthrop Sargent.

While this struggle was developing in Congress, events within the territory furnished new grievances against Sargent. Surprised by the quick victory of the West group, the governor found himself forced to implement what he regarded as an undesirable act, since he not only looked upon the inhabitants as totally unqualified for their new responsibilities but also felt the legislation to be a personal censure. Nevertheless, on June 24, 1800, he announced plans for the first election. Anyone who owned fifty acres of land and who had been a citizen of a state or a resident in the district for at least two years was
eligible to vote, but a person must own two hundred acres of land and be a
citizen of a state or a resident in the district for three years in order to
serve in the legislature.

On July 4 and 5, when the citizens cast their votes, the election went
as planned only in Pickering County where Cato West, Thomas Harston Green,
John Burnet, and Thomas Calvit, all of whom had been active members of the
West committee, were easy victors. In Adams County the supporters of Sargent
were also soundly defeated, but Sheriff Lewis Evans sent in an ambiguous return
that threw the final decision to Sargent. Although Sutton Banks, Henry Hunter,
James Hogsett, and Anthony Hutchins received the largest number of votes, some
doubt existed as to the legality of the election of Hutchins who had been a
British pensioner for several years, and of Banks who had failed to show proof
of his property qualification. Therefore Sheriff Evans strongly urged Sargent
to return William Dunbar and William Connor in place of the two doubtful
candidates.

In Washington County, which Sargent had created June 4, 1800 and which
included the Lensaw and Jambigbee settlements, the governor's proclamation
did not arrive in time to hold the election as scheduled. Sheriff Wilson
Garman immediately rescheduled the election for August 15 and 16, at which time
the eastern settlers chose John McUrew to represent them. McUrew, thinking
himself elected, journeyed through three hundred miles of wilderness only to
discover that Sargent would not sanction his election.

After acknowledging the election of every undisputed candidate (i.e.,
the four from Pickering County along with Hogsett and Hunter from Adams),
Sargent laid the question of the other candidates before the first session
of the General Assembly. The assembly, after choosing a speaker, moved to
decide upon the fate of Hutchins and Banks, both of whom had tried to dispel all doubt concerning the validity of their elections. On June 20, Hutchins swore that he had taken an oath of allegiance and that he had relinquished all right to his pension. Banks presented the legislators with a deed for two hundred acres of land, but it "bore a date two days only antecedent to their setting." On the other hand, Sargent had unwisely antagonized the legislators when he publicly attacked Hutchins and Banks and strongly urged that they be denied seats.

By taking a firm stand upon this dispute, Sargent only created more ill will and doomed to failure the efforts of Sheriff Evans to have Banks and Hutchins disqualified. Sargent lamented the disfranchisement of most professional and commercial men because of their "deficit of land property," and he complained that only "English men Spaniards and Apostatized Americans" were entitled to vote. Furthermore, he considered the Congressional proportionment of members unfair to Adams County since that county contained "at least one third more souls than Pickering, and twice as much wealth as the whole Territory beside; yet is entitled only to an equal number of Representations." He also believed that Washington County on the basis of population should have two members instead of one.

While Sargent regarded the future as "Gloomy and alarming," his opponents were greatly encouraged by their victory at the polls. Since the house would nominate ten men for the Legislative Council, the West-Green faction could easily back the General Assembly with the members of the planter-debtor classes. Indeed, by requiring members of the Legislative Council to possess a freehold of five hundred acres, the law itself definitely favored the landed group, who opposed Sargent, over the Natchez merchant group, who supported the governor.
Despite Sargent's early willingness to abide by the new federal law, he hoped to employ two situations which, by delaying the organization of the General Assembly, would furnish him with time to persuade Congress to repeal the law. His opponents in the legislature, however, quickly disposed of the first situation by seating Hutchins and Banks.  

But the second question of the Washington County election was not so easily resolved. Although John McGrew was never a supporter of the governor, the actual person involved was of minor importance. More significant was the question of whether the lower house could proceed to business without the representation of one county. In addressing the legislature, Sargent expressed his assurance that the members "would be extremely cautious of proceeding to measures which may lead to very interesting and permanent appointments within this territory whilst a county...shall remain totally unrepresented."  

Unable to elect a delegate to Congress until the Legislative Council had been organized, the House members proceeded to disregard the advice of Sargent and to nominate a slate of ten men. The governor, however, hesitated to submit the nominations to President Adams while Washington County remained unrepresented, yet he finally compromised by agreeing to send the nominations to Philadelphia but refusing to sanction a new election in Washington County. Like his opponents, the governor realized that the Councillors' commissions would never arrive before the first session of the General Assembly had adjourned.  

Upon submitting the nominations to Adams, Sargent voiced his opinion that since the nominees were generally unqualified for office, the Assemblymen had intentionally excluded "men of sense and Letters." In the course of his correspondence with John Marshall, the newly appointed Secretary of State, he favorably mentioned only Adam Bingham and John Ellis, and he inferred that although they were "worthy members of society" they were also independent and would
refuse the commission rather than be controlled by the West-Green faction. But Sargent misjudged their political ambitions, and when offered a commission, both men accepted. Although Ellis and Singamin were conservative men of property, they were also planters, and their subsequent voting records could hardly please Sargent. Besides Ellis and Singamin of Adams County, other members of the first Legislative Council included John Stanpley and Alexander Montgomery of Pickering County and Flood McGrew of Washington County.¹⁵

Meanwhile, Sargent and his supporters intensified their efforts to have the congressional act nullified and the territory returned to the first stage of government. On the other hand, the West faction felt that it was necessary to keep controversy alive in order to give Congress the impression that Sargent was tyrannical and irresponsible. But the governor's friends, constantly goaded by what they considered half truths and misrepresentations, could not sit idly by and watch their political patron lose the respect of the public. Instead, they rallied to Sargent's defense. On August 4, 1800, Dunbar declared in a charge to the Grand Jury of the Adams County Court of Quarter Sessions that Hunter's exaggerations concerning the population and the annual income of the territory might prove very harmful since Congress could use this figure to assess territorial taxes. In October, another grand jury, summoned by the territorial Supreme Court and carefully packed with backers of the governor, indicted Hunter for "composing and uttering a malicious, scandalous and false libel," and for falsely accusing Sargent of forcing the Adams County Court to approve an estimate of $10,000 in taxes.¹⁹ In an effort to restore the first grade of government, the jurors raised the frightening issue of expense which they predicted would be beyond the ability of such a limited population to bear. They also insisted that the second stage of government had been clandestinely imposed upon them by an irregularly chosen committee of fifteen and therefore
a vast majority of citizens desired a restoration of the original form of
government.20

Soon other similar expressions of discontent with the new government
came to the governor's attention. Two more grand juries, one in Adams County
and the other in Pickering County, not only disapproved of Hunter's false
representations but also found evidence of chicanery used in order to obtain
the second grade of territorial government.21 One inhabitant from Washington
County predicted that the citizens would move to Spanish territory before they
would submit to increased taxation.22

Sargent quickly informed Marshall of these sentiments, which, he insisted,
were those of the "most Respectable Characters in our little Community." In
explaining the differences between these expressions and the earlier ones made
by the West group, he suggested that the latter had been "apparently trimmed
for party purposes."23 When he transmitted these presentments to Congress
as the juries had requested.

Besides employing these presentments to defend his administration,
Sargent took other positive steps. By repealing the laws, which provided
forfeiture of an estate in treason and arson cases, he removed one principal
source of discontent. Instead of recommending this repeal to the territorial
legislature, however, he and the judges themselves struck out this clause, but
this disregard of the new legislature opened them to more abuse.

Meanwhile supporters of the governor continued to defend him. In November,
1850, an anonymous writer, styling himself the "Friend of the People," reopened
the question of expense. In answer, the opposition printed broadsides, signed
by members of the territorial house, which branded the "Friend of the People's"
figure of $15,050 as "an exaggerated estimate" of the additional expenses since
the representatives had already assured the inhabitants that they would demand
no pay for their legislative services. 24 The "Friend of the People" likewise labeled the legislators' figures erroneous, accused the governor's opponents of substituting "personal invective for facts and bold assertions for argument," and warned the people that subsequent legislators might not be so patriotic as to renounce pay. He further suggested that such a policy would lead to "rich nabobs alone" filling the legislative halls and would exclude forever men of merit who had only moderate fortunes. 25 Meanwhile Sargent tried to show that those who were behind the demand for a changed government would not be the ones burdened with the additional expense. In comparing taxes paid by members of the West committee and by those grand jurors who had opposed the change, he found that while the latter had paid 3000 the former had contributed only 125. 26 In this list, however, Sargent conveniently overlooked the Green family who had large holdings of land in Pickering County and other wealthy planters who had supported the alteration. Furthermore, Sargent's support came primarily from city attorneys and merchants who feared that a planter-dominated General Assembly might saddle them with enormous taxes.

Not content with merely the issue of expense, several of Sargent's supporters introduced the equally explosive matter of conflicting land claims. They argued that Congress had included in the Land Act of May 10, 1800 a clause which, by hinting at a compromise with Georgia over the Yazoo claims, would possibly deprive many hard-working farmers of their lands. In fact, this question lured a few former enemies of Sargent away from the Green-West camp and prodded Thomas Green into denying emphatically that any settler's land claim had been threatened by this act. 27

On the other hand, Sargent liked the idea of over a thousand citizens signing a petition protesting the second grade of government, for it proved to him that "the former Petitions Praying for a Change in Government had been
surreptitiously obtained." Despite these counter-maneuvers, Sargent despaired when his measures seemed to create more enemies in the territory as well as in Congress. As a matter of fact, Representative Thomas C. Davis distributed in his home state of Kentucky a circular letter in which he handled Sargent rather roughly. When Secretary Marshall refused to publish the governor's correspondence to the State Department, Sargent welcomed the idea of a Congressional investigation in order to have his own side of the controversy aired.

Meanwhile, Congress forced the governor into immediate action. Representative Claiborne moved to have Sargent impeached, and Representative Davis recommended that several acts passed by Sargent and the territorial judges be declared unconstitutional. These questions were referred to a committee which noted irregularities in the method of making laws but recommended that all proceedings against the governor be dropped. Sargent thanked his Federalist friends for their "effectual opposition" to these "barbarous" proposals, but his thanks were a little premature for the House rejected the committee's resolution by a strict party vote of 40-36. In the face of these numerous assaults and of the insinuation by a Congressional committee that he had practiced irregularities in making laws, Sargent appeared to have become extremely bitter. Since his term as Governor would expire in May, he made plans to journey east in order to present his case personally before the new administration.

Before departing, Sargent was careful not to leave any unfinished business behind, and this devotion to duty delayed his departure until April and his arrival at the capital until May. Prior to Sargent's leaving the territory, the citizens of Natchez and several army officers from Fort Adams praised the governor for "a most laudable attention to official Duty, and the strictest Impartiality" in administration and for his courageous refusal to "stoop to
be the Head & Patron of a petty Faction" in order "to catch the Huzzas & the
short lived popularity of the Mob."33

In the nation's capital, Sargent procured the aid of Henry Knox and
Andrew Ellicott who wrote letters of introduction to Jefferson. Sargent especially
hoped that Ellicott's previous familiarity with the territory and its inhabitants
might have some influence on Jefferson. He then applied to the new Secretary
of State, James Madison, for a fair investigation and, if vindicated, for a
reelection. Unfortunately for Sargent, the President had already decided
Sargent's fate and Ellicott's advice was ignored.

On the basis of the numerous petitions from the inhabitants and of the
frequent debates on the floor of Congress, Jefferson considered the administration
of Sargent to be a failure since Sargent had been unable "to secure the general
harmony, and the mutual attachment, between the people and the public functionaries
so particularly necessary for the prosperity and happiness of an infant establish-
ment."34 The new President was also anxious to use the West-Green faction
as a springboard to build up within the territory a party loyally attached to
his ideas and to the Republican party.

As a replacement for Sargent, Jefferson eventually settled on W. C. C.
Claiborne.35 Claiborne, who was a transplanted fellow Virginian, had been
elected to Congress before his twenty-fifth birthday, and he quickly became
a loyal supporter of Jefferson and a consistent spokesman for the westerners.
During the hectic balloting for President in 1801, Claiborne, who was Tennessee's
only representative, had faithfully kept his state's vote in the column for
Jefferson. To reward Claiborne's loyalty, the President offered him the
governorship of the Mississippi Territory which Claiborne graciously accepted.36

This sudden development left Sargent no recourse except to pursue an
earlier intention of publishing several pamphlets written in his defense.
This idea originated from a letter which Daniel Clark had written in defense of Sargent's actions, but frequent misunderstandings had prevented the governor from utilizing it. Even though Clark had criticized the governor's "austere appearance and utter disinterest in popularity," Sargent determined upon publishing this letter and other shards of evidence as a vindication. Through the aid of several friends in Boston, he subsequently had two pamphlets published. One of these, Papers in Relation to the Official Conduct of Winthrop Sargent, was devoted to those documents which he had been collecting for the past year, but the other pamphlet, Political Intolerance, was nothing more than a bitter tirade against Jefferson, Claiborne, Davis, and the West faction. 37

Meanwhile, with Sargent gone from the territory, his opponents had little difficulty in assuming control and pressing forward the attack on him. Since Acting Governor Steele was unable to offer any resistance because of ill health, the governmental initiative passed quickly into the hands of the legislators. Thomas Green secured the appointment of a commission to take depositions against Sargent and against Judges Bruin and Milton for "maladministration in office," but this maneuver was so partisan that even the appointed commissioners refused to cooperate. 36

Sargent's opponents, however, did not allow this failure to stop their demands for a more democratic government. In an address to Steele, they protested against the governor's power of absolute veto and again requested that the people elect militia officers. They instructed Harsworthy Hunter, whom they had just selected as the first Territorial Delegate, to advocate these measures in Congress. 39 Later they notified him to work for passage of a bill which would require the advice and consent of the Council on territorial appointments and allow the legislature to override the governor's veto by a two-thirds majority. 40
At its December session, the Assembly praised Hunter for his patriotic work and thanked the President for "the superceding of Winthrop Sargent." 41 The legislators also formulated plans to transfer the territorial capital from Natchez, which was the stronghold of Sargent Federalism, to another location. However, prudence dictated differently. After the leaders had been convinced that their opponents would assail this move as unconstitutional, they momentarily delayed but did not discard the idea. 42

Out of this opposition to Sargent, there had emerged a persistent and effective group of advocates for democratic government. While composing only a minority of the people in the territory, these democrats had been able not only to acquire an elective house but also to prevent the reappointment of Sargent. Furthermore, with a new governor on the way, they entertained sanguine hopes of obtaining from him favors and appointments that Sargent had denied them. 43

To Claiborne, the situation also appeared anything but gloomy when he wrote "that affairs in that quarter wear a favorable aspect." With the departure of Sargent, he believed the grievances of the settlers would quietly dissolve, since even Sargent had earlier reported that "party spirit had greatly subsided." However, this tranquility was merely a lull before the outbreak of another storm, and experience would soon teach Claiborne that Sargent had not been entirely tyrannical and unreasonable. 44

Thus in the late summer of 1801, two men prepared to journey to Natchez. One went south to govern; the other returned to Natchez where he hoped to live in peace as a private citizen. 45
FOOTNOTES IV

1 On Harrison see Freeman Gleaves, Old Hickory, William Henry Harrison and His Times (New York, 1935); Annals of Congress, 6 cong., 1 sess., sess. 1.

2 Hodgdon to Sargent, April 11, 1830, Sargent papers (OHS).


4 Hunter to Claiborne, February 4, 1804, Carter, Terr. Papers, V, 100-101; Extracts from a charge to the Grand Jury, Adams County, August 4, 1804; Clark to Claiborne, June 12, 1800, Papers in Relation to the Official Conduct of Governor Sargent. Published by Particular Desire of His Friends (Boston, 1901), 21-31, 32-33. Hereinafter cited as Papers, Conduct Sargent.


7 Proclamation by J. A. Sargent, June 24, 1804, broadside, National Archives (photostat in Mississippi Imprints, 1759-1830, Mississippi Department of Archives and History); Douglas C. McKerrich, A Bibliography of Mississippi Imprints, 1738-1830 (Beauregard Community, Mississippi, 1949), 27-28; Rowland, Miss. Terr. Archives, I, 253-254.


9 Sargent to Marshall, October 15, 1806, Sargent to Dunbar, October 25, 1806, Rowland, Miss. Terr. Archives, I, 257, 258-259. Samuel Brooks was appointed on March 25, 1807, to the offices vacated by Dunbar. Ibid., 356.


12 Proclamation by Sargent, September 10, 1806, broadside, Mississippi Imprints.

The best summary of this attitude may be found in Sargent to Marshall, November 12, 1800, Ibid., 305-310.

Dayton to Hunter et al., September 22, 1800; Hutchins to Hunter, September 25, 1800; Hunter to the Territorial Judges, October 1, 1800; Governor's Records, series A, vol. 1; William Comer to the Legislature, October 2, 1800, Legislative Records, series D, vol. 36, Mississippi Territorial Archives, Mississippi Department of Archives and History (hereinafter cited as Legislative Records).

Sargent to the General Assembly, September 22, 1800, Rowland, Miss. Terr. Archives, I, 265-266.


Sargent to Marshall, October 13, 1800, October 21, 1800, November 12, 1800, Rowland, Miss. Terr. Archives, I, 295-297, 301, 303-311; Hunter to Sargent, October 4, 1800, Sargent papers (OES); Senate, Executive Journal, I, 303, 304. The five men nominated but not selected for appointment were Gerard Brandan and Daniel Rafton of Adams County, Thomas White and Samuel Gibson of Pickering County, and John Caller of Washington County. Sargent weeded out the more vociferous adherents of Hutchins and West, like Jibson, Brandan, and White, and probably rejected Caller.


American State Papers, Miscellaneous, I, 240-241.

Papers, Conduct Sargent, 50-51; JS Presentment, Grand Jury, Inferior Court, Adams County, November 5, 1800, Sargent Papers (OES).

Shaumberg to Sargent, September 10, 1800, Carman to Sargent, September 8, 1800, Sargent papers (OES).

Sargent to Marshall, October 21, 1800, November 12, 1800, Rowland, Miss. Terr. Archives, I, 300-301, 305.

"To the Public," November 5, 1800, broadside, Mississippi Territory Miscellaneous, Library of Congress.

"To the Public," November 15, 1800, Ibid. The date 1809 is a misprint for 1800.


Green to Mathew Clay, December 22, 1800, Jefferson papers (LC).
28 Sargent to the President of the Senate, December 20, 1800, with enclosure of Memorial to Congress by citizens of the Territory, December 6, 1800, Carter, Terr. Papers, V, 109-117.

29 Annals of Congress, 6 cong., 2 sess., 337, 339-354, Appendix 1376-1381; Hunter to Sargent, October 5, 1800, Sargent papers (OES); Sargent to Thatcher, March 25, 1801, Sargent papers (OES).


31 Sargent to .atcher, March 28, 1800, Sargent papers (OES).

32 Sargent to Ross, December 1, 1800, Ibid.; Richard Platt to Sargent, January 6, 1801, Sargent papers (OES); Sargent to Ross, January 4, 1801, Rowland, Miss. Terr. Archives, I, 323.


35 Wilkinson least solicited for the governorship, but Jefferson, in 1801, did not wish to combine civil and military authorities. Jefferson to Samuel Smith, May 4, 1806, Lipscomb and Sargent, Writings of Jefferson, XI, 112.

36 Claiborne to Madison, August 2, 1801, Ibid., 343. His commission as Governor was dated May 21, 1801. Ibid., 342.

37 Both of these pamphlets may be found in the Library of Congress. See also: Benjamin Fullam to Sargent, August 24, 1801, MS copy of the introduction of papers, Sargent papers (OES).


39 MS Journal of the House of Representatives of the Mississippi Territory, 1st General Assembly, Extra session (July, 1801), 7. Only a brief fragment, composing two pages (number 7 and 8), of this journal is extant. These two loose pages are in microfilm copy of Records of the States of the United States, Mississippi. Alabama, reel 1, unit 5. Professor W. Hagruder Drake of Southwestern Louisiana Institute supplied the author with this information.

40 General Assembly to Steele, July 25, 1801, Governor's Records, series A, vol. 1.


43 Cf. David Zer to David Stone, October 3, 1801, Carter, Terr. Papers, V, 130.

44 Claiborne to Madison, September 6, 1801, Rowland, Miss. Terr. Archives, I, 344-345.

45 Claiborne to Madison, October 17, 1801, November 24, 1801, Ibid., I, 345, 346; Sargent to Silicott, July 7, 1801, Sargent papers (NHS).
William C. C. Claiborne
From an oil portrait in the Mississippi Hall of Fame
Chapter V

A Republican Revolution under Governor W. C. C. Claiborne

After a lengthy journey of over six weeks from Nashville William Charles Cole Claiborne landed at Natchez on November 23, 1801. For many, Claiborne seemed to be a political saviour come to rescue the people from the grasp of a tyrant; but for those who were already sceptical about extending democracy to the territory or who resented the lack of courtesy shown Sargent by the new administration of the "radical" Thomas Jefferson in Washington, this individual of twenty-six could hardly inspire confidence.

A fervent exponent of the new liberalism, Claiborne often mistook the seemingly radical utterances of local politicians as an indication of their sympathy with the ideas of the Republican party. Like Sargent, however, he either had to modify or discard his plans upon encountering local ambitions and personal hatreds. Eventually he sobered to the realities of frontier politics—that strange blend of emotionalism, jealousy, and principle—and realized that Sargent had not been as inept as Claiborne had previously thought.

Although in many respects his appointment was a wise one, Claiborne suffered several disadvantages. Not only was he young and inexperienced but worse still, he seemed unaware that these were real shortcomings. Easily excited, he was made governor of an exposed territory which threatened to be the scene of war if, as rumored, France should attempt to gain possession of Louisiana from Spain.

Claiborne's position was further weakened by his previous alignment, while a member of Congress, with the West faction. This faction had not only criticized Sargent personally, but it had also unsuccessfully attempted to curtail the powers of the governor. By demonstrating that the governor could
be overthrown, this faction had necessarily weakened the executive's control over territorial affairs. By his previous alignment, Claiborne came to the territory with ready-made enemies and with friends hungry for patronage. Unaware of these ominous conditions, Claiborne naively described affairs in the territory as "favorable," but he quickly changed his mind. Within a month, he was complaining about the "torrent of Calumny" which had accompanied his appointment. ¹

Claiborne, furthermore, found administrative affairs in utter confusion. Secretary John Steele, who had been Acting Governor, was ill and could not sign the laws passed by the General Assembly. Therefore, Claiborne was very anxious to meet with the legislature. ²

On December 2, 1801, the new governor hopefully addressed the General Assembly. While he realized that the legislators were without proper experience, he was pleased to find them "honest men much attached to the United States, and devoted to the Interests of this territory." Trying to imitate Jefferson's inaugural, he keynoted his address with a plea for political harmony, economy in government, and "a strict adherence to the Federal Constitution. . . ." He called for the adoption of an improved judiciary system and the organization of a well regulated militia.

Although the legislators generally applauded the address, they refused to take the governor's advice to forget their bitterness toward Sargent and try to restore harmony. Instead, they quickly notified Claiborne of their intention to continue the fight against the former governor.³

First of all, the legislators changed the name of Pickering County to Jefferson County and transferred the territorial capital from Natchez, the stronghold of Federalism, to the more congenial atmosphere of Washington, a small village six miles north of Natchez. Although they justified this move on the ground that Washington was the "healthiest spot in the District," they
were motivated more by political consideration. Claiborne later aided this cause when he moved his residence to Washington, and Congress also cooperated by establishing the territorial court and land offices there and by placing Fort Dearborn adjacent to Washington. Shortly thereafter, the victory was made complete when the meetings of the court for Adams County were also transferred from Natchez to Washington despite bitter opposition from the Common Council of Natchez.

In further retaliation against Sargent's administration, the legislators proceeded to repeal Sargent's code. By indiscriminately destroying the workable as well as the abusive laws, they appeared more anxious to knock a deposed governor and his administration than to legislate wisely and in the interest of the territory.

But the major wrath of the legislators fell upon the judiciary. Suspicion of the courts was nothing new to most settlers, but by 1811, it had been converted into determined opposition as a result of a land case involving Phoebe Calvit, an independent and ambitious widow who claimed a Natchez lot by Spanish grant, and Robert Moore, a Natchez merchant who contested her claim with a prior-dated Spanish title. In the Adams County Court of Common Pleas, after the justices, who were landed gentry, admitted statements made by a person on his word of honor as evidence in order to prove Moore's grant was a fraud, the jury brought in a verdict for the Widow Calvit. Moore appealed the case to the territorial Supreme Court, and the judges, after declaring that the parole testimony was not admissible, ruled in favor of Moore. Many citizens, outraged by this decision, lost all confidence in courts and judges. Although most lawyers agreed with the decision, territorial Attorney General Lyman Harding questioned its legality, and Claiborne, who believed Harding was correct,
asked Jefferson's Attorney General for an opinion on the best method of inves-
tigating fraudulent Spanish grants. 9

Meanwhile the disappointed widow, now Mrs. Phoebe Dayton, petitioned
the General Assembly to legalize the admission of parole testimony in land
cases. 10 Agitation for such a law became so widespread that the General Assembly
was ready to pass it when Claiborne prevented it. He was so afraid the legis-
lators would legislate "against men, than upon principles" that he declared
this solution "a dangerous Innovation" which would be liable to "injurious
consequences." 11 The citizens, however, refused to be convinced, and when
a Pickering grand jury and fifty other citizens petitioned for a court of
equity, the legislature, now with the backing of Claiborne, conferred equity
jurisdiction upon the territorial superior courts. 12

Unsatisfied with this gain, a large body of inhabitants petitioned
Congress to allow the territorial governor, "with the Advice and Consent of the
Council," to appoint all judges who would be removable "only by impeachment." 13
The leading lawyers of Natchez rushed to defend the legal system as "one of the
fairest, greatest, and best Pillars. . . of a free Government" and to praise
the judges for their integrity and devotion to duty. Removed from the scene
of controversy, Congress wisely buried this matter in committee. 14

Meanwhile, Claiborne attempted to take advantage of the circumstances
by getting the legislature to revamp the judiciary. But he soon learned that
the legislators, while anxious to attack the judges, cared little for judicial
reform. 15 Although they seriously debated the question of impeaching Chief
Justice Seth Lewis, they were willing to make only minor changes in the judicial
system. But Claiborne himself at least had the satisfaction of witnessing
a significant change in the judicial personnel. During the winter of 1799,
Tiltton disappeared from the territory, and rumor soon spread that he had
resigned. Not wanting to appear too anxious to replace him, Claiborne cautioned Madison that Tiltton had probably gone to Europe on some commercial business, but he still recommended David Ker, a recent immigrant from North Carolina, as a suitable successor. 16 Jefferson presently sent Ker a commission, and Claiborne assured the President that Ke.'s appointment gave "much satisfaction to a great portion of the citizens." 17 Tiring of the continuous complaints against him, Seth Lewis also resigned. 18 Thus by December, 1803, only Bruin remained of the original appointees.

Claiborne, however, was not as successful in naming Lewis' replacement as he had been in the case of Tiltton. While he was able to prevent the appointment of Abner L. Duncan, an ex-Federalist, he was unable to have his choice, George Poindexter, commissioned. Instead, Jefferson offered Thomas Rodney of Delaware the posts of judge and land commissioner for the district west of the Pearl River. A Revolutionary veteran, Rodney was the father of Caesar A. Rodney, who had recently defeated Federalist James A. Bayard for Congress. 19

Besides the judiciary, Claiborne also faced the problem of patronage. He generally followed the example set by his patron Jefferson and avoided a policy of wholesale removal. Instead, he patiently waited for his enemies to resign over some trifling pretence. 20 When making appointments, however, he closely followed Sargent's practice of rewarding loyal friends but never overlooking an opportunity to acquire new friends with the bait of office. For instance, he retained Benijah Osmun, who had been sympathetic to Federalism, as commander of the Adams militia. 21 Like Sargent, Claiborne snubbed Anthony Hutchins who had been an early leader in the democratic movement. The new governor tried to attract certain groups which had previously been loyal to Sargent. He not only appointed the prominent merchant, Samuel Postlethwait,
to office, but also he purchased supplies from his firm in an effort to gain support from the merchant class. In addition Claiborne hoped to secure the support of the bar, but an embittered Seth Lewis usually lured the lawyers into the camp of "Mr. Sargent's friends." Claiborne faced two other tedious matters involving patronage. He often disliked certain individuals recommended to him by Jefferson, but he usually accepted them anyway. In trying to placate the influential Green family, he encountered a precarious situation, for he could hardly pack the Jefferson County offices with members of this family. Therefore he attempted to strike a happy medium by appointing Abner Green to be Treasurer General of the Territory and Justice of the Peace for Adams County; Henry Green, Justice of the Peace for Jefferson County; and Thomas Green, Treasurer of Jefferson County.

The General Assembly soon opened for Claiborne new avenues of patronage when by dividing Adams and Jefferson Counties it created two additional counties, Claiborne and Wilkinson. However, the candidates for these new offices quickly outnumbered the number of offices, and Claiborne saw the old problem intensified. In regard to Washington County, which was completely isolated from the rest of the territory, Claiborne was completely ignorant of, and indifferent to, conditions there. He found the inhabitants more restless and office holders less likely to remain in office than elsewhere. Unable to build any dependable political fences there, he ignored the settlers more often than he noticed them.

The drudgery of administration soon made Claiborne despondent, yet he refused to delegate responsibility to anyone and zealously guarded his power. In fact, one man accused him of wanting to be "Governor over everything in the Territory, even private affairs." Consequently, Claiborne's early eagerness diminished, and he predicted that he would return to Tennessee within three years.
The governor's administrative burdens were further complicated by the return of Sargent to the territory, and the continuation of Steele as territorial Secretary. Although Sargent fully intended to retire to his farm where he might taste "the sweets of domestic peace," the attack upon the judiciary brought him briefly back into the political arena.27

More troublesome than Sargent was John Steele. Although Steele was "not so open in his opposition" as Sargent, Claiborne soon discovered that the secretary's office served as a convenient "place of rendezvous, for the opponents to the second grade of government. . . ." The governor bitterly complained about Steele, but Jefferson refused to remove him before his term of office expired.28 When time for replacement came, Jefferson took the advice of Matthew Clay and gave the office of Secretary to Cato West—a leading actor in the movement to unseat "Old Whipple."29

In the election of 1822, the policies of the Claiborne administration were put to their first test for this election gave the friends of Sargent an opportunity either to restore the first grade of government or to make the legislature work for their own cause. As the campaign progressed, Claiborne found the agitation more rancorous than any he had ever experienced, and he accurately predicted that the opposition might be successful.30 In Adams County, where many friends of Sargent went to the polls for the first time, the voters swept in a new group of legislators, among whom was William Dunbar. In Jefferson district, the results were harder to assess since John Girault, once a loyal follower of Sargent, changed his political allegiance long enough to run as a Republican. Too conservative, however, to remain compatible with the liberal Claiborne faction, Girault, once safely elected to the Assembly, broke with Claiborne.
The success of the old Sargent faction was clearly evident when the House chose Roger Dixon, a former member of Ellicott's permanent committee, to be Speaker. On the other hand, since the commissions for the Legislative Council were for five years, the West-Green faction remained safely entrenched there, and it also secured a tighter grip when Adam Bingaman failed to appear and David Lattimore, a medical doctor who dabbled in Republican politics, assumed the vacated seat. With the Federalist-Sargent group and the Republican-Claiborne faction each in control of one house, the governor's hope for an abatement in political rancor following the election was too optimistic.

Encouraged by this election, the Sargent-Steele group increased its opposition, met together more frequently, and circulated petitions, handbills, and newspapers throughout the territory. Opponents of Claiborne consisted mainly of warm friends of Sargent and Steele, disappointed or displaced office seekers, and persons suspicious of, or opposed to, the policies and measures of Claiborne and his faction. Included in this last group were the lawyers, who were embittered by the court controversy; retired and disbanded professional soldiers who disliked Claiborne's hatred for a standing army and who resented Jefferson's recent reduction of the armed forces; and the merchants of Natchez, who were incensed by the removal of the capital to Washington.

On the other hand, the supporters of Governor Claiborne, composed primarily of the West-Green faction and the governor's placemen, buttressed themselves to answer charges of the opposition. At Greenville in Jefferson County, bailiwick of the anti-Sargent forces, the leaders of democracy organized a literary society called the "Mississippi Republican Society." The name itself clearly noted that its political purpose overrode its literary purpose. By locating the society at Greenville, the West-Green faction planned to operate the society in its own interest. From there, this group proceeded to demand
more democratic control and to educate the people for statehood. Alarmed by these practices, Adams County conservatives organized "The Mississippi Society for the acquirement and dissemination of useful knowledge" which outlived its early political purpose to become the principal intellectual outlet of the territory.34

Not content with merely organizing literary societies, both factions sought to widen their operations with newspaper support. The Federalists secured Harschalk who returned in 1802 to publish his first newspaper, The Mississippi Herald. Unable immediately to locate a suitable editor, Claiborne hired two printers, Darius Worfett and James Ferrall, to print the territorial laws and to strike off numerous circulars and handbills.35

Not all opposition to Claiborne, however, came from friends of Sargent. The governor soon encountered criticism from an unexpected quarter. Since the West group had secured the second grade of government prematurely, it saw no reason not to press its advantage further. Consequently, members of this group gathered signatures to a petition advocating that every adult be given the right of suffrage and that members to the Legislative Council be elected instead of appointed.36 While Congress, now safely dominated by the Republican party, could afford to ignore these new democratic demands, Claiborne was not so fortunate.

In fact, the governor was fast becoming less an advocate for democracy and more an advocate for greater executive control. The attitude of the legislature in the court controversy and the continuous demands of the people for more privileges made him somewhat skeptical of the people. Therefore, he afforded the West faction little aid or encouragement in its new demands.

Meanwhile, the governor attempted to divert attention from these demands by suggesting the necessity of establishing a seminary of learning. On May 13,
1802, the General Assembly established Jefferson College and named a Board of Trustees. When the General Assembly failed to provide a permanent revenue for the college, the trustees decided to petition the federal government for aid which came in the form of land grants. They also tried to secure local funds, but an attempted lottery failed when a majority of the tickets went unsold. Donations fared little better. While several men promised contributions, each made his offer contingent upon the college being located at a certain place. Thus there soon arose a bitter feud between those who wished to accept the offer of John and James Foster and Randall Gibson to locate it near Washington, and those who wanted to accept the donation of Hardecai Throckmorton to place it near Greenville in Jefferson County. Early supporters of the college, like the Greens and West, were soon willing to destroy the college rather than see it located anywhere except in Greenville. On the other hand, Claiborne was just as anxious to have it permanently situated in the territorial capital.

At a poorly attended meeting of the board, on March 14, 1803, the trustees of Jefferson College adopted the suggestion of David Kerr, fervent friend of the West faction, and selected Greenville as the site. Claiborne and the Adams County trustees, most of whom were not present at the meeting, considered the decision a fraud because Kerr and most other members who voted to accept Greenville had a personal interest in the land. At the next meeting, these disgruntled trustees undid the work of the previous session, and allowed Claiborne to appoint a committee which would make another recommendation. This committee suggested the neutral site of Selser Town, but the dominant Claiborne faction would settle for nothing short of Washington. The governor later made certain of his victory by getting the legislature not only to agree to Washington, but also to remove this decision from the trustees.
The college controversy merely made the already existing split within the Republican party more apparent. Besides the disagreement over political principles, this issue revealed a definite sectional conflict. Although Ker's claim that the Adams-Jefferson County line separated the two factions was not entirely true, it was generally correct, and since Claiborne had sided with Adams County in the college question, he had to find most of his supporters there. His brother Ferdinand Claiborne, who, in 1802, retired from the army and settled in Natchez, served as a political organizer for the governor's faction in Adams County. By marrying Madeline Hutchins, daughter of Anthony, he increased his influence tremendously among Adams County Republicans.

In an effort to build up his political faction, Governor Claiborne welcomed "reformed" Federalists into his camp. In fact, he carried out this policy even to the extent of recommending an ex-Federalist, Denijah Osmon, for Brigadier General of the militia when Thomas M. Green was also a candidate for the post. As a result many democrats feared Claiborne had deserted to the enemy, and some of the Green faction found Claiborne even more distasteful than Sargent.

The breach between factions within the Republican party was widened further when the governor failed to secure the post of Land Register for his brother. Instead Delegate Thomas Green obtained it for Edward Turner, a recent immigrant who had married a daughter of Cato West. Many citizens were annoyed by "the Greens...getting all the offices to themselves," and Stephen Bullock, a lawyer from Kentucky, circulated a very damaging petition against the confirmation of Turner. Although Bullock was not successful in this effort, the Claibornites were eventually able to convince Jefferson of Turner's unfitness. Later, the Claiborne faction also made William Lattimore, a medical doctor who dabbled in politics, territorial delegate in place of Thomas Green.
The Turner question, however, was more important than a mere issue over patronage control. It opened up the whole question of conflicting land claims, and Turner's appointment threatened to give the Greens a decided advantage. His family was very anxious to see those ante-dated Spanish titles completely repudiated without providing for any compensation. His problem had also been enlarged by the delays of Sargent and by the unwarranted suspicions of the Federal government felt by many inhabitants. Since only Congress could establish land policy, this question actually revolved around the federal government and Jefferson more than around Claiborne. Although the land question stirred up more uneasiness and apprehension than any other problem, land conflicts rarely served as a basis for factional alignment since these conflicts cut across party lines.

The first obstacle to a solution of the land problem was the long-standing controversy between the United States and the state of Georgia. While the claim of Georgia to lands in the Territory was far fetched, her politicians, forced to pay lip service to the people's wishes, had opposed the creation of the Mississippi Territory, extension of the second grade of government, and the seating of the first territorial delegate in Congress. The main cause of this opposition stemmed from the fact that the Georgia legislature had twice granted these lands to various land companies. Although these controversial grants had never been executed, neither had the claims been entirely invalidated and at least one company, the New England Mississippi Company, invested heavily in them. Renewed speculation led to a rumor that the Georgia claimants at least might obtain some compensation. On April 24, 1802, Georgia finally agreed to cede her lands within the Mississippi Territory to the United States who promised to pay her $1,250,000 from the first proceeds of land sales there.49
This agreement between the United States and Georgia also confirmed certain grants. Those listed included "fully executed" grants made by either the Spanish or British government to actual settlers before October 27, 1795, and the claims derived from actual survey or settlement before the same date and made under the Bourbon County Act passed by Georgia February 7, 1765. Furthermore, the agreement provided for setting aside a reserve of five million acres for quieting legal claims not mentioned in this agreement, but Congress had to dispose of these lands within one year of ratification.

This compromise, however, served to publicize the whole question of conflicting land claims. Some inhabitants became uneasy over a provision in an act of May 10, 1800 which required each land contestant to submit propositions of compromise. What they wanted was to receive a legal title immediately in order to prevent future litigations. Other claimants, who regarded a distant land office favorable to the rich and detrimental to the poor settler, feared that the land office would not be located within the territory. The sudden appearance of numerous speculators who had only recently purchased claims founded on grants by Georgia and Great Britain also gave rise to numerous rumors.

Equally troublesome were the settlers who had made improvements on lands for which they had no title for despite the efforts of Sargent and Claiborne to prevent unlawful settlement, a third of the settlers were squatters. In addition, some of these squatters had settled on lands still claimed by the Indians.

Despite the apparent hopelessness of these conflicting claims, there was general agreement. The inhabitants considered the Spanish grants made before the actual date of the Pinckney Treaty as the best claim, and like Claiborne, they thought a liberal land policy, consisting of small grants on a reasonable basis to actual settlers, essential. To obtain a more accurate
picture of the problem than afforded by petitions, Congress appointed three commissioners to inquire into the situation, and Jefferson requested Claiborne to conduct a separate survey. Claiborne immediately ordered each settler to file with the county clerk his claim, including the entire chain of title, but the information he obtained was haphazard and faulty. Many settlers were ignorant of the requirement, and others, encouraged to feel that filing might jeopardize their claim, refused to file. Nevertheless, Claiborne's report, which constituted the first comprehensive picture, enabled Congress to pass its first major land act for the Territory. This act confirmed the titles of all adults or heads of a family who held British or Spanish grants to lands under cultivation on October 27, 1795. Furthermore, all settlers not claiming grants of the above description were given pre-emption rights on lands up to 640 acres which they had in cultivation by October 27, 1795.

The act also provided for two boards of commissioners who would dispose of the lands and decide on conflicting claims. A Surveyor General was to resurvey all land claims and to lay off into townships and half-sections lands subsequently acquired from the Indians.

Most Spanish claimants objected to being required to list the whole chain of title to their grants when they had to pay a fee based upon the number of words. Disenchantment became so widespread that those claiming under executed grants as well as those having antedated grants made common cause and refused to file their claims. Of course, leaders in this movement were holders of antedated Spanish grants, for they hoped, by defeating the whole project, to retain these lands.

Others objected to the discrimination against those who had settled since Spanish evacuation. Instead of receiving pre-emption rights to a full section as did those who had settled their lands before October 27, 1795, they
obtained options to only a half-section. In addition, no provision was made for pre-emption rights for settlers on "unappropriated lands" or for future immigrants. Several Jambigbee citizens suggested a general donation of 320 acres to every inhabitant of the territory. 50

Another grievance involved lands claimed under Spanish warrants of survey which the act of 1803 neglected to mention. Since such claimants had always regarded these warrants as legal, the claims had been transferred often through sale and inheritance. 51

The board of commissioners for the district west of the Pearl River soon encountered several special handicaps. This board suffered from the absence of an attorney to advocate the cause of the United States, from lack of authority to compel witnesses to appear before the board, and from the lack of adequate maps of the various claims. Since the inhabitants were slow in filing claims, the Land Register was unable to record them fast enough when claimants finally poured in. As a fitting climax, Surveyor General Isaac Briggs, unable to start his assignment until all claims had been filed, totally suspended his operations.

The land act of 1803, consequently, briefly created more uneasiness than it removed. The law, however, was an important step toward solving a most perplexing problem, and the inhabitants' wrath was less against Claiborne than against Congress and the territorial delegate. 52

Besides these complications, Claiborne faced numerous routine burdens and encountered the usual amount of difficulty from other federal officers. Among such officers, General Wilkinson was the most troublesome. In dealing with problems of defense, Claiborne had to work with Wilkinson, and the unwillingness of the federal government to define precisely the duties of each officer led to misunderstandings reminiscent of the Sargent administration. Relations
usually were smoother under Claiborne than under his predecessor because the former was more willing to cooperate and to take the General's advice. However, since many inhabitants were very suspicious of Wilkinson, Claiborne's frequent interviews with the General became unpopular. In his relationship with Wilkinson, Claiborne demonstrated an innate caution, a lack of executive initiative, and an intense desire to please those around him. These last two traits revealed his weakness as an administrator and political leader and explained the reason for Pierre Clement de Leussat's unfavorable characterization of him as a "man of very little means, and still less character." Wilkinson unfortunately did not reciprocate this desire for cooperation; instead he busily sowed seeds of discord and enmity. Wilkinson once described Claiborne as "a mass of duplicity, meanness, envy, ignorance and Cowardice." Claiborne, a doctrinaire opponent of standing armies, diligently tried to build a well disciplined militia force. Aware that Sargent had been unsuccessful, he attributed the failure to Sargent's unwillingness to let the men select their own officers. Therefore, he reversed this policy, but he discovered that the citizens, unless faced with an apparent threat from the Indians, the Spaniards, or the French, were very apathetic toward the militia. To make matters worse, the most socially and politically ambitious men usually sought an officer's commission in order to enhance their social position. Hence, overburdened with appeals for officers' commissions, Claiborne lacked faithful soldiers, and in the end, he met the same bitter defeat as Sargent.

Much of Claiborne's time was taken up with Spanish affairs. Anxious to see the American flag flying over the entire area east of the Mississippi, especially the port of New Orleans, he was an appropriate forerunner of the War Hawks and the advocates of Manifest Destiny. During the early part of 1802, as a rumor circulated that Spain had retroceded Louisiana to France and
that even East and West Florida might be included in the transfer, local Federalists were terrified by the thought that France might control the West, and even Republicans agreed that Spanish rule was "infinitely preferable to the anarchy and danger accompanying French Liberty." Claiborne's fear of Napoleon's power, combined with his expansionist nature, led him to wish that "the U. States could possess themselves of East and West Florida, including the island of Orleans." This fog of uncertainty, however, was presently lifted by disclosure of the exact treaty terms between Spain and France and by Spain's repeal of the American right of deposit at New Orleans. Most Westerners immediately suspected a sinister collusion between Napoleon and the Court at Madrid. After Spain refused to allow deposit at an alternate port, Claiborne protested, but the Spanish governor informed him that he had no control over the intendant. Where the matter rested temporarily.

While Claiborne assured the General Assembly that the federal government would adopt measures "to promote and protect the general interests of our common country," he privately suggested the use of force to take New Orleans. Others preferred war rather than peaceful negotiation more from fear of France taking Louisiana than from any resentment over cessation of commerce on the Mississippi. Meanwhile, Jefferson, who was ready to assimilate it, had to alter his policy when he learned of France's acquisition of Louisiana. Since he expected war to break out in Europe momentarily, he planned to bargain American neutrality in return for New Orleans and, if possible, Louisiana and the Floridas as well. While he thus procrastinated, he sent James Monroe, whom most westerners respected, as special minister to France.

Throughout the United States the clamor for war increased, and in Congress, Senator James Ross, Federalist spokesman for war, introduced a set of resolutions aimed at luring westerners into the Federalist political camp by provoking
war. But the Westerners refused to be persuaded by Federalists, and most of them were temporarily reconciled to peace. While the Mississippi Legislature was expressing complete confidence in Jefferson's policy, other western newspapers and Congressmen joined in the chorus of praise for the President and Monroe.73

One reason for the loyalty of the West, besides the fact that most westerners were Republicans, was that the economic depression in the West resulted more from Peace in Europe, which lessened the demand for Western cotton and agricultural products, than from the cessation of deposit at New Orleans.74 Furthermore, Spain, by the Intendant's order, did not entirely halt the flow of commerce, for Western products could still be loaded on waiting ships in the harbor without the necessity of deposit. Westerners could not trade with the same ease as before, but trade never ceased entirely.75

In the end, Jefferson's policy yielded enormous dividends. The Spanish court, fearful the United States might join with Great Britain, ordered the right of deposit restored. This initial victory for Jefferson insured that Westerners would quietly await the outcome of Monroe's mission.76

Those same European problems which forced Spain to restore the right of deposit, encouraged Napoleon to sell Louisiana. This action surprised the friends of the administration and stunned the opposition; even the most ardent expansionists had not advocated the taking of the whole of Louisiana. By this purchase, Jefferson closed forever the question over navigation of the Mississippi and acquired the undying loyalty of the West.77 The Mississippi Legislative Council ably expressed Western satisfaction for the purchase. "The knowledge of no occurrence, except the establishment of American independence," read its resolution, "has been more joyfully or more thankfully received, than the important cession of Louisiana."76
Pleased that the Mississippi question had been resolved, Claiborne asked permission to take a needed rest. Jefferson never answered the request; instead he appointed Claiborne to act with General Wilkinson as one of the commissioners to accept the transfer of Louisiana from France. The governor, postponing his rest, accepted the appointment as "a great honor," although he had been appointed more because of his proximity to New Orleans than because of any unique fitness. Although he did not realize it at the time, Claiborne actually left the territory permanently when he sailed from Natchez in December, 1803.

In most respects Claiborne had been more successful than Sargent. Together with the new national administration, which proved more congenial to the westerner, he had initiated a good land policy, had transferred the seat of government from Natchez with its merchants to Washington with its back-country gentry, and had toned down the violence of opposition to territorial government. This last accomplishment, it is true, had been secured more through weakness than through policy, however, for the young governor had allowed enormous power to slip into the eager hands of local squires. The militiamen, with the acquiescence of Claiborne, had virtually usurped the governor's power of appointing officers since the governor commissioned, with only a few exceptions, those officers elected by the companies. The militia district would in the future become the most important governmental unit, and local officers, in unison with county justices, decided upon local problems of government such as law enforcement, upkeep of roads and bridges, and poor relief.

Sargent had stood his ground against his enemies, but, like a weather-vane, Claiborne veered with the wind. Therefore, Claiborne found opponents less outspoken and more willing to cooperate since they were better able to influence if not to dictate policy. Claiborne also represented the liberal group which had accomplished an extension of democracy, and the opposition,
though distrustful of this change, could offer nothing better than a return to the old regime. This thought would not appeal to a restless pioneer who was anxious for change, advancement, and a new way of life but who was not interested in the maintenance of the status-quo.

Unlike Sargent, Claiborne encountered more difficulty from his friends than from his enemies. By 1803, those claiming to be Republicans were in a decided majority, and while they might unite to battle the common foe of Natchez and its power, they were unable to agree on the type or rapidity of change. Various issues, like a location of a college, illuminated a basic conflict over spoils of office and revealed a deep cleavage between the Green family and Claiborne. The latter was incapable of healing this breach, but his sudden departure for New Orleans saved him from the possible consequences of this inability. The Greens had already reintroduced the issue of democracy, but this time they intended to use it against Claiborne.

Neither Claiborne's opponents nor his friends had the necessary confidence in his leadership. They honored him, flattered him, and used him for their own purposes (Wilkinson found him an especially pliable person), but unless he acquiesced in their wishes, colleagues deserted him. He lacked firmness, experience, and poise, yet what he lacked in ability, he often made up in hard work. The ultimate success or failure of Claiborne, however, was not to be decided in Natchez but in New Orleans. There he demonstrated his weakest traits, for his office there required a firmer hand than he could give it.

But even if he had not been a great leader and governor in Mississippi, Claiborne's accomplishments showed up well in comparison with his predecessor's. More important, by becoming governor of the Orleans Territory, he secured a post which Jefferson was later to consider the second highest office in the United States.
FOOTNOTES V

1 Claiborne to Madison, September 6, 1801, December 12, 1801, Rowland, Miss. Terr. Archives, I, 344-345, 349-350; Claiborne to Jefferson, November 27, 1801, Jefferson papers.


4 Acts passed at the third Session of the First General Assembly . . . (Hatchez, 1802), pamphlet in Mississippi Department of Archives and History; Claiborne to Madison, May 14, 1802, Rowland, Miss. Terr. Archives, I, 450. Plans for the creation of a town and seat of government at Washington had been set in motion by 1800. A committee composed of John Ellis, John Rolls, and David Burney, all of whom were ardent opponents of Sargent and exponents of democracy, had been appointed to take and collect subscriptions to public buildings there. Cf. Pierson Lewis (agent of the committee) to John Bisland, September 20, 1802, John Bisland papers, L. S. U.

5 Edward Burner, compiler, Statutes of the Mississippi Territory (Hatchez, 1816), last six pages (unnumbered); Statutes at Large of the United States: 1789-1873 (Boston, 1845-1873), II, 230. The location of Port Dearborn contained political and speculative overtones. In 1803, Joseph Calvit sold to the Secretary of War 42 acres of land in Adams County for $645. Indenture for land signed by Calvit, February 14, 1803, Governor's Records, series A, vol. 3. Claiborne justified the "extravagant" price of $15 per acre on "Its contiguity to . . . Washington, the healthiness of the situation, . . . the great elegance of the Site, fertility of the soil, [and] the plentiful supply of good Spring Water. . . ." Claiborne to Madison, January 19, 1803, Rowland, Miss. Terr. Archives, I, 553.

6 Two petitions, Inhabitants of Adams County to General Assembly, n. d., Legislative Records, series D, vol. 36. Anthony Hutchins even joined the former friends of Sargent in protesting the removal.

7 Acts passed at the third Session of the First General Assembly; Claiborne to Madison, February 16, 1802, Dunbar Rowland, ed., Official Letter Books of W. C. C. Claiborne 1801-1816 (Jackson, 1917), I, 47. The official letters of Claiborne's administration may be found in this set or in the one volume edition of Rowland, Miss. Terr. Archives. Since the former set is still in print, future references will be to it. Hereinafter cited as Rowland, Letter Books.


10 During the appeal Phoebe married Ebenezer Dayton, who had been a political
supporter of Surgeon. Marriage agreement, August 19, 1501, Adams County
Deed Book 5, "Warder Clerk's office, Natchez; Phoebe Dayton to General
Assembly, December 2, 1501, Legislative Records, series D, vol. 36.


12 Historical Records Survey, Minutes of the Court of General Quarter Sessions
of the Peace, 1725-1501 (Jackson, 1542), no. 2, I, 225. Presentation of
the Grand Jury, Pickering County, November term, 1501, Governor's Records,
series A, vol. 3; Petition, Inhabitants to General Assembly, August 4, 1501,
Legislative Records, series D, vol. 36. Among those signing the petition
were George Foran, David Greenleaf, William Foster, James Foster, Henry
Hunter Jr., Euen Gibson, Tobias Gibson, Jacob Stampley, Joseph Calvert,
John Foster, John Bollis, and Robert Dunbar. Claiborne to Madison, December
equity jurisdiction to superior courts was approved January 5, 1502.

13 His petition contained a most impressive number, over 1,500, of signers.
Petition, Inhabitants to Congress, August 25, 1502, Carter, Terr. Papers,
V, 159-174.

14 Members of the territorial bar to Nathaniel Bacon, November 5, 1502, with
enclosure of Petition to Congress, November 2, 1502, Ibid., 175-190; Madison
to Claiborne, May 11, 1502, Rowland, Letter Books, I, 133; House Journal,
IV, 254, 354.

15 Acts passed at the third Session of the First General Assembly; Claiborne
to members of General Assembly, April 12, 1502, Rowland, Letter Books,
I, 81; Address, Claiborne to General Assembly, May 4, 1502, Governor's
Records, series A, vol. 3.

16 Claiborne to Madison, August 19, 1502, Rowland, Letter Books, I, 161;
Tilton to Madison, October 10, 1502, Carter, Terr. Papers, V, 175. Tilton
resigned October 10, 1502. He was a Scotch-Irish immigrant to North Carolina.
A graduate of Trinity College, Dublin, Ireland, he became a university
professor, merchant, and lawyer, and one of the founders of the University
of North Carolina. In 1650, he came to the Mississippi Territory and estab-
lished a school for girls at Natchez. Petition, Tilton to General Assembly,
January 11, 1503, Legislative Records, series D, vol. 36; Hamilton, Dokey,
72-75; Kep P. Battle, History of the University of North Carolina (Raleigh,
1907-1912), I, 104.

17 Ker to Jefferson, October 3, 1501, Ker to David Stone, October 3, 1501,
Carter, Terr. Papers, V, 129-131; Claiborne to Madison, December 21, 1502,
Rowland, Letter Books, I, 250. Ker was on the job before December 10, 1502.
Ker to Judges, December 10, 1502, Ibid., 247. His commission
was dated January 25, 1500, Carter, Terr. Papers, V, 104.

18 Lewis to Madison, April 16, 1503, Ibid., V, 215; Claiborne to Jefferson,
May 30, 1503, Jefferson papers.
his appointment was confirmed November 15, 1803. Senate Executive Journal, I, 455. On Rodney see Hamilton, Rodney, 3-90. This painstaking study gives an admirable account of Rodney's life and a good view of social life in the territory. Jefferson wrote that "I should certainly be glad to do any service" for Rodney. Jefferson to Thomas McKean, February 19, 1803, Paul L. Ford, ed., The Writings of Thomas Jefferson (New York, 1892-1905), VIII, 217.

For instance, John Girault was hurt by the insertion of the words "during the pleasure of the governor for the time being" in his commission, and he refused to serve any longer. Girault to Claiborne, July 27, 1802, Howland, Letter Books, I, 147-148; Smith to Claiborne, February 5, 1802, Governor's Records, series A, vol. 3. Claiborne sullenly answered Girault that it was a "matter of no consequence to me" why you resigned, but the governor assured him that these words were usually included in commissions. Claiborne to Girault, August 4, 1802, Howland, Letter Books, I, 148.

Claiborne to Dearborn, January 27, 1803, Ibid., 268.

Cf. Claiborne to Comptroller of the Treasury, July 1, 1802, Claiborne to Dearborn, October 2, 1802, Ibid., 143, 260.

Turner to John J. Breckinridge, February 22, 1802, November 2, 1803, Breckinridge Family papers, Library of Congress. For example, Claiborne appointed Abner B. Duncan attorney general for Adams District, and he busily pushed other new lawyers, like Poindexter, into posts of honor.


Acts passed at the Third Session of the First General Assembly.

Turner to Breckinridge, November 2, 1803, Breckinridge papers.

Claiborne to Jackson, December 7, 1801, February 4, 1802, Claiborne to Jackson, January 7, 1802, Jackson papers; Claiborne to Jefferson, June 23, 1803, Jefferson papers.

Sargent was back in Natchez by January 30, 1802. Lintot to Sargent, January 31, 1802, Sargent papers (ABG); Claiborne to Madison, February 5, 1802, Howland, Letter Books, I, 41; Fenny to Sargent, April 1, 1802, Sargent papers (ABG).

Claiborne to Jefferson, March 4, 1802, Jefferson papers; Steele to John Brown, January 23, 1802, Carter, Terr. Papers, V, 137.

Steele to Sargent, July 20, 1803, Sargent papers (ABG).

31 Journal of the House of Representatives of the Mississippi Territory, 1803, MS in Mississippi Department of Archives and History. New members of the second assembly were William Dunbar, William Conner, and William Gordon Forman from Adams District; Roger Dixon and John Girault from Jefferson District; and Nicholas Perkins from Washington District. Girault and the new Adams delegates had been warm friends of Sargent.

32 Pleased by the selection of Lettismore, Claiborne reported that he "unites to pure Republicanism, handsome talents & an honest heart." Claiborne to Madison, April 24, 1802, Rowland, Letter Books, 1, 69-90.

33 Turner to Breckinridge, November 2, 1803, Breckinridge papers; Turner to Wailes, April 3, 1859, Wailes papers (NDAi).

34 Claiborne to General Assembly, October 3, 1803, Journal of the Legislative Council, Second General Assembly, Second Session, pamphlet in Mississippi imprints; Journal of the House of Representatives, Second General Assembly, Second Session, MS copy in Mississippi Department of Archives and History; the house journal has been published by W. D. McCain, ed., Journal of the House of Representatives, Second General Assembly, Second Session, October 3-November 13, 1803 (Hattiesburg, 1940), 15, 49, 51, 54-55, 56, 67, 72. Members included by name were Dunbar, Isaac Briggs, Girault, Samuel Brooks, Jesse Greenfield, Seth Lewis, W. E. Shields, George Poindexter, John Ellis, Abner Green one of the Greens who lived in Adams County, and Dr. John Sibley of Louisiana; so that even by 1804 the society was showing signs of discarding its partisanship. Mississippi Herald and Natchez Gazette, October 14, 1804.

35 For instance, Jefferson mailed the governor a pamphlet by a writer signed "Algenon Sidney," and Claiborne, who felt "the writer has done justice to the government..." promised to have it "reprinted at Natchez and generally circulated." Claiborne to Jefferson, May 30, 1803, Jefferson papers; "an Act to provide for the printing and publishing of the Journals and acts..." January 27, 1802, Carter, Terr. Papers, 7, 250. The name of James Ferrall is incorrectly transcribed Ferrall by Carter. J. Claiborne to James Ferrall, February 25, 1802, Claiborne to Abner Green (for payment of Ferrall), May 1, 1802, Rowland, Letter Books, 1, 1-2; J. F. Bridgman, American Newspapers, 1, 425. W. A. Beaumont tried unsuccessfully to obtain financial backing from Natchez and the Greens for a newspaper in Natchez. Cf. Beaumont to Anthony Hutchins, March 24, 1802, Governor's records, series A, vol. 5. Since these letters are in the governor's correspondence, Claiborne must have been encouraging the enterprise.

36 Petition, Inhabitants to Congress, August 25, 1802, Carter, Terr. Papers, V, 159-174; House Journal, IV, 234. On a printed pamphlet of the acts of the third session of the first General Assembly, someone copied these demands. On the cover of the pamphlet is the signature of Isaac Juon and his hand is written "[David] Burney handed a petition." This pamphlet is in Mississippi Imprints.

Memorial, Trustees of Jefferson College to Congress, January 3, 1803; "An act Providing for the Disposal of Land South of Mississippi," March 3, 1803, Jarder, Terr. Papers, V, 151-162, 1803. The location of these lands for the use of the college aroused considerable controversy during the administration of acting Governor Cato West. For a discussion of this struggle see: Wost, chapter VII.

Trustees to the People, n. d. [1803], Governor's records, series A, vol. 4. The memorial to Congress and this address are reprinted in J. K. Harrison, "Early History of Jefferson," Mississippi Historical Society Publications, II, 175-183. Report of the Lottery Committee, 1803, Governor's Records, series A, vol. 4. Marshalk was granted the printing job. Bill of Marshalk to Trustees, 1803, Andrew Marshalk papers, Miscellaneous Manuscript Files, Mississippi Department of Archives and History. Each manager of the lottery was given two hundred tickets to sell, but they were unable to dispose of all of them. Cf. Receipt signed by John Ellis, Treasurer, July 25, 1803, Governor's Records, series A, vol. 4.


Ker to Trustees, March 14, 1803, Ibid.

Ker to Claiborne, May 31, 1803, Claiborne to Ker, June 2, 1803, Ibid.


49 On the Yazoo grants see, C. F. Haskins, "Yazoo Land Companies," American Historical Association Papers, V, 595. See also Articles of Agreement and Session, April 24, 1802, Carter, Terr. Papers, V, 142-143.


52 On the matter of squatters see, Claiborne to Madison, November 5, 1802, Rowland, Letter Books, I, 217-220. Claiborne reported that over two thousand inhabitants resided on vacated lands. According to the inaccurate census of 1811, 5,126 whites were in the territory; therefore, approximately one-third of all settlers were squatters. AS census returns, 1801, Governor's Records, series A, vol. 25.

53 The Secretary of War ordered Indian agents to "give immediate notice" of all settlements on Indian lands to the nearest commander of U. S. troops. Cf. Dearborn to Silas Dinsmoor, May 3, 1802, Carter, Terr. Papers, I, 147.


56 Claiborne reported that "some designing men are endeavoring to impress upon the citizens an opinion, that the filing of their claims will be injurious to them." Claiborne to Madison, September 12, 1802, November 5, 1802, copy Randhill, September 19, 1802, Instructions to County Clerks, September 19, 1802, Ibid., 176-177, 211-221, 177-179, 185-186.


63 These requests began as soon as Claiborne landed, for in December, 1801, the governor thanked Wilkinson for his information on politics in the territory. Cf. Claiborne to Wilkinson, December 6, 1801, James Wilkinson papers, *Chicago Historical Society*.


66 Samuel Penney to Sargent, January 29, 1802, April 1, 1802, Sargent papers (G5S); William Hulings to Sargent, April 23, 1802, Sargent papers (G5S); Claiborne to Madison, April 3, 1802, Rowland, *Letter Books, I*, 65-70.

68 Although the proclamation bears the date of October 16, the intendant did not publish it until October 18. Publication of Juan Ventura Morales, copy, October 16, 1802, Governor's Records, series A, vol. 3. William Hulling, American consul at New Orleans, wrote on October 12, 1802, to Claiborne, October 15, 1802, Rowland, Letter Books, I, 207. Another printed announcement, dated October 25, 1802, may be found in the National Archives (photostat in the Mississippi Department of Archives and History). The reason for the closing of the port is unknown and little evidence exists to show that the retrocession of Louisiana to France had any connection with the order. Whitaker, Mississippi Question, 150-152.


70 Claiborne to General Assembly, December 9, 1802, ibid., 259-260; Whitaker, Mississippi Question, 150-159. Claiborne reported the closure and "excited considerable agitation in Natchez...." Claiborne to Madison, October 23, 1802, Rowland, Letter Books, I, 211.

71 Claiborne to Madison, January 5, 1803, March 27, 1803, ibid., 253, 255; Dunbar to Jefferson, June 1, 1803, Jefferson papers.

72 James Monroe to Breckinridge, March 4, 1803, Breckinridge to [?], January 20, 1803, William Lewis to Breckinridge, January 27, 1803, Breckinridge papers.


74 As early as January, 1802, Claiborne complained that peace in Europe had reduced western agricultural prices. Claiborne to Madison, January 24, 1802, Rowland, Letter Books, I, 267; Dunbar to Bird and Co., July 5, 1802, Rowland, Dunbar, 115.

75 With fear as the basis more than facts, Claiborne wrote that few ships would enter the Mississippi River and those vessels that did would be "insufficient for the demand; and the surplus produce of the West, will be lost to our country and to the industrious farmer." Claiborne to Madison, January 25, 1803, Rowland, Letter Books, I, 267. Later, Claiborne reported that "many vessels are yet lying opposite to Orleans, waiting for return cargoes...." Claiborne to Madison, March 5, 1803, ibid., 277.

76 Whitaker, Mississippi Question, 230-234.

77 Claiborne wrote: "tranquility and security of all the western country are now secured to an incalculable distance of time...." Claiborne to Jefferson, August 12, 1803, Jefferson papers. See also: John Smith to Jefferson, August 9, 1803, August 30, 1803, ibid.; Resolution, territorial House of Representatives, October 3, 1803, Governor's Records, series A, vol. 3.

Claiborne to Jefferson, June 23, 1803, August 12, 1803, Jefferson to Claiborne, July 17, 1803, July 1c, 1803, Jefferson papers.

Chapter VI

Change and Indecision: the Cato West Interregnum

When W. C. C. Claiborne departed for New Orleans in December, 1833, he left territorial affairs in the hands of his ambitious Secretary, Cato West, spokesman for the Green family of Jefferson County. During most of Claiborne's last year as governor, this family had opposed, hindered, and blocked much of the governor's activity. Then suddenly and quite unexpectedly West found himself in charge of the territory. Since neither official thought Claiborne's New Orleans assignment was permanent, each considered his new role as temporary, but West was determined to make the most of his opportunity.

Holding the strings of patronage, West prepared to use this power to build loyal supporters in the counties, and he also laid plans to secure the governor's commission in the event Jefferson decided to keep Claiborne in New Orleans. In early 1834, this prospect was little more than wishful thinking for, according to western newspapers, various rumors, and reports of travelers, Claiborne appeared to be encountering considerable difficulty there and creating even more.

In some respects the time was favorable for West to fulfill his ambitions. Inhabitants in the western states and territories were jubilant over the acquisition of Louisiana, and West predicted that the date of the Louisiana transfer, December 20, 1803, "will doubtless be remembered and celebrated...as the greatest day in the annals of North America next to the 4th of July." Furthermore, all anxiety concerning the peaceful transfer of Louisiana to the United States was removed by news received during the spring of 1804 that Spain had withdrawn her objections to the purchase.
While political harmony increased, economic prosperity also boomed. Under the warm sun and with adequate rainfall, cotton flourished and yielded large crops. Travelers as well as settlers praised the region for its productive potential, and some even pictured the region as wealthy despite its proximity to an overflowing river and its long, hot, numid summers. One traveller even predicted that the territory would "shortly be one of the most powerful and populous provinces of the United States," and many visible signs to support these predictions were available for the doubter. The planters were importing various luxuries from Europe and the eastern United States, new immigrants were rapidly moving into the district, and numerous slaves were being imported at Natchez. One new immigrant was surprised to find a "great deal of genteel company..." in the district, and Aaron Burr, when he visited Natchez in 1805, was pleased to discover a substantial community of planters who lavishly entertained him. Business ventures had increased to such an extent by 1805 that the territorial General Assembly thought the Bank of the United States should establish a branch at Natchez—but the Bank directors thought otherwise.

The prospect of acquiring new lands from the Choctaw Indians attracted many. The War Department pushed a suggestion that the Indians exchange lands in return for payment of their debts by the United States. While a treaty of this kind with the Choctaws promised to open those rich lands between the Yazoo and Big Black Rivers, the possibility of extinguishing the Indian title to those lands which lay between the Natchez and Tombigbee settlements was even brighter. Already the Indians had agreed to allow trading establishments and taverns along the public roads and waterways within their territory.

During 1804, the impartial work of the board of land commissioners began to allay many fears. A few agitators, led principally by claimants with fraudulent Spanish grants, had tried to persuade all claimants against filing claims, but
these efforts failed. Later delays resulted not so much from recalcitrant claimants as from procrastinating land commissioners. Several factors were responsible. Since the board refused to issue any certificates until all claims had been recorded, Surveyor General Isaac Briggs had nothing to do and his deputies became disgruntled and quit. Many citizens justly complained that this stoppage of survey would discourage immigration because newcomers, reluctant to settle on lands which were already claimed by someone, would be attracted by the tempting land offers of the Spaniards.

Disturbed by these events, Briggs, accompanied by Robert Williams, one of the commissioners, journeyed to the capital where they planned to lay before Congress several suggested amendments to the land law. Because Congress was then changing the land law to comply with most of their requests, Secretary of the Treasury Albert Gallatin objected to their action since their absence from the Territory would force further postponement of the land business.

During this lull in land surveying and claims filing, various incidents increased the uncertainty about land claims. One of the land commissioners, Thomas Rodney, reported "wild speculation...secretly going on" with respect to donation and pre-emption claims, for some of these claimants, believing that the law gave all donation claimants 640 acres and pre-emptioners an unlimited amount of land, were selling these claims to speculators.

Some citizens also disliked the practice of allowing British and Spanish subjects to claim and improve lands within the territory. Many inhabitants were convinced that Congress, by extending the time for filing, had purposely favored British claimants. This resentment became serious when a report spread that Secretary of the Treasury Gallatin was busily "buying up all the British claims for his own use." The presence of several claimants under British title, especially Judge Elihu H. Bay of South Carolina, encouraged
new rumors which seemed confirmed when the land commissioners allowed Bay, who
was very anxious to return to South Carolina, to survey his enormous claims.
It was only with difficulty that Rodney was finally able to convince the outraged
citizens that the right to survey "made nothing in favor" of Bay's claim.14

The publication of a letter from Gallatin to western register Edward
Turner, which several citizens misconstrued in meaning, aroused new fears among
the claimants under Spanish title. Gallatin, by attempting to prove the necessity
of filing and obtaining new titles to all lands, implied that Spanish grants
had no validity until the United States granted new titles. Indeed, the govern-
ment had no other choice as long as it refused to recognize Spanish occupation
of the district as legal. Again Rodney calmed the outburst but not before
a few had advocated violent resistance.15

Even though most of these fears were more apparent than real, a few
of the citizens had cause to be alarmed over British claimants who threatened
to involve them in costly litigations. The land acts provided that any Spanish
grantee who faced a prior British claimant could receive a legal title only
through court action.16

By the Land Act of March 27, 1804, Congress tried to aid Spanish and
British grantees by allowing them to file only the original patent instead
of the entire chain of title and by the appointment of a land agent who would
even investigate all claims and oppose the fraudulent titles before the board.
Jefferson commissioned Rodney's friend, William B. Shields, for the new post.17

Besides the problem of land claims, Cato West had to deal with the western
urge to take West Florida, which some contended had been included in the French
treaty of 1803. Spain not only denied this contention but also reinforced her
forts there. While those settlers along the Tombigbee, who cared little for
Louisiana, would have rejoiced over the acquisition of Mobile, the initial
efforts to acquire West Florida centered around Pinckneyville, a little hamlet south of Fort Adams. A band of about thirty men, led by the trouble-making Kemper family, made periodic raids into Spanish territory. Once the Kempers were even bold enough to attack Baton Rouge and declare it independent of Spain. In addition to a desire to "set the country free," the Kempers held a bitter personal grudge against Spanish Governor Charles Grand Pre. 18

Grand Pre and the Spanish officials continually protested to Claiborne and West, but these American governors adamantly refused to deliver the Kempers to Spanish officials. The situation became more alarming when Spain charged that President Jefferson and Governor West encouraged these insurgents, but Rodney believed that the affair had made "much more noise to the westward than it was entitled..." 19 While Spanish retention of West Florida created resentment among the westerners, few were willing to support the lawless practices of the Kempers. Furthermore, Cato West who was sympathetic to the settlers' desire for expansion could not afford to wreck Jefferson's plans for negotiation with Spain. Although the Spanish border situation was again quiet by January, 1805, the causes for conflict had not been removed. For a brief period, at any rate, the western inhabitants were willing to place confidence in the federal government to find a peaceful solution. Had not Jefferson acquired Louisiana without war?

While land policies, Spanish problems, and Indian troubles disturbed the inhabitants, West concerned himself more with political matters. Conditions were generally favorable for a peaceful term as acting governor, but West's ambitions called for change in the existing political order. West could not secure the governorship unless he either convinced the President of his own ability or of Claiborne's ineptness. Consequently, Claiborne's policies became an even greater political issue after the governor departed than before. Since
West did not have sufficient time to demonstrate his own worthiness to Jefferson, the Secretary's only hope lay in discrediting Claiborne. As a result, the split between the Claiborne and West factions within the Republican party widened. The former faction found a natural leader in Ferdinand Leigh Claiborne and capable allies in William Lattimore, who had ousted Thomas Green as delegate, and in the caustic editor Andrew Marshalk, who now looked to Lattimore for patronage.20

With its membership centered in Adams County, the Claiborne faction became a staunch defender of Washington and sought to prevent the removal of the capital to Greenville in Jefferson County or the reintroduction of the explosive issue of increased democracy. Some settlers also supported this faction because they suspected the acting governor of using his office to secure property.

After purchasing from Samuel Texada a tract of 240 acres, which he held under a fully executed Spanish patent, West plotted to enlarge this claim to 640 acres by registering it as a donation claim because Texada resided in the district before 1745.21

In addition to his numerous relatives, West acquired various allies from among office holders who found it advisable to shift their allegiance and from among inhabitants of Jefferson County who liked the thought of having the capital at Greenville. Thus two newcomers to the Territory from North Carolina, John Shaw and David Ker, became leading figures in the West juncto.

After settling in Greenville, Shaw, who found it expedient, if not essential, to side with the Greens, took up his pen and wrote a series of vitriolic polemics against the "Claibornites."22 In Ker, a learned lawyer and a newly appointed judge, the West faction had another very valuable friend.

As a result of this new conflict within the Republican ranks, the Federalists—now led by Philander Smith, John Steele, and Lyman Harding—made a determined
comeback. Although some had accepted offices in the Claiborne administration, most of these soon resigned and turned on their former benefactor, Claiborne. Thus, three factions had emerged by 1804.

Until September, 1804, when Ferdinand Claiborne announced that under no conditions would his brother ever return to the Mississippi Territory, the major issue had been the administration of W. C. C. Claiborne. Before this statement, however, Ker had distributed a petition calling for Claiborne's recall, and friends of the governor had passed around a memorial in praise of Claiborne.23 On this question, the Federalists joined with the supporters of West since the strength of the Federalists lay in Adams County where the Claiborne faction was also strong.

Meanwhile, West busily mended his political fences by replacing Claiborne's appointees with his own friends and by encouraging two printers, Samuel and Timothy Terrell, to publish a newspaper, the Mississippi Messenger, friendly to the West faction.24 In the important elections of 1804, when the voters would choose Representatives who in turn would select a new Legislative Council and a Delegate to Congress, the policies of West received their initial test. But in the popular elections for House members, West met bitter disappointment. While West's candidates ran well in Jefferson district, the Federalists, with the exception of Ferdinand Claiborne, swept Adams district and were able, by making an agreement with the West faction, to get Philander Smith elected Speaker of the House.25 Therefore the General Assembly was almost evenly divided among supporters of the three factions.

The results of this significant election revealed several important factors. Because of the new economic prosperity, factional alignment now resulted more from sectional than from economic interests. In addition to
the main struggle between Adams and Jefferson Counties, there occurred a conflict between frontier and settled areas in each county. Out of this latter situation there arose a new type of politician who was dedicated to winning the votes of the backcountry. Such a personality was George Poindexter who drank to excess, played cards for high stakes, and never flinched from a fight to uphold his or a lady's honor. Another was William B. Shields who delved in politics strictly as a means of social and economic advancement. By continually attacking the Federalists and Natchez, these men kept alive the old animosity between backcountry farmers and urban merchants.

While these new political types were emerging, the older political leaders such as Sargent and Munbar were conspicuously silent. Preferring to be county "nabobs" and to avoid the game of politics, they became the elder statesmen of the territory who were willing to give occasional advice. The most prominent of these was Thomas Rodney who was able to remain a friend of all factions. Rodney was also very influential with Jefferson especially after his son became Attorney General in Jefferson's cabinet.

However, before the important new legislature met, several problems arose to hinder West from gaining the coveted governorship. Claiborne had left unsettled the question of lands for Jefferson College. On March 3, 1805, Congress authorized the governor to locate two lots within Natchez and another one adjoining the town for use of the college. For one of the town lots, Claiborne had chosen a site formerly occupied by Catholic priests and later used by the Adams County Courts. After Claiborne had departed, West named the Natchez commons as the other lot. While selection of both locations aroused resentment from the Natchez citizens, West's choice caused the greater discord since the citizens of Natchez regarded the commons as their only guard against yellow fever.
A committee of Natchez citizens headed by Delegate William Lattimore consequently petitioned Congress to give this lot to the city of Natchez.\(^29\) Furthermore, the older inhabitants unanimously testified that Jayoso had repeatedly refused to grant anyone title to this land.\(^30\) With the committee's petition, the struggle shifted to Congress where the key figure was Lattimore, and he pressed Congress to reserve the outlot permanently as a plaza or commons. Meanwhile, William Dunbar who also claimed part of this lot, urged Jefferson not to deprive the poverty-stricken college of this valuable grant upon the ill-founded belief that it was essential to the health and comfort of the citizens.\(^31\)

By preparing to repair and rent those buildings already built on the Natchez lots, the college trustees forced Congress to take immediate action. Although Congress suspended the governor's authority to locate lots for the college, the college trustees continued to deny that the city had any claim to the lands,\(^32\) and this dispute lasted until West's successor officially withdrew the disputed lots from the use of the college.\(^33\) Although perhaps correct in his belief that the college could not survive unless given these particular lands, West allowed his hatred of Natchez to influence his actions to such an extent that he would not give in to the demands of Natchez even if it meant destruction of the college. In the end, West left only a trail of bitterness, and the college never materialized.

In several counties, the location of county seats and the incorporation of towns brought up a similar question of land speculation. When the General Assembly incorporated the hamlet of Greenville and provided for the erection of a jail, even Jefferson County inhabitants were incensed at West's obvious efforts to create a town artificially. After the legislature transferred the seat of Adams County from Natchez to nearby Washington, the county court refused
to levy a sufficient tax to defray the cost of public buildings already under construction in Washington. In Washington County an intense struggle over location of the county seat occurred between supporters of Wakefield and of St. Stephens before the latter town eventually won.

"Washington County discontent, however, ran deeper than this issue, for by 1825 the settlers had already petitioned Congress to divide the territory. Those settlers clustered around the Tombigbee, Alabama, Mobile, and Chickasawhay Rivers had always felt slighted by the national and territorial governments. Ellicott had not applied the same pressure on the Spaniards to evacuate the Tombigbee posts as he had for those along the Mississippi, and it was not until February, 1817, that Spanish soldiers finally departed. Then Governor Sargent delayed for over a year in establishing a county there, denied the first representative to the General Assembly his seat, dispatched territorial judges there only intermittently, and was slow in appointing the local justices of the peace.

The principal cause of this neglect had been Washington County's isolated position. Only a poorly marked path joined the eastern and western settlements until this path became the Old Federal Road, but even then robbers, wild beasts, and savage Indians made the journey a frightful one. Since the distance to Georgia or to Maches was about equal, many settlers would have preferred government by Georgia to control by the territory.

Another cause for neglect of the eastern area was due to the fact that both travellers and federal officials found settlers there depraved, suspicious, vicious, illiterate, and lawless. These settlements contained fugitives from Georgia justice and poor "tories" from the western Carolinas and Georgia. Although a few "antient" French inhabitants, who resided upon lands adjacent to the confluence of the Tombigbee and Alabama Rivers, lent an air of flavor
and gentry to the region, they were never numerous enough to be politically
important.40

On the other hand these settlers had many grievances. Foremost among
these were land conflicts, Indians, and Spaniards. For the Indians and Spaniards,
the people had no use and looked forward to the day when both would be removed.
To quiet Indian forays and thefts, the federal government had established a
factory at St. Stephens and its factor, Joseph Chambers, began a brisk trade
with the Choctaws which, by encouraging the Indians to enter white settlements,
caused new frictions. By 1805, the settlers demanded removal of the factory
to a place inside Choctaw territory, but the federal government was unsympathetic
to their request.41

While many settlers held the Spaniards to be responsible for most Indian
disturbances, others had more valid reasons for hating their Spanish neighbors.
Spanish officials at Mobile forced the Americans to submit to a humiliating
search and an exasperating ad valorem duty of "twelve per centum, ... as
estimated by the Spanish officers of the revenue." One settler asserted that
"imported goods [were] generally 50 percent higher [there] than in Kentucky."42
Resentment of this treatment ran high and two hot-headed settlers, James and
John Callier, even threatened to seize and burn every Spanish boat venturing
across the boundary and to throw its crew overboard.43

To meet this crisis, Jefferson again preferred to wait for his policy
of agrarian imperialism to engulf the Spaniards, and Madison hinted at another
purchase. In 1804, however, Congress extended American jurisdiction over the
Mobile district, but still Jefferson refused to take aggressive action. Again
Tombigbee citizens felt slighted by the federal government.44

The question of land titles also caused discontent. The eastern land
board, encountering fewer conflicting claims than the western board, completed
registration of all claims by July 16, 1804. However, although this board was more prompt than its sister board in the West, its decisions encountered as much opposition and stirred up similar controversy.

By the Land Act of 1803, Congress donated a section of land to all inhabitants of the territory who had land under cultivation before Spain evacuated the region. This act mentioned the year 1797, and the eastern board, interpreting this date literally, had fixed the time as December 31, 1797. The western board, however, interpreted it to mean the actual day of Spanish evacuation and set the date as March 31, 1796. The eastern settlers demanded a similar interpretation which would push the date up to February 5, 1799 in their case, but the eastern commissioners refused.

Also pre-emption claimants disliked being required to accept at least 160 acres of land for which they often could not meet the payments. Furthermore, by believing that the surveys ought to be by parallel lines only, the commissioners often had to grant pre-emption and donation claimants some of their lands at an inconvenient distance from their place of residence. Since the western board in each case had interpreted the law differently, the eastern settlers unsuccessfully asked Congress to combine the proceedings of the two boards, although Congress finally agreed to extend the same power and jurisdiction to the eastern board as previously granted to the western.

Another explosive issue involved lands in dispute with the Indians. For seventeen years settlers along the Tombigbee River had cultivated Indian lands on the east bank with approval of the Choctaws. By the treaty of Fort Adams, those particular lands were confirmed to the Choctaws, who promptly with support of the American government, removed the former indulgences given American settlers. A similar conflict concerned land at the confluence of the Alabama and Tombigbee Rivers, consisting mainly of the island known as
"Naimee Hubba," for the Indians suddenly reasserted a claim to this land after the American settlers had quietly cultivated it for several years. Since renewed Indian pressure occurred at the very moment that new settlers were arriving in large numbers, only the hope of a new treaty with the Choctaws kept the settlers relatively quiet.

One additional complaint was voiced by the citizens of the eastern district. During the early period of territorial government, territorial courts met so erratically and infrequently that there was little check to the existing lawlessness. On March 27, 1804, Congress tried to correct this situation by providing for an additional judge who would serve these settlers exclusively, but this judge was not given the same authority and jurisdiction as the western judges nor was there any possibility of appeal to a higher court. Jefferson accordingly appointed Ephraim Kirby, but he died after a short period in the territory. Although the Callier and McDougall faction tried to have Rodmanick D. Fillman appointed thereafter, Jefferson commissioned Harry Toulmin, whose choice turned out to be a wise one. Toulmin was an unusual immigrant in that he was a cultured gentleman learned in statecraft and law. A native of England, he had lived briefly in Virginia and from there moved to Kentucky where he became in turn President of Transylvania College and Secretary of State. A radical dissenter in religion, he had soon found himself out of favor in Kentucky and he therefore readily accepted Jefferson's offer of a judgeship.

In the meanwhile, Jefferson had delayed naming a permanent governor for the Mississippi Territory until he had decided upon a permanent Orleans executive. While men like Andrew Jackson of Tennessee and General James Wilkinson wanted the Orleans post, Jefferson looked around for someone with more experience and prestige, but he was unable to persuade James Monroe or the Marquis de
La Fayette to accept. By default then the office eventually fell to Claiborne.

With the appointment of Claiborne to the New Orleans post, the Mississippi executive office was formally vacant, but West's hope for succession was quickly extinguished. Jefferson first offered Zephaniah Kirky, judge and land commissioner in Washington District, the governorship, but Kirky never answered for he had died before Jefferson had even extended the offer.

In 1845 Judge David Her died suddenly, and the West faction lost one of its most influential supporters. Since the western part of the Territory still had two judges, Bruin and Rodney, West feared that the President might follow the advice of Rodney and not replace Her. Shaw, editor for the West group, immediately eulogized Her and implied that the courts had been thrown into utter confusion by his death. Since many citizens, including Rodney, had considered the deceased to be one of the most unpopular men in the territory, they regarded Shaw's "anthem to his memory" either a joke or "the severest irony," and the editor's plan backfired. Expecting to make Her appear favorable by blackening the other judges, Shaw merely succeeded in forcing Rodney into the Claiborne camp.

Two other matters stirred up controversy. Several inhabitants of Adams District considered the summer elections of 1845 to have been alive with fraud. Many unqualified citizens, they charged, had voted on the strength of fraudulent land deeds with the Sheriff's concivving approval.

Taking advantage of the breach within the Republican ranks, the Federalists sought to gain some political strength by extending the franchise and reapportioning representation in the General Assembly. The high property requirement had worked against the Natchez Federalists who, while often wealthier than the planters, were kept from the polls because they were not large enough land-holders.
The Federalists, therefore, desired a franchise restricted to taxpayers. The Federalists were equally annoyed by the fact that Jefferson County had the same number of representatives as Adams County even though the population and wealth of Jefferson County was much less than that of Adams County. As a result, the Federalists collaborated with the liberal West faction in a petition which demanded these democratic changes. Although unsuccessful in 1803, these men, regardless of motive, had unveiled a democratic issue which held out to many the prospect of enfranchisement, and such a demand would not cease until Congress had granted it.

And these occurrences, on December 4, 1804, delegates to the third General Assembly gathered in Washington. The Republicans were badly split between the supporters of Governor Claiborne and those of Secretary West, and this rivalry between Republicans would often overshadow former hatred of Federalists. By lining up with the West faction in the House, the Federalists were able to get Philander Smith chosen Speaker and John Steele selected Speaker Pro Tem. Since the Claiborne supporters still controlled the Legislative Council, however, the conflict often narrowed down to a squabble between the two houses.

Besides performing its usual functions, this session of the General Assembly was to nominate a new list of ten men for the Council and to choose a delegate to Congress. The General Assembly was divided in its approach to these problems and almost adjourned without accomplishing either. Finally the legislators named ten nominees for the Council, but most citizens were disappointed and believed that the legislators, in trying to exclude factional "favorites," had selected men who were notable for nothing but mediocrity and who were favored by no one. Nevertheless, every one of those nominated
claimed to be a Republican, and the Federalists were unable to bargain even for one nominee.

On the question of choosing a delegate to Congress, each faction was determined to send its own candidate or no one. The West group at first rallied behind Edward Turner whom Jefferson had recently removed as Register on the ground that his connections with a "numerous and wealthy family" made him too "deeply interested in a great number of claims." Upon learning that Turner was too unpopular, West decided to enter the race himself. He had seen that he would not be appointed governor and preferred being delegate to remaining secretary. The Claiborne faction supported the incumbent, William Lattimore, and the Federalists tried to elect William Jordan Forman. On the first ballot Lattimore and West each received five votes while Forman got only four votes. For six trials, the deadlock continued. Then, as some members strolled through the gallery and others prepared their tickets, "a desultory conversation" took place between a few legislators on the question of adjourning. Emphasizing this disturbance as an excuse, Speaker Smith adjourned the joint session of both houses. When the house reassembled, the Councillors returned for a seventh trial at choosing a delegate, but the Speaker ignored them. Although the House scheduled another joint session for March 6, the Council failed to appear, and the session ended without choosing a Congressional delegate. Any inhabitants were disgusted with this meager legislative record.

Several federal officials who blamed West's personal ambition for this result, advised Jefferson to replace West immediately, and one of the leading critics, Isaac Briggs, specifically mentioned Robert Williams as a suitable replacement. Sensing the possibility of obtaining another office, Williams joined the attack on West by attempting to picture the secretary as a friend of speculators. Flooded with similar reports, Jefferson sent Briggs' friend, Robert Williams,
a commission which Williams promptly accepted. On May 13, 1806 Williams' induction into office took place amid, at least according to Briggs, "an uncommon degree of enthusiasm in the people." 56

Although West had been highly successful as an opposition leader, once in power he had proved to be a weak executive. He was one of those politicians who, though adept at criticism, was unable to put his ideas into practice. In this respect, West, one of the few doctrinaire liberals among territorial politicians, resembled John Randolph of Roanoke and his Virginia school of Jeffersonians. After a disappointing tenure as acting governor, during which time he failed to become either governor or delegate, he was destined for near oblivion.
FOOTNOTES VI


2 Madison to Claiborne, May 1, 1804, Governor's Records, series A, vol. 2.


5 T. Rodney to C. A. Rodney, August 9, 1804, Penn. Mag., XLIV, 55; Sydnor, Weiles, 19-24.


7 The Secretary of War to Wm. Moore, October 9, 1805, Carter, Terr. Papers, V, 342-344; West to Wm. Moore, January 8, 1805, Governor's Records, series A, vol. 6. Rodney reported: "the finest tract of land in the territory lays on the Mississippi from big black river to the Tennessee line and extends off from the Mississippi about 25 miles." T. Rodney to C. A. Rodney, January 24, 1805, Penn. Mag., XLIV, 155.


9 Robert Williams to the President, December 21, 1804, Carter, Terr. Papers, V, 569; Robert to the Secretary of Treasury, February 3, 1804, Ibid., 305; T. Rodney to C. A. Rodney, February 6, 1804, Penn. Mag., XLIII, 533.


11 The Secretary of State to the President, March 3, 1804, Ibid., 510-511, 196 fn.

12 All inhabitants who had settled on and improved their land before the date of the Pinckney Treaty (October 27, 1795) were given a donation claim not to exceed 640 acres. Those inhabitants who settled in the territory between the date of this treaty and the land act of March 3, 1803, were given pre-emption rights to lands which they had made improvements. T. Rodney to C. A. Rodney, February 6, 1804, Penn. Mag., XLIII, 332-333.
13 T. Rodney to Jefferson, April 28, 1804, copy in Hamilton Collection. As to Gallatin's rumored speculation, Rodney surmised that it was "no doubt without foundation." T. Rodney to C. A. Rodney, September 7, 1804, Penn. Mag., XLIV, 57.

14 T. Rodney to C. A. Rodney, April 6, 1804, Ibid., XLIII, 345-350.


17 Hamilton, "Mississippi Phase," 44-46. Rodney had taken Shields with him from Delaware, and he felt responsible for his welfare in the new country.

18 Testimony of Champness Ferry, Matthew O'Fallon, Frederick Kinball, and John Baker, August 24, 1804, Governor's Records, series A, vol. 5; List of the rebels in Feliciana, August, 1804, Spanish transcripts; Isaac J. Cox, West Florida Controversy, 152-157; T. Rodney to C. A. Rodney, October 13, 1804, October 20, 1804, Penn. Mag., XLIV, 55-59.

19 Several revolutionary veterans volunteered their services to Rodney in case of conflict and requested the Judge to recommend them for a commission. T. Rodney to J. A. Rodney, October 31, 1804, Ibid., 55-57.


21 Statement of Stephen Minor, February 20, 1804, Madison papers.


23 Stephen Minor to Peter Walker, February 11, 1804, Stephen Minor papers, Louisiana State University Library; R. Williams to Jefferson, June 21, 1805, Jefferson papers.
24 C. Smith to Benjah Osman, January 2, 1804, Pannill to West, March 13, 1805,
John Wall to West, March 3, 1804, Governor's Records, series A, vol. 5.
Although Marciaglia's paper repeatedly changed its name, the paper always
contained as part of its title Mississipp.i Herald. It was listed variously
Mississipp.i Herald, Natchez Repository and Mississipp.i Herald & Natchez
Gazette. The spelling of Mississipp.i depended upon the width of the page.
Bromham, American Newspapers, I, 426-427; Petition, Thomas and Samuel
Terrell, December 5, 1805, copy in Governor's Records, series A, vol. 6.

As Election Returns, Adams District, October 1, 184, Governor's Records,
Oaths for the House members are in Governor's Records, series A, vol. 5.

26 For a description of the various "habobs" see: T. Rodney to C. A. Rodney,
April 18, 1804, June 5, 1804, May 14, 1806, Penn. Acts, LIII, 277-278,
361. Rodney once wrote that on Sunday he, Robert Williams, Isaac Briggs,
and Col. Benjah Osman dined "at Old Mr. Dunbars one of the Principal
habobs of this country and were entertained Supererogately and Very
mercifully - our fraternity stayed all night and were greatly pleased with him and his
family." T. Rodney to J. A. Rodney, February 14, 1804, Ibid., 354. On
another occasion, he listed Anthony Ashcrafts, Dunbar, Irwin, Colonel John
Pannill, Osmon, Samuel Brooks (Mayor of Natchez), William Brooks, Ebenezer
Ross, J. L. Claiborne, West, and "three or four of the Green family" as the
"Little Habobs." T. Rodney to J. A. Rodney, May 4, 1804, Ibid., 368.

27 "An act Providing for the Disposal of Land...", March 3, 1803, Carter,
Terr. Papers, V, 205.

28 Claiborne to Briggs, December 2, 1803, West to Briggs, December 22, 1803,
Governor's Records, series A, vol. 4; Dunbar claimed that Claiborne intended
to locate the out lot of 50 acres here also, but that he had delayed
the location until the land commissioners had certified that the United States
owned it. "The Secretary less scrupulous," than Claiborne, Dunbar wrote,
located the 50 acres on the lands claimed by him and others, but Briggs
refused to comply with West's instructions. Memorial, Dunbar to Congress,

29 Cf. William Lattimore to West, April 28, 1804, Governor's Records, series A,
vol. 4.

30 Deposition of Ebenezer Ross, October 11, 1834, of Anthony Ashcrafts, October
13, 1834, of Polisier Sillings, October 13, 1804, Carter, Terr. Papers, V,
355-359; Testimony of John Girault, November 1, 185, of Lewis Evans, November
2, 1835, of Job Routh, November 20, 185, of Ebenezer Rees, November 20,
1835, of Michael Solibellas, January 21, 1805, AS extracts from the Journal
of the Land Commissioners West of the Pearl, Walley papers.

31 Dunbar warned "that if those 50 acres are taken away, the poor college
will be absolutely nipped in the bud." Dunbar to Jefferson, January, 1804,
Cowulan, Dunbar, 127. See also: Petition, Dunbar to Congress, January 26,
1804, Dunbar to Lattimore, et al., December 17, 1805, December 31, 1805,
American State Papers, Public Lands, I, 170-171.

33 Memorial, Trustees of Jefferson College to Congress, October 5, 1804, Proclamation, Robert Williams, November 15, 1805, Carter, Terr. Papers, V, 333, 426-427; A. Williams to Lettismore, November 29, 1805, copy in Governor's Records, series A, vol. 4; Circular letter of Lettismore, March 1, 1805, Jumbo file, Mississippi Department of Archives and History. A convenient summary of the various claims to the Natchez lot is contained in Report of the Committee to whom were referred...the Petitions of the Mayor, Alderman, and Assistants of...Natchez of the Board of Trustees of Jefferson College...and of William Dunbar...[Washington, 1806], pamphlet in Mississippi Department of Archives and History.

34 Address by West, December 4, 1804, Governor's Records, series A, vol. 5.

35 Richard Bruskair, the organizer of the project, along with Nicholas Perkins and William Hargrove were placed on the second commission. Acts passed by the third General Assembly...during their First Session.


37 The exact date of the transfer is uncertain. Wilkinson dated it February 4, 1799, but he also stated that American troops arrived there on the same day. Wilkinson to McKenny, April 10, 1795, copy in Alexander Hamilton papers, Library of Congress. However, no local citizens recalled that they were summoned by the Spanish officials to accept surrender of Fort St. Stephens on February 5, 1799. Deposition of John Brewer and Richard Bruskair, December 10, 1803, Carter, Terr. Papers, V, 421-422.

38 Ephraim Kirby to Jefferson, April 20, 1804, Jefferson Papers.

39 One of the most unfavorable descriptions of these settlers was made by Judge Kirby. "This section of the United States," he wrote, "has long afforded an asylum to those who prefer voluntary exile to the punishments ordained by law for heinous offenses. The present inhabitants (with few exceptions) are illiterate, wild and savage, of depraved morals, unworthy of public confidence or private esteem; litigious, dissipated, and knowing each other, universally distrustful of each other. The magistrates without dignity, respect, probity, influences or authority. The administration of justice, ineptile and corrupt. The militia, without discipline or competent officers." Kirby to Jefferson, May 1, 1804, Carter, Terr. Papers, V, 323-324.

41 Petition, Washington Districts Legislators to West, March 6, 1805, Governor's Records, series A, vol. 5. Chambers and Dinsmore reported less friction than previously, yet they agreed that the trading house should be removed. West implied that the factory was established against the wishes of the Secretary of War, but Chambers denied the charge. West had a talent for blinding Federal appointees for unfortunate events, and this fact rendered him very unpopular with them. Chambers to West, April 3, 1805, Dinsmore to West, May 26, 1805, ibid., vol. 6. As late as 1810, the factory at St. Stephens was still in operation. American State Papers, Indian Affairs, I, 766.


43 Pickett, Alabama, II, 206, 232. Pickett is not very accurate with figures on revenue charges, once stating that the settlers paid 42 to 47 percent, and he makes a great fuss over American charges at Fort Stoddert. The settlers themselves concentrated on attacking Spanish duties, for as the settlers knew, all American charges were nothing more than retaliation measures. See also Cox, West Florida, 15 ff.

44 Proclamation by Jefferson, May 31, 1804, American State Papers, Foreign Relations, II, 563; Cox, West Florida, 97; Moore, Alabama, 58; Irving Grant, James Madison Secretary of State, 1800-1805 (Indianapolis, 1933), 131-133; John Calhoun to West, February 26, 1805, Governor's Records, series A, vol. 5.


46 R. Williams to the Secretary of War, November 4, 1805, MS Journal of the Executive Proceedings of the Mississippi during the Administration of Robert Williams, 1805-1806, in Mississippi Department of Archives and History. Hereinafter cited as Executive Journal, Williams.


48 T. Rodney to Gallatin, December 12, 1804, Memorial, territorial Legislature to Congress, December 14, 1804, Ibid., 366, 364; Statutes at Large, II, 524.

49 Kirby to Jefferson, April 20, 1804, Jefferson papers; West to Dinsmore, March 9, 1805, MS Journal, Indian Proceedings, 32-33; Dinsmore to West, May 26, 1805, Governor's Records, series A, vol. 6.

50 Kirby and Chambers to Gallatin, August 5, 1804, Carter, Terr. Papers, V, 339-331. For a general picture of land titles and problems see: Report of the House Committee on Alabama and Mobile Lands [January 25, 1804], pamphlet in Mississippi Department of Archives and History.

52 Rodney was also very pleased with the change which relieved him of holding the Supreme Court there. Statutes at Large, II, 501-502; I. Rodney to C. A. Rodney, April 6, 1804, Penn. Hist., XLIII, 349. II. Rodney to C. A. Rodney, December 3, 1804, Ibid., XLIV, 177; Petition, Inhabitants of Washington District, n. d. [1804], Carter, Terr. Papers, 353-354.


54 On Toulmin see James Taylor to Madison, October 10, 1803, Toulmin to Madison, May 1, 1804, Caleb Wallace to Madison, April 5, 1804, Ibid., 262, 320-322; Thomas H. Owen, ed., History of Alabama and Dictionary of Alabama Biography (Chicago, 1921), IV, 1676-1677; Pickett, Alabama, II, 204-205. Toulmin resigned as Transylvania president after attacks from the Presbyterian who charged him with being "inreemented with French infidelity," Thomas D. Clark, A History of Kentucky (Lexington, 1850), 223; Thomas D. Clark, ed., A Description of Kentucky... [by] Harry Toulmin (Lexington, 1845), introduction, ix-xiii.

55 Andrew Jackson to George W. Campbell, April 22, 1804, Bassett, Correspondence of Jackson, I, 50-51; James Parson, Life of Andrew Jackson (New York, 1860), I, 237; John W. Hurley to the Postmaster General, July 14, 1804, Carter, Terr. Papers, I, 265.

56 Claiborne to Madison, October 3, 1804, Rouland, Letter Books, II, 345; William Plumer, New Hampshire Federalist, indicated the lack of enthusiasm for Claiborne in the Senate. "After the Senate was adjourned," he wrote, "the Vice-President [Aaron Burr] observed... that the Senate had agreed to advise to the appointment of Claiborne even not a single Senator believed he was qualified for the office." Plumer, Memorandum, 220-221. Claiborne has been handled very roughly by historians. For instance, Nathan Schachner called him an "honest nincompoop..." Schachner, Aaron Burr (New York, 1957), 263. Vivian Volstorff, in her thesis, tried to resurrect Claiborne as an important Southerner, but she was not very convincing. Volstorff, "Claiborne," passim, especially her concluding chapter.

57 Jefferson to Kirby, December 1, 1804, Carter, Terr. Papers, V, 355. Kirby wanted to be a judge in the Orleans Territory, and to lessen the disappointment in not securing this office, Jefferson offered him the governorship of the Mississippi Territory.

58 Briggs to Jefferson, February 3, 1805, T. Rodney to Madison, January 24, 1805, Shaw to the President, January 28, 1805, Ibid., 373, 376, 382-383.

59 T. Rodney to C. A. Rodney, February 15, 1805, Rodney papers (IC).

61 See these new signatures on legislative laws in Acts passed by the Third General assembly of the Mississippi Territory during their First Session (Natchez, 1805), pamphlet in the Association of the Bar Library, New York City.


63 Those selected were Colonel John Burnet and William Downes from Claiborne County, Thomas Hicks (son-in-law of Thomas H. Green) and James Stewart from Jefferson County, Alexander Montgomery and Joseph Sessions from Adams County, Henry Hunter and Joshua Baker from Wilkinson County, and Samuel Henry and William Beauford from Washington County. T. Rodney to the Secretary of State, March 7, 1805, Ibid., 338.


67 The exact nature of Williams' charges is a mystery since his letter has been lost. Gallatin to Jefferson, March 13, 1805, Carter, Terr. Papers, V, 361.

Chapter VII

A New Threat to Territorial Liberties: Robert Williams as Governor

Robert Williams of North Carolina, by becoming territorial governor of Mississippi in 1805, completely thwarted the political designs of the territorial secretary. Unlike Cato West, who had ambitions of becoming a leading planter, Williams only wanted political power. Although a professed Jeffersonian, he sometimes acted more like a Federalist or even a monarchist than an agrarian democrat. He was happiest when lecturing his constituents or the legislature on the prerogatives and constitutional powers of his office, and several inhabitants were soon to accuse him of trying to turn the territory back into a colony.

Since the new governor had first arrived in the territory in December, 1803, to be one of the land commissioners on the western board, he was, by 1805, familiar with local politics; in addition, he had had previous political experience as a Congressman from North Carolina. Jefferson had either known Williams or was familiar with his record, yet for a second time he selected a little-known Congressman for the governorship. Rash and impatient like Claiborne, Williams was a mediocre politician whose ambitions outran his abilities. His appointment also wrecked the carefully laid plans of West and his family to gain control, and anyone whom Jefferson appointed would have encountered opposition from the Greens of Jefferson County. As the Surveyor General Isaac Briggs, wrote, West's "very small juncto" would be hostile to anyone "out of the clan." ¹

West first showed his hostility to the new governor when he transported the territorial records, seal, and correspondence to his Jefferson County home and refused either to see Williams or to return these official records. The
GOV. ROBERT WILLIAMS
From an old portrait in the Mississippi Hall of Fame.
governor finally got them back after persuading the General Assembly to threaten West with a large fine.  

Thereupon West resigned as Secretary and Briggs and Governor Williams prevailed upon Jefferson to appoint Thomas H. Williams as Secretary, though Thomas Williams would agree only "to accept conditionally" for the remainder of the year. The governor now thought his troubles were over, and he reported in a pleased fashion that "Colonel West has had his political frolic and all things are quiet." Two circumstances, land squabbles and Spanish troubles, however soon changed Governor Williams' mind.

The delay of the Land Board in submitting its final report necessarily postponed land sales since no land could be sold until declared vacant. The Secretary of the Treasury, Albert Gallatin, was particularly anxious to see the sales commence, and the settlers heartily agreed. For the past few years immigrants, expecting lands in the territory soon to be offered for sale, had streamed into the region only to find themselves unable to get land titles. Although a few had heeded the liberal offers of the Spaniards and accepted grants from the government of West Florida, most of them realized the difficulties faced by Spanish claimants in the territory, and therefore settled on vacant lands and later petitioned Congress for pre-emption rights. When Congress began to receive memorials from these settlers, Gallatin justifiably feared that that body might grant the settlers' demands unless sales began immediately.

At the same time, relations with Spain worsened. Border skirmishes became more numerous, and most southwesterners looked forward to war as they grew more impatient of Jefferson's policy of watchful waiting. This desire to expand eventually resulted in forays into Spanish territory. In the western sector, the Kempers led the filibustering raids, while to the east, parties headed by the Caller brothers and by Joseph P. Kennedy harrassed the border.
Inhabitants in the territory generally disliked the methods used by these men, yet sympathized with their ends. Williams and Judge Toulmin desperately tried to halt these outrages, but they failed.  

On the other hand the Spaniards, by their harsh treatment of the Kempers, actually increased the popularity of these raiders. On September 3, 1805, Spanish officials, tired of the Kempers, surreptitiously cooperated with a body of twelve disguised white men and seven Negroes in a plan to capture them. During the night, these Spanish hirelings abducted Nathan, Reuben, and Samuel Kemper and escorted them across the border where a Spanish detachment under Captain Solomon Alston was waiting to take these brothers to Baton Rouge.  

Fortunately for the captives, an American guard at Point Coupee had learned of the kidnapping, and when the Spanish vessel passed this fort and the Kempers cried out, an alerted American detachment not only rescued the Kempers but also escorted the Spanish soldiers to Fort Adams. Williams, however, presently ordered their release. After investigating the affair, he had the Kempers bound over to keep the peace, yet he sternly refused all Spanish requests for their extradition. Williams alerted the entire militia and ordered two companies to patrol the border, but the Western Country was soon quiet again. Therefore, Williams planned to make a short visit to North Carolina. Meanwhile Governor Williams had persuaded Thomas Williams to continue as Secretary even though another secretary had already received his commission and was on his way to Natchez. 

The new secretary, Cowles Mead, did not arrive until May 31, 1806 to take over from Thomas Williams. Mead was another young politician anxious to advance up the ladder of power, prestige, and wealth, and he soon began to receive attention from various local people and political factions.
Of the various political factions anxious to lure Mead into their camp, the West faction was the most determined.\footnote{14}

Like most young westerners, Mead was contemptuous of Spaniards and Indians and craved for land and social position. Dashing and quick tempered, Mead was also a diligent student of forensic oratory. The sum of these traits made him a natural ally of another ambitious politician, George Poindexter, who closely resembled him in personality.\footnote{15}

Although Mead was to be Acting-governor less than a year, his brief administration was more eventful than that of any previous governor because a notable visitor, Aaron Burr, appeared and the territory received much new publicity. In addition territorial politicians would discover an important issue.

By late 1806, the western country from Pittsburgh to New Orleans was alive with rumors and opinions about Burr's intentions to dismember the Union. As early as 1805, Burr, while he was on his way to and from New Orleans, had stopped for visits in Natchez. Afterwards people began to talk about plots, intrigue, secession, and conspiracy. Burr and Wilkinson were most often mentioned but Stephen Minor, a Spanish officer living in Natchez, was often implicated in these charges as well. By September, rumors had linked Daniel Clark, John Brown, Edward Livingston, and even Robert Williams with this same plot.\footnote{16}

Meanwhile, Spain displayed new belligerency. While her officials at Mobile kept American inhabitants to the north stirred up by collecting import duties, Spain increased the military strength of Mobile and Pensacola and dispatched five hundred additional men to the dilapidated fort of Baton Rouge. Along the Sabine River, Spain moved into an area claimed by the Orleans Territory by encamping a force just north of Natchitoches.\footnote{17}
To oppose these Spanish moves Wilkinson prepared to let James Callen attack Mobile while he personally prepared to dislodge the Spaniards from east of the Sabine River. To Jefferson war seemed inevitable, and to the southerners the hope of acquiring West Florida and even Mexico appeared promising. Meanwhile Mead, in response to a request by Wilkinson, hurried a battalion of 250 dragoons, commanded by Major Ferdinand L. Claiborne, to Natchitoches, but Wilkinson chose to negotiate even before Claiborne reached the troubled area. The General quickly agreed to a modus vivendi over the Texas-Louisiana frontier in order to reach New Orleans before Burr. However, the people were ignorant about the actual purpose of Wilkinson's sudden change of course, and they began to connect Wilkinson with the conspiracy. By autumn, Mead and many others considered General Wilkinson "the Soul of the Conspiracy," and when Wilkinson requested five hundred militiamen from Mead, the Acting-governor refused.

Mead next persuaded the Assembly to raise a "battalion of minute men." Meanwhile Thomas Dodney, who reported that the conspiracy was "believed by all sorts of people," began gathering depositions about it, and he even ordered the arrest of John F. Carmichael, whom he regarded as privy to the plot. He later discovered some more evidence which incriminated several other prominent figures.

By the time Burr's flotilla reached the territory on January 10, 1807, Mead had adjourned the General Assembly and had stationed a militia force along the river banks north of Natchez. He also sent out two of his aides, Poindexter and Shields, to scout for the elusive Burr. When Mead heard that Burr had landed at Bruinsburg, he frantically ordered Colonel F. L. Claiborne to establish headquarters at the home of Thomas Calvit and alerted all militia in the south.
Burr had also been busy. Upon arriving at Judge Bruin's estate at Bayou Pierre, he read in a Natchez newspaper that Wilkinson not only had betrayed him but also, upon orders from Jefferson, had sent up troops to arrest him.\textsuperscript{26} These developments necessitated a drastic change in his plans. First he crossed the river and pitched camp on the Louisiana side. After some agonizing moments, he determined upon surrendering to the Mississippi authorities, provided he received assurances of a trial in the Territory instead of having to risk humiliation at the hands of Wilkinson. On a promise of safe conduct from Poindexter and Shields, Burr arranged with Mead terms of surrender. On January 17, 1807, Rodney bound Burr under a bond of $10,000 to appear on February 2, 1807 before the territorial Supreme Court, and Mead then notified Wilkinson of this action.\textsuperscript{27}

Up to this time, the Territory had regarded Burr as the "common enemy of our country," and swift capture of Burr received plaudits from the inhabitants. But all this fear of Burr had been based upon the idea that Burr had a powerful force behind him and that he had the cooperation of such intriguers as Wilkinson and Daniel Clark in New Orleans. As long as this anti-Burr feeling lasted, Mead conducted a "reign of terror" which at first rivaled General James Wilkinson's arbitrary arrests in New Orleans. He ordered Colonel Claiborne to be vigilant and to bring before Judge Rodney anyone "who evince[d] a hostile disposition to the views of the Government and favorable to the designs of" Burr.\textsuperscript{28} However, Mead went too far, and the citizens soon regarded Burr as a maligned person.\textsuperscript{29}

Burr himself was quite convincing in professing guilt to nothing more than an attempt to settle a colony on the Bastrop lands along the Washita River. Furthermore, he adroitly played on the natural antipathy of many against Wilkinson and Spain when he complained that he had been falsely accused by the General.
Consequently many settlers regarded Burr (now that he was captured) as an enemy of Spain and blamed Wilkinson with thwarting a good opportunity to chase the Spaniards from Mobile and Baton Rouge.30

Burr was now looked upon as a martyr, and the villain was thought to be Wilkinson. Rodney threatened to "put on old '76 and march out in support of Col. B. and the Constitution" if a military force tried to remove him. By the time the territorial Supreme Court met, Burr appeared to be more a guest than a prisoner. With sentiment moving in his favor, the accused conspirator suddenly found friends among the old Federalists. Burr also found congenial company in the two Tombigbee legislators, James Caller and Lemuel Henry, who hinted that, had his destination been Mobile, he would have found much support among their constituents.31

On the other hand, Mead still had support. The General Assembly praised the local and national officials for their swift action "to defeat an unprincipled conspiracy. . . ." Some ninety-six citizens in Wilkinson County expressed their "warmest thanks" to the highly criticized Mead and even prayed that Wilkinson might emerge a "true patriot."32

Unexpectedly, on January 27, 1808, Governor Robert Williams reappeared in accordance with orders from Madison and immediately put a halt to Mead's tendency toward military rule.33

By February 2, 1808, when the Burr trial commenced, many people had begun to believe him innocent, and they were pleased when Attorney General Poindexter refused to submit a bill against Burr on the ground that since the territorial Supreme Court was not a federal court, it had no jurisdiction. Although the grand jury found insufficient evidence for an indictment of Burr, it criticized the arbitrary methods of Mead as unjustified and unconstitutional.34
After this obvious display of partisanship by the jury, however, Rodney and others charged that the sheriff of Adams County, Montford Calvit, had purposefully packed the jury list with Federalists "who were supposed to be most favorable to Col. Burr."\(^{35}\) Upon learning that Wilkinson had dispatched Captain Moses Hooke with a detachment of troops to escort him to New Orleans for trial, Burr left Natchez at night accompanied only by the notorious Robert Ashley for a guide and, remembering Caller and Henry's statements, he headed straight for the "Bigbee district."\(^{36}\)

As soon as Williams learned of the escape, he offered a $2000 reward for the fugitive and ordered a roundup of all Burr's confederates who were still in the territory.\(^{37}\)

On February 16, however, Burr reached Wakefield on the Tombigbee, and when he inquired for directions, a local settler, Nicholas Perkins, recognized him and informed E. P. Gaines, commander of Fort Stoddert, of Burr's presence. On the morning of February 19, Gaines confined Burr in Fort Stoddart to await instructions.\(^{38}\) After Burr attempted to contact Colonel James Caller, Gaines arranged to have his illustrious prisoner escorted immediately to the nation's capital.\(^{39}\)

More so than their western neighbors, the Tombigbee settlers regarded Burr as their friend who had come to seize Mobile, and they blamed Gaines for thwarting him. The captain, however, regarded the attacks against him to be the work of "restless intriguers" who were chagrined by the arrest of "their disinterested imperial friend Burr."\(^{40}\)

Although Burr had departed from the territory forever, his name would last as a political symbol, for each faction would try to prove that its opponent had been friendly to Burr. In each case, a grain of truth existed in the accusation, since both Mead and Williams, sensing the popularity of Burr with
many inhabitants while at the time realizing the necessity of pacifying Jefferson, tended to blow hot and cold in their reaction to Burr.41

The Burr affair, however, had a more significant political result when it served to stimulate factionalism within the territory. Glorifying in his role of defender of the territory against the machinations of Burr, Mead was annoyed when Williams resumed his duties as governor. Mead revealed his feeling by imitating Cato West and carrying the territorial records to his Jefferson County home. A little later Abner Green likewise refused to give up the financial records after he had been relieved of his duties as territorial Treasurer.42 Meanwhile, Ferdinand Claiborne had been unable to hold the Claiborne faction together after his brother became governor of the Orleans Territory. With W. C. C. Claiborne out of the way, the Federalists were inclined to support either Williams or Mead.

Governor Robert Williams became head of a group who gathered about him in search of offices and favors. Many office-holders, changing their political allegiance, forgot West in a newly acquired enthusiasm for Williams, for any governor, regardless of his personality, could build a following with patronage. Williams also found support among those who had disliked West, his family, and his friends. In general, Claiborne and Washington County politicians felt more comfortable opposing the Greens, and the caustic editor, Andrew Marschak, was a long-suffering foe of West and his editor, John Shaw. But to counteract the enormous influence of the Green family, Williams had to secure aid from members of both the Federalist and Claiborne factions. In other words, he must unite urban Federalist and agrarian Republicans in one political group.

Williams had more success with the Federalists than with the members of the Claiborne faction. Members of the former faction welcomed the advent of any strong executive who might curb the hitherto uncontrollable democratic
element which had reigned supreme under Claiborne and West, and after having cooperated with the West faction only long enough to eliminate Claiborne as governor, they joined with the administration. In return, the governor openly encouraged this union by giving valuable and important offices to Natchez Federalists who, to say the least, were anxious for office after five lean years.

Williams justified this move by quoting a letter from President Jefferson, but he disregarded a later letter from the President cautioning him against strengthening the Federalists in "their opposition by the weight of office." 43

The citizens, including many supporters of the Claiborne faction, especially resented the appointments of such staunch Federalists as Marschalk and John F. Carmichael. Mead took advantage of this situation while Williams was absent by having Major Carmichael cashiered for refusing to deliver some arms which had been placed in his care. 44

As soon as the governor turned his face toward Natchez for support, Mead began cultivating the anti-Natchez politicians. First, he worked on Poindexter, a member of the defunct Claiborne faction. Although Poindexter had always cooperated with the governor as the best way to obtain office, a persuasive Mead and a blundering governor soon changed his mind. When the General Assembly by-passed Poindexter in favor of his arch-rival, William Lettimore, Poindexter blamed Williams and went with Mead into the opposition.

When West went into semi-retirement following Williams' appointment as governor, leadership of the faction fell to the younger politicians, Mead and Poindexter, who were soon joined by a newcomer, William B. Shields. Literary support came from the vitriolic pen of John Shaw who found the pages of the Terrells' Mississippi Messenger a convenient place to publish his doggerels
against Marschalk and Williams. This faction also proceeded to organize a new literary society, the Franklin Society, to replace the old Mississippi Republican Society as the political organ for Jefferson County.\textsuperscript{45} Personal reasons caused a few to oppose Williams. The hitherto neutral Judge Rodney went into opposition when Williams ordered the Supreme Court to evacuate the Government House in Washington. A bewildered Rodney complained "that it is the first instance in America where the Governor has under taken to dictate to a Court of Law . . . ."\textsuperscript{46} Likewise, Ferdinand Claiborne was unhappy when Williams intervened to stop the General Assembly from praising W. C. C. Claiborne and lamenting his loss to the Mississippi Territory.\textsuperscript{47} Disappointed office seekers also flocked into the opposition camp. For example, Alexander Montgomery, a Wilkinson County politician, held the governor personally responsible for his not being commissioned as a Councillor after the House had nominated him.\textsuperscript{48} Family ties continued to play a conspicuous role in Mississippi politics, for opposition leaders, with the exception of Poindexter, were closely related by marriage.\textsuperscript{49}

Equally important in determining factional alignments were sectional loyalties and jealousies. With the citizens of Natchez supporting Williams, the governor lost many friends in the backcountry. On the other hand, he gained support from areas where the settlers resented the influence of the numerous Green family. Inhabitants in the eastern part of the territory, long neglected by Claiborne and West, generally sided with Williams.\textsuperscript{50}

While opposition to Williams grew, Mead and Poindexter conducted a campaign to oust Williams as governor. As a first step, the General Assembly, under the control of the Mead forces, chose Poindexter to replace William Lattimore, a friend of the governor, as territorial Delegate.\textsuperscript{51} Then Mead was successful in winning a seat in the territorial House of Representatives.\textsuperscript{52}
Therefore, these two men had placed themselves in strategic positions where they would work against the Williams' administration.

Before he left to take his seat in Congress, Poindexter, joined by Mead, gathered signatures to several petitions which he would use to have Williams removed.\textsuperscript{53} Furthermore, he and the governor exchanged some heated words, but the governor refused every effort of Poindexter to have the affair settled by a duel. Despite Poindexter's charge that he was a coward, Williams pled that his official station prevented him from duelling.\textsuperscript{54} The governor, moreover, removed William T. Voss, who tried to arrange the duel, from office.\textsuperscript{55} Later Voss countered with a suit for $10,000 against the governor for character assassination, and Williams persuaded Attorney General Seth Lewis to arrest Poindexter and Voss for violating the Anti-duelling Ordinance.\textsuperscript{56} In the end, however, each dropped his charges against the other.

In its campaign to have Williams either removed from office immediately or not reappointed governor, the Mead-Poindexter faction not only introduced several new issues, but it also advertised certain older charges. The editor for this faction, John Shaw, emphasized such formal accusations as the governor's frequent display of favoritism for Federalists, his apparent friendship for Burr, and his sympathy with the "Tertian Quids" who opposed Jefferson.\textsuperscript{57}

Only rarely did a significant issue receive consideration. However, there arose a question which involved the extent of the governor's power over appointments to office and indirectly touched on the governor's prerogative, a subject which was actually at the heart of the controversy between Williams and his vilifiers.

In 1807, Colonel Ferdinand Claiborne openly flouted an order of Governor Williams to include the Adams County troop of horse in his first regiment.
Furthermore, Claiborne publicly accused Williams of familiarity with Federalists and "Burrites." 58

By October 16, 1807, the governor had endured enough, and he revoked Claiborne's commission as Justice of the Peace for Adams County and as lieutenant colonel of the militia. The discharged officer then attempted to play the role of martyred patriot who had been cast out because of his patriotic actions against Burr. After Williams had denied him even the right of a court martial, his friends accused the governor of introducing "a Spanish Inquisition" into the territory. As a protest, Claiborne persuaded several friends and relatives to resign their militia officers' commissions. 59 While Claiborne's action had embarrassed the governor by crippling the militia, the more significant question of the governor's authority over the militia remained unsettled.

Another significant question arose over the manner of levying taxes. After the General Assembly placed a poll tax on every male, an ad valorem tax on lands, and an assessment of one and one-half per cent on auction sales, editor Shaw declared that this tax indicated "a strongly marked illiberal prejudice against merchants, lawyers, physicians, and free people of colour who seem to be considered rather as nuisances..." Shaw levelled his main blow at the unjust poll tax which "makes the poor and the rich contribute like sums..."

Shaw also disliked the provision which authorized the collectors to receive only gold and silver coin except "certain certificates for the pay of the members of the legislature...", but they were not to accept any other form of territorial paper or warrants. In the Messenger, Shaw blamed Williams entirely for these acts and conveniently overlooked the General Assembly, which was largely composed of his political allies. "By means of pimps, prompters,
promises, threats and backstairs influence," Shaw explained, the governor could always mould a majority of the legislature to his purposes.61

For Shaw to charge, however, that Williams favored the farmer was a strange indictment against a governor who was supposedly under the spell of Federalism, yet this charge was quite appropriate since the opposition faction was composed of lawyers and merchants. Yet Williams' intention to tax more heavily the merchant who "fleeces the farmer" sounded more Jeffersonian than Shaw's contention that agriculture and commerce "possess a common interest" for "when one is seized with an atrophy, the other may soon expect the consumption."62

By the end of 1807, the Head-Poindexter group had given up the plan for immediate removal of Williams, but this faction still hoped Williams' appointment would not be renewed. As far as anyone knew, Jefferson was still undecided. Indeed, he seemed equally dissatisfied with W. C. C. Claiborne and Robert Williams, for he had only recently asked Monroe to reconsider his earlier refusal of the Orleans post.63 If Monroe had shown a change of mind, Jefferson might have used the unpopularity of Williams as an excuse to return Claiborne to the Mississippi Territory. Even though Claiborne had vowed he would never return to the Mississippi Territory, the Orleans governor, sensing this new situation, made it a point to visit Natchez frequently in order to keep his friendships alive there.64

In fact, Jefferson lamented the general discontent among citizens in the several territories. Williams and Claiborne were not the only territorial executives beset by troubles, for the governor of the Michigan Territory had similar difficulties. "It seems that the smaller the society," Jefferson observed, "the bitterer the dissensions into which it breaks." He found one
consolation in the bitterness, since he felt that this statement "answers all
the objections drawn by Mr. Adams from the small republics of Italy." He
conjectured that the permanence of the American republic would someday be
attributed to "its great extent, and the smaller portion comparatively which
can ever be convulsed at one time by local passions." On the other hand,
Williams was unable to soothe his conscience with such philosophical contemplation,
for he had to face and answer daily attacks and to run his administration
amid constant vituperation. In addition, he was prone less to speculation
than to anger and political controversy, and he fully intended to battle his
adversaries to a victorious and conclusive settlement.
FOOTNOTES VII

1 Briggs to Jefferson, May 12, 1805, Carter, Terr. Papers, V, 402.

2 Williams' communications to West are in Executive Journal, Williams, 3-9. The act threatened West with a fine of $3000. Acts passed by the Third General Assembly of the Mississippi Territory during their Extra Session (Natchez, 1805), pamphlet in the Association of the Bar Library, New York City. See also Williams to Madison, August 17, 1805, Executive Journal, Williams, 26-27.


4 R. Williams to Madison, August 9, 1805, Executive Journal, Williams, 26; Rowland, Mississippi, I, 409.

5 Jefferson to Williams, July 6, 1805, December 23, 1805, Jefferson papers.

6 For these petitions consult Carter, Terr. Papers, passim. A good summation of the problem may be found in William Lattimore to Jefferson, March 9, 1807, Jefferson papers.

7 "An Address to the People of Tombigbee at Wakefield, on the 4th of July 1806, By the Honorable Harry Toulmin," Mississippi Messenger, August 12, 1806, Toulmin to Cowles Mead, August 15, 1806, Governor's Records, series A, vol. 3; Cox, West Florida, 139-187.

8 Carlos Grand Pre to Williams, May 29, 1806, Governor's Records, series A, vol. 6; "Details of late outrage committed in our territory. . . .," copy in Hamilton Collection (Original in Rodney papers, Historical Society of Delaware).

9 Mississippi Messenger, September 12, 1805. For these circumstances consult the case of Ruben Kemper v. James Horton (two of the kidnappers), December, 1804, in Hamilton, Rodney, 245-249; Williams to Captain Richard Sparks, September 23, 1805, Governor's Records, series A, vol. 6.

10 American State Papers, Foreign Relations, II, 633-682; T. Rodney to C. Rodney, September 7, 1805, September 30, 1805, Rodney papers (1C); Williams to Grand Pre, September 30, 1805, Executive Journal, Williams, 39-42; Williams to John Ellis, September 9, 1805, Gratz Collection (copy in Hamilton Collection).

11 T. Rodney to C. Rodney, April 30, 1806, Penn. Mag., XLIV, 275.

12 R. Williams to T. Williams, April 21, 1806, Executive Journal, Williams, 117; Williams to Mead, April 21, 1806, Jefferson papers.

13 T. Williams to Madison, June 2, 1806, Executive Journal, Williams, 120-121; Mississippi Messenger, July 29, 1806, August 5, 1806.
14 *Abid.* April 7, 1807. The tombstone of Head, located near Clinton, Mississippi, bears the full name of Mary Lilly Green.


19 Wilkinson to Mead, September 19, 1806, James Wilkinson papers, Library of Congress; Mead to Claiborne, September 27, Executive Journal, Williams, 149-150.


22 Documents relating to Burr's movements in Mississippi have been collected and edited by Dunbar Rowland, *Third Annual Report* of the Director of the Department of Archives and History of the State of Mississippi (Nashville, 1905).
23 T. Rodney to C. Rodney, December 9, 1806, *Penn. Mag.*, XLIV, 296-298; *Mississippi Herald, Natchez Gazette*, December 23, 1806; Hamilton, *Rodney, 78*. Only a few could laugh at these proceedings and enjoy the foibles of panicked officials with Silas Dinsmore. "We are all in a flurry here hourly expecting Col. Burr... to punish General Wilkinson, set the negroes free, rob the banks α take Mexico," the humorous agent wrote; "Come and help me to laugh at the fun." Dinsmore to John McKee, January 7, 1807, Alabama Historical Society, *Transactions*, III, 169.


28 F. L. Claiborne to Mead, January 16, 1807, Mead to F. Claiborne, January 22, 1807, Governor's Records, series A, vol. 8. Gideon Granger, the postmaster general, had already written "to suspend from the exercise of their function all postmasters, contractors and other persons who have any connections in... handling the mails... where there is reasonable ground to believe they... are inimical to the Unity of this nation or attached to the conspiracy... ." Granger to Williams, December 20, 1806, Robert Williams papers, Miscellaneous Manuscripts, Mississippi Department of Archives and History.

29 *Mississippi Messenger*, January 20, 1807.


34. Poindexter to the governor, January 21, 1807, Claiborne Collection; Presentation of the grand jury, [February 4, 1807], Third Annual Report, 101. MS copy enclosed in Williams to Jefferson, February 13, 1807, Burr Conspiracy papers.

35. The foreman of this jury was Lewis Evans, a staunch Federalist. National Intelligencer, March 11, 1807. Rodney felt Calvit's actions were grounds for dismissal. Hamilton, Rodney, 262-263.


37. Proclamation by Williams, February 6, 1807, Williams to F. Claiborne, February 10, 1807, Executive Journal, Williams, 204-205, 201.


39. Gaines to Perkins, February 19, 1807, American Historical Review, 1, 147-148; Williams to Gaines, March 1, 1807, Williams papers.


41. Mississippi Messenger, June 23, 1807, November 7, 1807; F. Claiborne to the Secretary of State, October 25, 1807, Carter, Terr. Papers, V, 564. A delightful example of Mead's pleasure with his executive role may be found in Mead to Madison, April 13, 1807, Ibid., V, 544-546.

42. Williams to Mead, April 14, 1807, May 5, 1807, Executive Journal, Williams, 206, 207; Mead to Williams, May 2, 1807, Governor's Records, series A, vol. 8; Mississippi Messenger, February 10, 1807; Williams to Jefferson, March 14, 1807, Jefferson papers.

43. Briggs to Jefferson, January 29, 1805, Jefferson to Williams, April 28, 1805, July 6, 1805; Jefferson papers; Shields to Poindexter, November 19, 1807, Joseph D. Shields papers, Louisiana State University Library. Hereinafter cited as Shields papers.

44. Correspondence between Mead and Carmichael may be found in Ibid. and Executive Journal, Williams, 151, 154, 161. See also the list of charges against Carmichael, Ibid., 162-163.

45. Mississippi Messenger, February 11, 1806, August 19, 1806, April 1, 1807; Toulmin, Statutes, 414-416.
46 Williams to Rodney, May 27, 1805, May 28, 1805, Gratz Collection; Rodney to Williams, May 28, 1805, Rodney papers (IC).


48 Williams to Jefferson, November 25, 1805, March 14, 1807, Jefferson papers.


50 Mississippi Messenger, April 8, 1806.

51 Mississippi Herald or Natchez Gazette, February 4, 1807.

52 Also at this election, the voters elected Micajah Davis, another anti-Williams candidate, to take the seat of Henry Hunter, who resigned without fanfare. Mississippi Messenger, July 21, 1807, September 1, 1807.


54 Mississippi Messenger, August 4, 1807; Shields to Poindexter, December 25, 1807, Shields papers; Williams to Jefferson, August 25, 1807, Jefferson papers.

55 Mississippi Messenger, August 14, 1807, August 25, 1807; Williams to Voss, August 6, 1807, Executive Journal, Williams, 212.

56 Mississippi Messenger, September 29, 1807, November 5, 1807.

57 In communication with Burr, Williams had written: "Hence you must see it would be as improper as it would be undignified in me, to enter into any stipulation as to your surrender." Mead, Poindexter, and Shields took offense to this statement "as a reflection on their conduct which indeed the governor felt "merited censure." Williams to Jefferson, May 30, 1807, Jefferson papers. Later Claiborne quoted Williams as exclaiming upon hearing the news of Burr's acquittal in Richmond: "I told you... that the United States could not graze Col Burr." Claiborne to the Secretary of State, October 25, 1807, Carter, Terr. Papers, V, 560. In reporting Williams' observation on Burr's capture, Poindexter said the governor felt that the militia would "have been much better occupied in their cotton fields..." and that Burr was an "honest unfortunate man!" Poindexter to the Secretary of War, January 7, 1808, ibid., 605-606. Leake also reported the last quote. Walter Leake to [Wilson Cary Nicholson], Samuel Smith papers, Alderman Library, University of Virginia. Williams also tried his hand at this game and quoted Poindexter as uttering: "I wish by god the president had federalists and Scotchmen enough to fill all his appointments with...." In this case Poindexter was referring to William Dunbar. Williams to Jefferson, June 8, 1807, Jefferson papers.

59 Williams to Claiborne, October 16, 1807, Executive Journal, Williams, 238; Petition, Militia of Adams County to Jefferson, October 25, 1807, Carter, Terr. Papers, V, 570-571.

60 The act specified a tax of one dollar on all white males between the ages of 25 and 50 and all free negroes 18 and 50, of seventy-five cents on all slaves, and an assessment of twenty-five cents, in specie, per $100 value of all lands, lots, and buildings in a city and town. In addition, a tax of ten dollars was levied on all lawyers and physicians. Act passed February 10, 1807, Toulmin, Statutes, 38-43.

61 Mississippi Messenger, October 13, 1807, October 27, 1807, November 12, 1807.

62 On December 24, 1807, the General Assembly authorized collectors to receive territorial paper for taxes and repealed the ten dollar tax on lawyers and physicians, but the legislature did not rescind the unjust poll tax. Acts passed by the Fourth General Assembly during their Second Session, 3-4.

63 Jefferson to James Monroe, May 4, 1806, Lipscomb and Berg, Writings of Jefferson, XI, 109. Later Jefferson told Monroe that since the Orleans post is "the second office in the United States in importance," he wished his friend would accept it for "the government of New Orleans is still without a head as I wish." Jefferson to Monroe, March 21, 1807, ibid., 170.

64 For instance, on April 13, 1807, Rodney informed his son that "Governor Claiborne is still here but returns in a few days." T. Rodney to C. A. Rodney, August 13, 1807, Penn. Mag., XLIV, 42; Williams to the Secretary of State and Treasury, November 3, 1807, Carter, Terr. Papers, V, 578. Claiborne thought seriously of offering his resignation to Jefferson because affairs had "become very disagreeable to him." T. Rodney to C. A. Rodney, October, 1807, Penn. Mag., XLIV, 50.

65 Jefferson to Williams, November 1, 1807, Jefferson papers.
GEORGE POINDEXTER

From an oil painting in the Mississippi Hall of Fame
Chapter VII
Departure of Robert Williams

By the autumn of 1807, when culmination of nearly a year of continuous political activity was rapidly approaching, the rival Republican factions both predicted victory, and with it an end to discord. Williams foresaw a return to political tranquility if he were reappointed, but he warned that, if the President yielded to the Head-Poindexter faction, dissensions would commence anew. Such dissensions should cease abruptly, however, when faced by a governor who had just been commended with another term. ¹ The accelerated rate of abuse of him during 1807 had only served to harden his determination to fight for another term, and Williams vowed that nothing would stand in the way of accomplishing his goal. To the governor, the question was not, as his adversaries pictured, a struggle between liberty and tyranny, but a struggle between order and chaos.

Williams diligently tried to perform his duties and honestly believed his enemies to be wrong; yet he failed to understand the ability of these enemies to appeal to the people. Some of them were certainly demagogues, but the people who agreed with their opinions truthfully felt that the hand of executive power was too powerful. The feelings of these inhabitants toward their governor was not likely to change when opponents of the governor had their desire for power temporarily thwarted by a reappointment.²

The opponents of the governor furthermore held him responsible for the political upheaval and thus made the return of political harmony contingent upon his removal. As the year 1807 approached its end, victory also seemed pleasantly in sight to them. In the nation's capital Poindexter and Judge Rodney's son, Attorney General Caesar A. Rodney, worked to undermine the confidence of
Jefferson and Congress in Governor Williams. In the territorial legislature, Mead united with Alexander Montgomery, Joseph Sessions, F. L. Claiborne, John Ellis, and Joshua Baker to oppose the governor. As the prospect for Williams' removal appeared brighter, this faction also began to criticize Secretary Williams, who was guilty of nothing more serious than loyalty to his superior, because they were not interested in removing Robert Williams merely to have Thomas H. Williams promoted.  

The nature of the political struggle was, as usual, predominantly a clash of personalities. In essence, the conflict revolved about Williams, Mead, and Poindexter. National political labels were frequently employed against rivals, but these tags were useless in defining local differences. Williams was neither a Quid nor a Federalist.  

As many respectable and influential Republicans joined the Mead-Poindexter faction, Williams had to turn more and more to ex-Federalists, and in a few cases even to avowed Federalists, for capable office holders. At the same time, however, he retained the loyalty of such faithful Republicans as William Lattimore, Isaac Briggs, and Thomas H. Williams. On the other hand, Mead and Poindexter joined John Randolph and his Quids in attacking James Wilkinson, while Williams valiantly defended the general.

On the other hand, the Federalists cared as little for Williams as they had for W. C. C. Claiborne. With Philander Smith, they believed that "Democracy has quite got the upper hand here" and lamented that all public offices were given to democrats.  

The Federalists of Natchez still hoped to secure permanently those lands in dispute with Jefferson College. Although Williams had withdrawn the claim of the College to lands in Natchez, the college had never received
alternative lots, and the Natchez inhabitants feared that a change of governors
would automatically reopen the dispute. Since Poindexter, a bitter opponent of
Natchez, was less helpful even than Williams, they worked through Daniel Clark,
the Orleans territorial delegate, to secure title to those lands. The Federalists,
therefore, disliked Williams as much as the Mead-Poindexter faction.

Williams, however, had placed himself in political trouble. If he
had only been able to tap it, there existed a solid nucleus of support among
men who either resented the Green clan or abhorred the methods of political war-
fare employed by Poindexter and Mead. Mead's rash actions in the Burr episode
and his highly flamboyant nature had caused many to snicker and others to sneer.
Shaw's venomous pen caused many more to shudder and not a few to hate him.
While Shaw stirred up consternation among his enemies (as indicated by the
efforts of a few Wilkinson County citizens, including the post master at Fort
Adams, to prevent delivery of the Messenger in their county), he also caused
enough general resentment for a grand jury to indict him for libel. Some inhabi-
tants also disliked the trigger-tempered personalities among the young leaders
of the opposition. During 1807, Mead had been wounded in a duel, Shields had
winged an adversary, and Poindexter, who was already noted for his tavern brawls
and challenges to genteel political enemies, had created quite a stir by trying
to provoke the governor into meeting him on the field of honor.

But Williams never seized nor even sensed the significance of this
potential advantage; instead he proceeded to battle his opponents with their
methods and on their level. For instance, he encouraged Marschalk to answer
Shaw, but Marschalk won the governor few friends since his pen was as bitter
as Shaw's. In fact, Williams appeared to goad his adversaries only when he
was silent, but the governor was unable to remain silent very long.
While many inhabitants were becoming aroused over the policies of Williams, several national events tested their loyalty to Jefferson and his administration. Only a few Federalists, and even they only rarely, had uttered any complaints against Jefferson. Unanimity of opinion hinged primarily upon the desire of both political factions to prove their firm attachment to Republicanism. Nevertheless, at least two national occurrences helped to create in the territory unrest which soon found expression in more diatribes against Governor Williams.

When Mississippians received news of the British attack on the American ship Chesapeake, they protested in mass meetings held throughout the territory. The citizens earnestly pledged to forget their older grievances against Spain "till those of the nation are redressed." In this matter, the Federalists in Natchez were just as loud in their protests as were the Republicans of Washington. Although Harry Toulmin doubted the sincerity of the public sentiment, most westerners held England responsible for bad times in the West, increased Indian aggressiveness, and unjustified violations of American liberties on the high seas.

These expressions of sympathy with the administration had hardly been sounded when Jefferson clamped an embargo on all exports. If the United States had gone to war with England, the settlers would have lost their principal cotton market, but with Jefferson's embargo, all cotton was confined to local warehouses. At first little public opposition was heard to the embargo which threatened to ruin the settlers. Since Delegate Poindexter had supported the measure, the opposition faction could hardly afford to oppose it, and Williams dared not furnish his opponents with more evidence of disloyalty. However, the citizens forced the judges to suspend legal executions, the legislature to enact several stay laws, and Congress to extend the deadline date for the initial payment of pre-emption land claims.
As the stock piles of cotton increased and the prosperity of the territory declined, discontentment arose, but as late as 1809, while Governor Williams still raved about British atrocities and praised the patriotic support of the territory, the leading patriots continued to drink toasts to the embargo. Throughout the entire ordeal, settlers of the territory, who feared England might make the Caribbean Sea a British lake, remained conspicuously loyal to Jefferson. Even when the embargo was finally rescinded, one writer called the repeal "impolitic and weak" and calculated "to plunge [the nation] into war." Leaders among the opposing faction, however, preferred to ignore these national issues and concentrate their efforts on the removal of Williams. The first test of strength came when the General Assembly gathered for another session in November, 1807. In the special summer elections of 1807, the voters in Adams District chose two avowed enemies of the governor, Cowles Mead and Micajah Davis, in Jefferson District the voters selected Samuel Cook who announced his loyalty to Williams after his election even though the opposition Messenger had supported him during the campaign. None too pleased by the election, Williams had attributed the success of his opponents to general apathy and to the illegal votes of pre-emptioners. 

Undaunted, the governor immediately struck back. Before adjourning its last session, the General Assembly moved up the date for reconvening from the first Monday in December to the first Monday in November, but Williams argued that only a law, signed by the governor, could alter the date. Williams persuaded his supporters in the legislature to stay away from the House in order to prevent a quorum. In protest, Mead and a few of his friends met daily and even despatched various House officers in search of absent members with an official note which commanded their attendance. On November 11, 1807, Williams,
who was afraid Mead might get his quorum, prorogued this rump legislature until the first Monday in December. Mead tried unsuccessfully to prevail upon his friends to defy "Aing Robert" by remaining in session.

Thus the governor won the first battle, but his victory furnished Mead with a perfect issue. Besides accusing him of "prerogative insanity," he pictured the governor as an arch enemy of the people. Before the session various rumors had it that the Assembly intended to memorialize the President against reappointing Williams. With this rumor alive, Mead was able to label the governor's reasons for prorogation as "superfluous" and to attach the real cause to stopping the memorial.

Immediately the Meadites readied themselves for the approaching session. In his Messenger, Shaw notified Williams that the Legislators intended to "draw up a remonstrance against" him at the next session, and it was generally assumed that Mead had drawn up a suitable memorial. While Williams' report that Mead had collected the signature of only one Legislator to his memorials was untrue, Mead was disappointed when he failed to secure the signatures of several members, and he decided to let the governor's blunders force the remaining doubters into his camp.

When the legislators reassembled in December, they were so disrupted during the first three weeks that they accomplished little more than to draw up a petition on land claims to be submitted to Congress. Yet the omnipresent threat of a memorial to the national legislature continually plagued the governor and his faithful band of four representatives. After failing to block any possibility of this occurrence by an early adjournment, the legislative friends of the governor persuaded Williams to prorogue the General Assembly.

Following the prorogation, F. L. Claiborne and Abner Green personally called on the legislators and persuaded five representatives and two councillors
to sign the memorial against Williams, but Baker, earlier critic of the governor, demurred from signing. The opposition leaders therefore decided to wait until the legislature again met before forwarding the memorial.

By the time the General Assembly again convened on February 1, 1808, the Mead faction had prevailed on two more legislators, Davis and Snodgrass, to sign the memorial requesting the dismissal of Williams. But time was short since the governor's commission was due to expire on March 3, 1808. When no word arrived from Jefferson concerning his future, Williams could not help but worry, and Shaw's poetic epitaph "On the political death of the late governor Williams" made him no less apprehensive. Meanwhile the Mead faction reasoned that unless Williams received a new commission by March 4, the territory would be without a legal executive since Secretary Williams was then in the nation's capital. Under these circumstances, only the legislature, they argued, could rightfully assume control, and Rodney's suggestion that the judiciary might resolve this question was shrugged aside.

These legislative obstructionists, led by Mead, also passed several unconstitutional acts, such as one reapportioning representatives even before Congress had authorized it, in order to force Williams to veto them and thereby afford the opponents with new issues if needed. Therefore when the two houses of the General Assembly began disagreeing on the date of adjournment, Williams seized upon this dispute to dissolve the Assembly. Unlike a prorogation, Williams knew that a dissolution would force a new election for representatives, and he argued that it would also necessitate new nominations for the Council. He hoped thereby to secure a more cooperative legislature. The obstructionists, safely entrenched in the Council, interpreted the dissolution as not revoking the Councilor's commissions.
In the midst of this confusion, a new three-year commission as governor arrived with the name of Robert Williams boldly printed on it. Since New Orleans and its environs commanded the consideration of Washington far more than did the river port of Natchez and its surroundings, the difficulties of Governor Claiborne in the Orleans Territory had diverted much of Jefferson's attention from the even greater troubles faced by Williams in the Mississippi Territory. More important, foreign difficulties with France and England, together with rumors of western intrigues, had worried the President much more than the dislike of a few frontier settlers in far off Mississippi for their executive. Thus despite the numerous protests, Jefferson upheld his appointee, for times had changed since 1801 when he had been anxious to remove Sargent. Besides the fact that Sargent had not been Jefferson's appointee, the territory was by 1808 under the second grade of territorial government which Jefferson did not consider nearly as tyrannical as the first. Only recently Congress had provided for even more democracy by allowing the people to select their delegate. Since Williams was neither corrupt nor despotic, the President took the path of least resistance and retained Williams and Claiborne in their present offices.

Williams had won the first, and to him the decisive, battle. With a new commission in his hands, he now expected opposition to die out. He also optimistically expected the people to select a new House which would be composed, instead of the Mead obstructionists, of respectable citizens anxious to restore peace and harmony, and these new House members would nominate ten honest and respected inhabitants for the Council. Rumor had it that Williams, so sure of success now, had promised to resign if the people remained displeased with him. The political struggle, however, was hardly over. The legislative dissolution, coming at the same moment as the reappointment, had only intensified the hatred
of Mead and his faithful followers toward Williams, and they intended to make Williams' prediction of a peaceful future erroneous.

As a first step friends of Mead planned to retain control of the House of Representatives. Williams for his part refused to select a slate of candidates, confidently leaving the decision to the citizens, but the voters disappointed him and elected six of his "Most Violent and distinguished Opponents."²⁷ Only in Claiborne and Washington Counties did the voters select legislators favorably inclined to the administration. In Adams County, the voters chose three of the governor's most determined opponents, Ferdinand Claiborne, William B. Shields, and Cowles Mead, and also the old Federalist, Philander Smith. In Jefferson County, William Snodgrass, who had betrayed the governor by signing the memorial against him, led a field of five while Thomas Fitzpatrick, a consistent supporter of the governor, received the least number of votes.²⁸ The voters had definitely disappointed the governor.

Also in these July elections the people had their first opportunity to choose the territorial delegate. Although Mead was disappointed when Poindexter refused to support Mead and sought reelection himself, Mead, in an effort to preserve harmony, publicly worked for his friend.²⁹

To oppose Poindexter, some citizens of Natchez, most of them ex-Federalists, nominated Thomas H. Williams to run on a city ticket, but he proved to be a weak choice since he was more anxious to avoid partisan controversy than to win the election.³⁰ After his candidacy had gained enough momentum to attract Shaw's attention, Williams announced that he was not a candidate, and despite the desperate pleas of his supporters, he refused to tour the territory. Both of these developments annoyed many of his supporters and drove others to vote against him, or what was just as disastrous, to stay away from the polls.³¹

Despite these occurrences, Williams carried Claiborne and Washington Counties
while receiving nearly a fourth of the popular vote. This surprising tabulation constituted more of an expression against Poindexter than for Thomas H. Williams, and if the "Williamsites" had chosen a stronger candidate and if the governor had used his patronage properly, Poindexter might have been defeated.

Before the newly-elected Assembly met, the Poindexter-head faction felt it necessary to keep the turmoil against Williams alive in order to whip up enough resentment to assure winning control of the Council. In this desire they were also unwillingly helped by the governor. Just a few days before the summer elections, Williams handed Marschalk several curious letters for publication. These letters, which James W. Bramhan, a recent immigrant and friend of Judge Leake, had written to two Virginia friends, were especially critical of the governor. They pictured the political situation as "bordering on direful consequences especially if the present Executive remains and the people do not get their [land] claims" allowed by Congress. The governor's brother-in-law, Samuel Winston, postmaster as Washington, spotted these suspicious letters as they passed through his office, and he opened and copied the contents before he let them be forwarded. Although Williams acquired these letters early in 1808, he did not disclose their contents until during the summer elections of 1808. He then had them printed in the Natchez Gazette in order to expose their erroneous statements and obvious chicanery, to demonstrate their utter disregard for honesty and integrity, and to indicate the ruthless desire for office of his political opponents.

But by publishing letters which were illegally furnished him by a postmaster who happened to be his relative, Williams allowed his own anger to overpower his better sense. His opponents immediately demanded to know where he had obtained these letters. When Williams repeatedly evaded the
question, suspicion immediately fell on Winston since rumors were alive that the governor's relative had before tampered with certain personal letters.36

Driven to desperation, Williams finally admitted receiving the letters from "a gentleman of the first respectability and standing in the territory," but he attempted to dispel any suspicion of chicanery by explaining that the information was common knowledge because "most of these office-hunters and political Jackals" were of "such a babbling disposition. . .that they [could] keep nothing secret."37

Later F. L. Caiborne, political accomplice of Brenham, charged that a personal friend of the governor had tried to prevent the publication of this information since the governor intended "to resign immediately." Williams, however, angrily declared these statements to be "POSITIVE; FALSE" because he had announced several times that he would resign after March 3, 1809 "from motives of private interest," but he was determined not to depart from office before that date.38

Williams had by now placed himself in a helpless predicament. He had publicly announced what he had hitherto admitted only privately. If his intention to resign were true, he had destroyed his own political power during his few remaining months, but if he changed his mind and remained as governor, he would lose any confidence the people held for him.

To make matters worse, while the conflict over the Brenham letters was being aired, Williams was making new enemies. On October 7, 1808, he unexpectedly revoked the commissions of Beverley R. Grayson as Auditor of Public Accounts, Justice of Adams County, and Clerk of the Supreme Court and of Theodore Starke as Clerk of the Adams Circuit Court. Grayson immediately adopted the well-tried methods of the opposition by refusing to deliver the public records to his successor, Parke Walton.39 Meanwhile Starke stirred up even more difficulty.
When his successor, James Dunlap, appeared at the October court term to assume his new duties, Starke refused to relinquish his authority, and Dunlap appealed to the court. Although the controversy raised interesting questions concerning the right of a territorial governor to remove officials and the relationship between the executive and judicial branches, the basic issue at stake was really the personality, and only secondarily the power, of the governor.

By the time Starke took his fight to court, only Judges Rodney and Leake, two critics of the governor, were still on the bench. Judge Bruin, who as an ex-Federalist might have been prejudiced against Starke, had already resigned from the judiciary in order to avoid the humiliation of facing charges of impeachment. After the two Judges had decided for Starke, Rodney denied that the governor could appoint judicial officials since, under English common law, only the courts held such authority. He also argued that, even if the governor had the power to appoint court clerks, a judicial officer could be dismissed only upon conviction of some misbehavior.

By this decision, the judges had opened themselves to the charge of partisanship. Denying the legality of the court's decision, Williams refused to accept it, and Seth Lewis, upon instructions from the governor, entered a bill of exceptions before Judge Leake. In answer, Rodney declared that "the conduct of the Govr indeed is like That of a man whose mind is deranged," and reminded Williams that "That Laws, and not men, rule in Our Country." Furthermore, Shields entered a plea to hold the governor in contempt of court.

After the favorable decision for Starke, Grayson also entered a similar plea. This time Williams enlisted the aid of Judge Toulmin who wrote a letter upholding the right of a territorial governor to dismiss his appointees, but the judges again ruled adversely for the governor.
While the Judges and the governor were busy exchanging cryptic notes, the recently elected representatives gathered, at the special request of the governor, for another stormy session. The principal item on the agenda was the nomination of a new list for the Legislative Council. Williams' main purpose in dissolving the last legislature had been to secure a new group of Councillors, and he was especially anxious to have them commissioned before the next regularly scheduled meeting. On the other hand, the Mead-Poindexter faction was fully satisfied with the old Councillors and did not wish to risk the appointment of new members. Members of this faction contended that a dissolution of the General Assembly did not necessitate the selection of a new Council, but Williams disagreed.\textsuperscript{47} Not to be outsmarted this time, Williams wrote the President for an opinion on this question. Madison returned the expected answer, but the governor did not disclose this information until the Assembly met.

After placing F. L. Claiborne in the Speaker's chair, the legislators confidently adopted a resolution calling for the governor to communicate any opinion he had from the general government, and Williams proudly brought forth Madison's letter.\textsuperscript{48} Despite this pronouncement from a President admired by both factions, the Mead faction objected strongly to a motion introduced by Stephen Bullock to proceed with the nominations for Councillors. Mead and Shields, with frequent statements from Poindexter who attended as a spectator, led the opposition to Bullock's motion. Bullock suggested that the matter could easily be referred to Jefferson by nominating a list, and, if he felt Williams' action had been illegal, he could merely disregard the nominations. Ignoring this reply, Mead announced he would not accept the copy of Madison's letter as legal unless "under the Big Seal." While invectives flew from both
sides, Shields dramatically rose with a copy of the Declaration of Independence in hand, and after criticizing Jefferson's interpretation of the dissolution, predicted that the document "would stare him in the face." Head was quoted as saying that "the President was affected by a Sun Pain, that he had protected the greatest villain [Wilkinson] that ever disgraced the world," and that Madison was "a weak debilitated man, greatly affected by fever. . . ." 49

As tempers rose, Henry D. Downs, a representative from Jefferson County who had previously helped to table Bullock's motion, changed his vote. When Speaker Claiborne announced a similar intention, the House by a vote of eight to four finally agreed to proceed with the nominations. Head moved for an immediate ballot, but Philander Smith, without effect, objected because members of his faction (composed of Smith, Bullock, James Caller, Lemuel Henry, and Samuel Cook), unlike their opponents, had not caucused. Speaker Claiborne refused to entertain this objection, and the opposition faction rammed through a slate of ten nominees. Consequently the Smith forces remained ignorant of the nominees until the tellers had made their tabulation and publicly announced the results. 50

After hearing the decision, the Claiborne County representatives were astounded. Bullock and Cook declared under oath that one of the nominees from Claiborne County, Francis Johnston, not only lacked the necessary property qualifications but also had never been a resident of this county. Cook even "believed it to be a fictitious name." 51 Daniel Burnet, who had switched to the opposition when Williams wished to abolish the old Council, was the other nominee from Claiborne County. In effect the Head faction had deprived this county, where a majority of Williams' supporters resided, of a Councillor. On the other hand, in order to get several of their friends, who had been members of the deposed council, renominated, Head and Shields had to make several deals
with wavering members among their own faction. They agreed to couple the names of such respected, but politically untied, planters as James Lea and Thomas Calvit with the names of factional leaders like Joshua Baker, Joseph Sessions, and Alexander Montgomery. The Mead forces had more trouble in finding suitable nominees from Washington County, but finally the representatives nominated John Hanes and John Flood McGrew (who had only recently married Polly Caller).\(^{52}\) Williams naturally salvaged from this list the two compromise nominees and rounded his recommendations out with McGrew, Burnet, and Montgomery.\(^{53}\) Furthermore, William Lattimore, the ex-delegate who feared the newly acquired power of his rival Poindexter, pled for the selection of McGrew, Lea, and Calvit,\(^{54}\) and despite the best efforts of Poindexter and his friends, the President and Senate agreed to them.\(^{55}\) In general the governor found the list of nominees unpalatable since, with the exception of Lea and McGrew, he had little chance of securing any friends among these nominees. On the other hand, Delegate Poindexter was also unhappy when the President failed to reappoint Baker and Sessions. In the end, no one was satisfied.

During the fiery debate, however, Mead and Shields failed to denote the presence of a stenographer in the gallery. Through the connivance of Bullock and Cook, George Davis painstakingly recorded the invective speeches of Mead and Shields in such a way as to make them appear opposed to Jefferson and the administration.\(^{56}\)

Shields immediately charged that Davis had "most mischievously and wickedly garbled and perverted his words" and conjectured that Bullock probably had a hand in this affair. He even threatened Bullock with expulsion if he were found guilty of collaborating.\(^{57}\)

Instantly Bullock accused Shields of plotting to expel the governor and declare the territory independent. He also exhibited a list of personal
statements to prove the correctness of the debates as published. Furthermore Davis accused Shields of attempting "to bribe or... to bully" the editors of the Chronicle into suppressing the debates. The Federal faction also adopted a resolution denouncing the published debates as "inaccurately and falsely reported..." and censuring those who aided in the distribution of them. At least Davis had the consolation of learning that his copy of the debates helped to thwart the efforts of Poindexter to secure the reappointment of Baker and Sessions to the Council.

When local opposition failed to prevent the reappointment of Williams, any hope of supplanting the despised governor fell to the territorial Delegate, and the governor's enemies agreed with Rodney's pleas that "Poin must succeed."

First, he attempted to amend a bill, aimed at extending the right of suffrage in the Indiana Territory, in such a manner as to deprive a territorial governor of the right to prorogue the legislature. As in all previous questions involving the territory, the Poindexter amendment always encountered stiff opposition from Representative George M. Troup and his fellow Georgians. The resentment of Georgia dated from the Yazoo and Bourbon County projects, but it had been considerably augmented by Congressional inaction in regard to extinguishing the Indian titles in Georgia and compensating the Yazoo land claimants. Despite Poindexter's fervent comparison of Williams with George III of England in the exercise of absolute power and his emotional denouncement of the governor's actions as "arbitrary and oppressive in the extreme and incompatible with the constitution," Congress struck out Poindexter's amendment.

Poindexter also failed to secure another extension for the first payment of pre-emption claims, though he suggested a possible method for circumventing forfeitures of unpaid claims for another twelve months. Poindexter, however,
excused these shortcomings by explaining that since the "Embargo [was] the order of the day" it had been "impossible to move any proposition. . .without hearing a long speech from New England about the Embargo." In his circular letters, Poindexter carefully played down domestic troubles and feverishly praised the Embargo, denounced British orders in council and French decrees, and encouraged American efforts at military preparation. "War is counted on as the denier resort," he wrote, "but I do not think it will be our policy to declare it but I do believe our measures will lead to hostilities." He was on his way to becoming a war hawk in spirit as well as for political expediency.

Despite Poindexter's failures, his friends expressed sound confidence in him, and the General Assembly adopted a resolution of praise for his work. By also urging him to secure passage of a law confirming all claims under Spanish warrants and orders of survey, these resolutions hit him in his most vulnerable spot, for Poindexter had shown little inclination to settle the conflicting British claims. In fact, he had several wealthy clients, like E. H. Bay, who employed him to uphold their British claims. As he grew more dissatisfied with his Congressional duties, Poindexter began covetously eyeing the commission of the incompetent, despised, and dissipated Judge Bruin. When rumors leaked out concerning Bruin's possible resignation, the delegate approached several friends, like Caesar Rodney, and several members of Congress in hopes of succeeding Bruin. Then he hinted to his territorial friends "that a general memorial by the Legislature would have more weight than anything." Word finally came from the territory but not in the form Poindexter expected, for the local lawyers rose up to protest his appointment by declaring him unfit for the office. Included among these protestors, besides such erstwhile opponents as Harding,
Lewis, and Bullock, were several former supporters of Poindexter such as James W. Branham and Edward Turner.67

Although Poindexter suffered disappointment and failure, he still had many friends, but Governor Williams had only a few. As resignations from public offices mounted, suitable replacements were harder to find. In addition, William Voss and Timothy Terrell, two of the governor's bitter opponents, were behind a movement in Natchez to wrest control from an entrenched oligarchy headed by Samuel Brooks and various federalist merchants who were often sympathetic to Williams. These two men organized the Natchez Mechanical Society "to alleviate the distress of decayed and unfortunate mechanics." In the elections of 1809, Voss and his followers successfully overthrew the oligarchy and began to fill local offices with loyal "mechanics."68 Victory of the Poindexter-Mead faction in Adams County was now complete.

During these proceedings, the governor "pondered aimlessly," strolled "forlorn and hopeless along [the] streets, and remained undecided about his future course. To make his anxiety worse, the governor was about to lose his faithful defender, Thomas Jefferson, for Madison as President might not stand so firmly against the assaults of Williams' enemies. Williams, who had privately mentioned to several friends an intention to resign, had to admit it publicly when in March, 1809, William Thomson, to whom Williams had indiscreetly stated the fact, gave this news to the papers. The governor had secretly informed Jefferson that he planned on "going out of office with" him, and the President immediately sought an adequate successor.69 But as the attacks upon Williams increased, the governor decided not to give his enemies the satisfaction of resigning.70 Once again his opponents, by pressing too hard for his removal, almost missed another opportunity for a resignation.71
Fortunately for the governor, his correspondence with the President was confidential, and his enemies had not heard either of his submitted resignation or of its sudden withdrawal. After receiving Williams' initial offer to resign, Jefferson worked with unusual dispatch to locate a successor, a dispatch which implied a desire to have Williams replaced as governor. After consulting with Madison, he offered the post to David Holmes of Virginia, and upon receipt of Williams' second note, he politely informed the governor that a successor had already been named. He then suggested that Williams keep the withdrawal of his resignation a secret in order to convey the impression of a strictly "voluntary resignation."\(^{72}\)

Meanwhile Williams, still thinking himself executive, called the General Assembly into an early session to meet on the first Monday in February, but by arriving late, the Councillors delayed its organization for three days.\(^{73}\) By this time rumors were abroad concerning the governor's resignation, yet he refused to make it official even after he had learned that he could not rescind his resignation. He anxiously awaited the arrival of his successor, the identity of whom even he was ignorant, but Holmes was not to leave Virginia until May. Finally on March 3, Williams made his resignation official, but he also dissolved the General Assembly.\(^{74}\) In the silence that met this dissolution, Williams found tacit agreement with his earlier contention that the governor might dissolve a Legislature. On the other hand, his enemies cared little for this constitutional question now that a hated governor had been removed. With loud cheers of joy, the Assembly "determined to have a frolic." Some legislators, joined by other delighted citizens and accompanied by a drum and fife, joyously paraded with lighted torches along the streets of the territorial capital. This mob, led by Speaker Claiborne, paused outside Rodney's dwelling long enough to line up in military array and render the old judge
three cheers in salute of his successful and determined opposition to Williams.

After the celebrations died away the citizens settled down to await the appearance of their fourth governor. 75
FOOTNOTES VIII

1 Williams to Briggs, n. d., Briggs papers.


3 Leake insisted, however, that T. H. Williams was "a moderate and reasonable federalist and a man of honor and integrity." Leake to [Nicholas], December 15, 1807, Smith papers. At a later period when the resignation of Governor Williams was imminent, Poindexter pleaded with Madison to appoint someone unconnected with territorial politics and especially not to select Secretary Williams who had "indiscriminately supported the conduct of Governor Williams ..." Although Poindexter did not accuse him of federalism, he stated that Williams was "identified with the federal party," and even worse he had "made no public declaration, that his political opinions do not correspond with theirs." Poindexter to Madison, February 11, 1809, Madison papers.

4 A few writers have accepted the word of Williams' opponents, but little evidence exists to show that their missiles were anything but partisan. For instance, Swearingen refers to the governor's supporters as the "Federon-Quiddists." Swearingen, Poindexter, 92-93.

5 Philander Smith to Jedidiah Smith, August 17, 1809, Philander Smith papers, miscellaneous Manuscripts, Mississippi Department of Archives and History.

6 Shields to Poindexter, December 23, 1807, Shields papers.

7 Rodney reported to his son that Jefferson "is highly Esteemed and Respected in this Country and has been rising in Estimation Ever since I came here." T. Rodney to C. A. Rodney, April 27, 1807, Penn. Mag., XLIV, 305.

8 Although a meeting of Washington County inhabitants, held at Wakefield, adopted a blatant protest, the resolutions contained more acrimony against Spain than against England. This meeting was called by Toulmin but chaired by James Caller. Apparently these westerners suspected England of connivance with Spain, and they probably intended first to seize Florida in case of war which most of them regarded as certain. Toulmin to Williams, September 1, 1807, declaration adopted by Washington County inhabitants, September 8, 1807, Governor's Records, series A, vol. 8: Mississippi Messenger, November 5, 1807.

9 Mayor Samuel Brooks of Natchez chaired a meeting which was attended by John Girault (Secretary), Walter Burling, Samuel Postlethwait, and Lewis Evans. Ibid., August 13, 1807. A meeting at Washington chose Thomas Rodney, chairman, Thomas H. Williams, secretary, and John Ellis, head of the resolutions committee. Ibid.

10 Toulmin to Williams, September 11, 1807, Governor's Records, series A, vol. 8. Williams informed Jefferson that the Embargo news "Created a Considerable bustle with the planting as well as mercantile interest." Williams to Jefferson, January 30, 1808, Jefferson papers.

12 Weekly Chronicle, September 28, 1808, November 23, 1808; Poindexter to the editors, November 12, 1808, Ibid., December 14, 1808; Memorial, territorial house of representatives to Congress, September 19, 1808, Carter, Terr. Papers, V, 638; Statutes at Large, 11, 455-456.

13 Address, Williams to General Assembly, February 9, 1809, Governor's Records, series A, vol. 9; The Mississippian, March 16, 1809.

14 Resolutions, territorial house (committee headed by Head), Weekly Chronicle, February 22, 1809; "Silas" to the editors, Ibid., August 24, 1808; "Americus" to the editors, Ibid., April 12, 1809. "War Hawk" Poindexter prayed that the citizens "will show their patriotism to be worthy of the descendants of 76." Poindexter to [Rodney], January 10, 1809, Miscellaneous papers of the Mississippi Territory, New York Historical Society.

15 Williams to Jefferson, November 12, 1807; Jefferson papers.

16 Address, Williams to General Assembly, November 11, 1807, Executive Journal, Williams, 240-241; George Humphrey to Williams, November 11, 1807, Governor's Records, series A, vol. 3.

17 Williams described Head on this occasion as "the wildest man, I ever knew in public life." Williams to Jefferson, November 12, 1807; Jefferson papers; Mississippian Messenger, November 19, 1807.

18 T. Rodney to C. A. Rodney, November 12, 1807, November 20, 1807, Penn. Mag., XLV, 52, 53-54; Shields to Poindexter, November 19, 1807, Shields papers; Mississippi Messenger, November 19, 1807.

19 Williams to the Secretary of the Treasury, December 26, 1807, Carter, Terr. Papers, V, 592-593; Shields to ?, n. d., Shields papers.

20 Memorial to the President and Congress, December 21, 1807, Members of the legislature to Williams, December 24, 1807, Williams to the Secretary of the Treasury, December 28, 1807, Carter, Terr. Papers, V, 587-590, 591-593; Williams to the Legislature, December 24, 1807, Executive Journal, Williams, 257.


22 A copy of this memorial, signed by Head, Ellis, Montgomery, Davis, Snodgrass, and Sessions, may be found in the Claiborne Collection.

23 Williams to Jefferson, February 10, 1808, Jefferson papers; Williams to Gallatin, February 10, 1808, Gallatin papers; Mississippi Messenger, date torn [March, 1808].
24 T. Rodney to C. A. Rodney, March 1, 1808, Penn. Mag., XLIV, 63.

25 Williams to the Secretary of the State, March 8, 1808, Williams to General Assembly, March 1, 1808, Executive Journal, Williams, 262-264, 260-261; Williams to Jefferson, March 16, 1809, Carter, Terr. Papers, V, 523.

26 Daniel Burnet to the Secretary of State, August 27, 1808, ibid., 634-636; Williams to the Secretary of State, March 8, 1808, Executive Journal, Williams, 262-264, copy in Jefferson papers; Shields to Poindexter, n. d., Shields papers.

27 Mississippi Messenger, June 25, 1808, July 14, 1808; T. Rodney to Poindexter, October 20, 1808, Rodney papers (LC).

28 Claiborne County returned Stephen Bullock and Samuel Cook while Washington County sent John Caller and Lemuel Henry. A partial list of returns are in Governor's Records, series A, vol. 20. The oaths of office for the new representatives are in ibid., vol. 9. Alexander Montgomery was the only unsuccessful candidate of what Shaw called the "country ticket" and Smith the only winner from the "city ticket." Mississippi Messenger, July 26 August 11, 1808.

29 T. Rodney to C. A. Rodney, May 14, 1808, Rodney papers (LC).

30 Weekly Chronicle, July 6, 1808. The Adams County "city ticket" for representative was composed of Philander Smith, Walter Burling, and John Wood. Mississippi Messenger, July 6, 1808. For instance, when Poindexter publicly asked Williams whether he had stated that the favorable acts of Congress had not been the work of Poindexter but had passed because of his own exertions, Williams not only denied that he had uttered the statement but he also pronounced it "untrue" and praised Poindexter's efforts in Congress. ibid., July 14, 1808.

31 Circular letter, fn. T. H. Williams, July 4, 1808, ibid., July 6, 1808. A friend of the governor informed him that "there are some persons in this county [Claiborne] making use of all their Exercisions & Trying to impress it on the Minds of the People that he [Williams is not a Candidate for Congress at the ensuing elections, altho his friends Warmly contradict there assertions his presence would have been in the County a great thing ..." W. H. Wooldridge to R. Williams, July 16, 1808, Governor's Records, series A, vol. 9. James Caller, loyal partisan of Williams in Washington County, requested the governor to "tell Thomas H I am mad with him for the place I saw in the papers." Caller to R. Williams, August 26, 1808, ibid.

32 Returns, Claiborne, Adams and Jefferson Counties, ibid., vol. 20; Proclamation, R. Williams, September 3, 1808, Executive Journal, Williams, 269; Mississippi Messenger, July 28, 1808.

33 The two friends were Thomas M. Randolph and John Eppes, who were both sons-in-law of Jefferson.
34 Williams to Jefferson, January 30, 1808, Jefferson papers; Rodney to Poindexter, October 20, 1808, Rodney papers (LC). According to Beverley R. Grayson, one letter stated that the governor "would appoint no man to office unless he was the personal and political enemy of Mr. Jefferson. . . ." Statement of Grayson, October 31, 1808, in Weekly Chronicle, November 2, 1808. The actual letters are published in ibid., November 23, 1808. Branham wrote that Williams would never appoint a Republican "if a federalist can be prevailed on to accept" and usually his choices for office are from "the most inveterate enemies of Mr. Jefferson. . . under a pretense too, that such appointments are directed by the general government." Branham to Eppes, January 17, 1808, Ibid.

35 The entire correspondence relating to these letters was published in a pamphlet by the governor's opponents. Correspondence between His Excellency Gov. Williams, and James W. Branham, Esq. respecting the publication of certain letters written by Mr. Branham to John W. Eppes and Thomas M. Randolph, Esquires (Natchez, 1808). Hereinafter cited as Correspondence, Branham. These letters are also published in the Natchez Weekly Chronicle, October 26, 1808, November 2, 1808, November 23, 1808.

36 T. Rodney to C. A. Rodney, November 12, 1807, Penn. Mag., XLIV, 52; T. Rodney to Poindexter, October 20, 1808, Rodney papers (LC); Branham to J. W. Winn & Co., October 25, 1808, Branham to Randolph, August 5, 1808, Randolph to Branham, September 14, 1808, Correspondence, Branham; Postmaster General to Winston, January 31, 1809, Carter, Terr. Papers, V, 534.

37 Public statement of Williams, October 26, 1808, Correspondence, Branham; Branham to Winn, printer, Weekly Chronicle, November 2, 1808.

38 These letters are in Correspondence, Branham; Branham to Winn, n. d., Weekly Chronicle, November 16, 1808. William Thomson, Attorney General of Orleans Territory, posed as a friend of Williams and assured Claiborne that Williams would resign whereupon the governor labelled him a deceiver and a liar. Statement of Thomson, November 9, 1808, Williams to Marschall, November 23, 1808, Correspondence, Branham.

39 Williams to Starke, October 7, 1808, Williams to Grayson, October 7, 1808, October 15, 1808, October 18, 1808, Executive Journal, Williams, 30c, 301, 307, 308-309.

40 Notes taken by Rodney on this case are printed in Hamilton, Rodney, 401-409.

41 An interesting discussion of the legal issues, some of which remain unsettled, involved in this controversy is contained in ibid., 149-155.
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Deposition of Cook, September 20, 1808, Deposition of Bullock, September 20, 1808, memorial, Claiborne County inhabitants to the President, October 1, 1808, ibid., b47-b48, b45-b47; debates in Weekly Chronicle, October 26, 1808. A motion by Bullock to nominate another person from Claiborne went down to defeat by a strictly factional vote of six to five, and the house adjourned sine die. ibid., November 2, 1808. Later, one friend of Johnston testified that Johnston was dissatisfied with the nomination and would not accept. Deposition of Joshua G. Clark, December 25, 1808, Weekly Chronicle, December 23, 1808.

Williams to Jefferson, October 5, 1808, Carter, Terr. Papers, V, c48-c650; Mississippi Messenger, April 5, 1806.

From Adams County, Williams had little choice between Sessions and Montgomery, but he decided on the latter as the lesser of two evils. Williams to Jefferson, October 5, 1808, Carter, Terr. Papers, V, c49.

Lattimore described these men as fortunately free "from those sinister views and personal resentments, which have produced our present dissensions." Lattimore to Jefferson, September 27, 1807, ibid., c44-c45. Lattimore presently married a daughter of James Lea.

Claiborne, on submitting the list of nominations to the President, reminded him that three of them, Burnett, Baker, and Sessions, were members of the late Council. "I have been especially instructed by a majority of the Representatives to assure you that they possess in a high degree the confidence of this people," Claiborne explained, "And should you determine that the Act of the Governor has destroyed the commission of the Council - their reappointment will be more than gratifying." Claiborne to the President, September 22, 1808, ibid., V, c40. See also Poinsette to the editors, November 12, 1806, Weekly Chronicle, December 14, 1806; Proclamation by Jefferson, November 14, 1808, copy in Governor's Records, series A, vol. 9; Executive Journal, Senate, 11, 84.

George Davis had been mixed up in the Briggs-Poinsette controversy. Davis, who had some "disagreeable qualities" such as a "jealous temper," and Briggs had clashed repeatedly while surveying, and after Briggs did not appoint Davis one of his principal deputies for the Orleans Territory, the latter was "thrown... into a paroxysm of rage," and their animosities broke out anew into a bitter quarrel and an exchange of threats. In this incendence, Poinsette came to Davis' rescue and aided him in a revenge by forcing Briggs to resign. Apparently Davis was trying to work back into the good graces of Williams, or perhaps the fiery tempers of the two men had crossed. Cf. Briggs to the Secretary of the Treasury, September 20, 1806, Carter, Terr. Papers, V, 482-484.

Shields to editors, November 21, 1808, Weekly Chronicle, November 30, 1808.

Bullock to Shields, December 16, 1808, ibid., December 25, 1808. Those attesting to the accuracy of the recorded debates were John C. Cox, Major William Vick, John B. Willis, Pierson Lewis, Clinch Gray, Charles de France, Samuel Cook, and Lexander Covington. ibid. Later, even Henry Duvall, who had voted with the Head forces, agreed to the correctness. Parke Walton to Bullock, February 24, 1809, ibid., March 1, 1809.
59 "One George Davis" to the editors, December 22, 1806, ibid., January 11, 1809, March 15, 1809.

60 Mead to Poindexter, December 3, 1808, Poindexter papers, Claiborne Collection; Weekly Chronicle, February 22, 1809; Ballock to Shields, February 26, 1808, ibid., March 1, 1809; Poindexter to Mead, December 20, 1808, Claiborne Collection.

61 Shields to Poindexter, December 20, 1808, Shields papers.

62 The Congressional debates on Poindexter's motion are printed in Weekly Chronicle, January 4, 1809, January 11, 1809. Also consult Poindexter to the editors, November 21, 1808, ibid., December 21, 1808; Poindexter to Mead, December 20, 1808, Claiborne Collection.

63 Poindexter to the editors, November 21, 1808, Weekly Chronicle, December 21, 1808. When Gallatin saw this suggestion, that the pre-emptioners might keep their lands if they paid the first installment by the last day of 1809 which would give them almost an entire year's grace, he immediately branded it erroneous and told T. C. Williams to dispose of any lands claimed by pre-emption rights which had not had an initial payment made on them by January 1, 1809. The Secretary of the Treasury to T. Williams, February 21, 1809, Carter, Terr. Papers, V, 703-704.

64 Poindexter to Mead, December 20, 1808, Claiborne Collection, book B; Poindexter to [Rodney], January 16, 1809, Miscellaneous papers of the Mississippi Territory, New York Historical Society.

65 Cf. Mississippi Messenger, July 7, 1808; Weekly Chronicle, March 8, 1809. During one of his morbid spells, Poindexter notified his friend Shields that he planned to return to the territory only "as a visitor" and traveller. Shields to Poindexter, December 20, 1808, Shields papers.


67 Poindexter to Mead, December 20, 1808, Claiborne collection; Petition, Attorneys of the Mississippi Territory to the President, March 7, 1809, Madison papers. On January 10, 1809, Poindexter confidently wrote: "I have reason to believe that I shall be appointed to succeed Judge Bruin." Poindexter to [Rodney], January 16, 1809, Miscellaneous papers of the Mississippi Territory, New York Historical Society.

68 Weekly Chronicle, December 28, 1808, Supplement, April 12, 1809. Voss became a selectman of Natchez, January 1, 1810. See ibid., January 8, 1810.

70 Williams outlined to Jefferson the reasons for his change of mind. "I also observed to you... my intention to resign this Government after the 3rd of March, & having mentioned the same to several persons here; it was seized on & connected with other attempts to have me out of office instantly &c., and published in a way which induces me to recall my intention of resigning at the time mentioned...." Williams to Jefferson, December 7, 1808, Ibid.

71 Williams was very undecided about his resignation. In October, 1808, he wrote Madison about his plans to return to North Carolina while the legislature was not in session during the winter. Williams to Madison, October 14, 1808, Executive Journal, Williams, 305. But the "accumulation of public business" forced a postponement of his visit after he had determined to withdraw his resignation. Williams constantly reminded his superiors of the awful sacrifice "in his private affairs" he was making by remaining as governor and by "not going to No Carolina." Cf. Williams to Gallatin, December 14, 1808, Ibid.

72 Poindexter once surmised that "the Presid. is heartily sick of Williams and... if he does not resign he will be removed...." Poindexter to [Rodney], January 16, 1809, Miscellaneous papers of the Mississippi Territory, New York Historical Society. See also Jefferson to Williams, January 17, 1809, Carter, Terr. Papers, V, 622-623.

73 Proclamation by Williams, December 27, 1808, Executive Journal, Williams, 329; Address, Williams to General Assembly, February 9, 1809, Governor's Records, series A, vol. 9.

74 Address, Williams to General Assembly, March 3, 1809, Executive Journal, Williams, 342; Williams to the Secretary of State, March 3, 1809, Carter, Terr. Papers, V, 713-714; Weekly Chronicle, March 8, 1809.

75 Hamilton, Rodney, 85; 2. Williams to the Secretary of State, March 4, 1809, Carter, Terr. Papers, V, 719. Carter points out that actually Robert Williams' commission expired March 1, 1809, and therefore the dissolution and the eight laws which he signed on March 3, might have been illegal if questioned. Ibid., 714 fn. However, the opposition cared little for hair splitting after Williams was no longer governor.
Chapter IX
Transformation of a Territory

Before Davis Holmes arrived in 1809 to become governor, the Natchez district, which had always dominated territorial politics to the almost total exclusion of the Tombigbee district, had already outgrown most of its frontier traits. The economic and social changes which either caused or accompanied this transition had important influences on politics. The district was fast becoming more civilized, and the tranquility of the two administrations of Holmes resulted in no small degree from this fact.

At least a few inhabitants had already transformed their communities into a thriving society reminiscent of their ancestors in Virginia, Maryland, South Carolina, England, and Scotland. After enjoying a decade of prosperity from cotton, many of the rich planters, who no longer worried about being self-sufficient, began to import Spanish and French wines, classical books, exotic spices, pure-bred racing horses, "pleasurable carriages," elaborate silks and linens. In 1808, a visitor gazing upon Natchez's busy waterfront from the high bluff counted eighty-three vessels tied up along the shore, and by 1810, one embittered traveller, who saw very little to please him, found the streets of Natchez "literally crammed with cotton bales for the Liverpool markets" and left "with an impression of its comparative prosperity exceeding any town which I have ever seen." This bustling activity not only brightened life for the families living in the outlying farms and plantations, but it also converted Natchez into a more cosmopolitan town, a haven for ambitious artisans, businessmen, and professional people, and a haunt for sailors, travellers, and "respectable" citizens, who, with pockets bulging, sought a night of frolic, relaxation, or escape. Natchez was beginning that brief fling of glory and
glamour which still persists in romantic legends and memories, but more vividly in shady, narrow streets, old brick shops, and homes ornamented with iron work balconies.

As a by-product of the dual economy of the city, there actually emerged two cities, Natchez-under-the-Hill and Natchez-on-the-Bluff, to handle the separate transactions. The river trade, with its vice and rowdies, was conveniently relegated to the lower part of the city where Kentucky and Ohio boatmen, "who like an alligator may be said to have lived in mud while upon the river. . . ." unloaded goods from Europe, the eastern United States, and the western states of Ohio, Kentucky, and Pennsylvania. But at night this part of the city became alive with tired boatmen who were often joined by frivolous local inhabitants. Where they might make the rounds of numerous gambling dens and dance halls, visit one of the grog shops, or frequent a house of ill repute. Natchez-under-the-Hill was fast becoming one of the most notorious cities on the Mississippi.4

While the younger city of Natchez-on-the-Bluff was less boisterous and more genteel, even some of its respectable citizens, who never after dark caroused around the landing, drank an occasional overdoes of Madeira, whiskey, or cognac and frequently exchanged large sums of money at three-up and loo. Yet despite this fact, this portion of the city had maintained its good reputation, perhaps because law enforcement was more effectively applied here than on the landing.5

Although the city was small,6 the size denoted neither its wealth nor influence, for its importance spanned the entire region. Since Natchez was "the principal emporium for the commerce of the territory," almost everyone had business relations there. For most planters an occasional journey into the city was not arduous, and they could find comfortable lodging in one of the
six public inns. Frequently these visitors brought their wives, and if so they usually mixed business with pleasure. During the day the lady might visit the busy market-house where a colorful and "motley mixture of Americans, French and Spanish creoles, mullatoes and negroes" plied their trade amid shrieking barkers, swarming flies and insects, unusual scents, and nauseous odors. By night the family might enjoy a Restoration or eighteenth-century play at the old Spanish hospital before 1813 and thereafter at the recently erected theatre, or attend one of the dancing assemblies. Even the old folks, who could no longer waltz merrily across the floor but who still enjoyed the sight of happy young people, might with great pleasure attend these dances to "preserve order and decorum." On special occasions the citizens and visitors might hear, for the admission price of one dollar, a ventriloquist at the city tavern, listen to imitations of birds, or witness feats of "herculean balancing" at Mr. Texhada's tavern. For the enjoyment of children of all ages, in 1810, the only live elephant in the United States passed through Natchez.

The planter who spent his hours in Natchez alone might during his leisure indulge in several pursuits. If he were a member, he might attend a meeting of the Jockey Club or one of the various learned societies, eat his meals at the Masonic Lodge (Harmony No. 7), or relax by reading and drinking at one of the coffee houses. In these gatherings, where conversation among gentlemen farmers flowed freely, the participants made political as well as business deals. The social life of this small opulent community had begun to bloom, and its gentlemen, though small in number, were influential enough to set a tone of living, manners, and traditions for the district.

Yet Natchez was not the only place where gentlemen congregated. If Natchez reigned supreme in economic relations, the small village of Washington,
which had been given its initial life by a partisan territorial legislature, wed with its river neighbor as the social center. There, a medicinal spring, named Ellicott's Spring for the boundary commissioner who had taken refuge there from the ravaging yellow fever in July, 1797, added its pleasant attraction to lure gentlemen and ladies to this hamlet. At this spring, a person might absorb the refreshing shade furnished by "some spreading forest trees," obtain a hot or cold bath for "three eights of a dollar," or enjoy "the cool transparent water, either pure or mixed to their taste." One traveller, eyeing the young ladies about the town, was impressed by their "tasty and rather rich" dress, but he was not as taken with the drab buildings which were lined only along the road leading to Natchez. Nearby was Fort Dearborn which lent a certain flavor to the area by the colorful uniforms of the officers and by distant drum beats summoning the soldiers to roll call.\(^{12}\)

This ordinarily quiet village came alive on court days (Washington was the seat for the Adams County Court and the territorial Supreme Courts), at militia musters, and during meetings of the land commissioners and the General Assembly. During these times, lawyers, politicians, merchants with business at court, parvenu planters, and boisterous militiamen might meet, rub shoulders, witness feats of skill, electioneer for offices, or just get drunk. A favored few might be invited to some elaborate ball attended by the beautiful belles of the territory, among whom Peggy Dunbar was the recognized head, or regale themselves with the pleasures of the festive board "where patriotic and political toasts" would be followed by a rendition of music and washed down with an appropriate liquor.\(^{13}\)

Other than Washington and Natchez, there were no important towns in the Natchez district. Spotted settlements existed at Fort Adams, Greenville,
Uniontown, Selsertown, Bruinsburg, Pinckneyville, Woodville, and Port Gibson. By 1810, the decayed state of some of these little hamlets revealed the lost dreams of a speculator and the unwillingness of others to realize that the region was unable to support more than one large settlement. Yet grandiose schemes of speculation continued. As early as 1803, the Greenville bubble of the Green and the Hunt families had burst, and the numerous unoccupied houses, many up for sale "at little more than a quarter of their cost," gave mute testimony that settlers were moving on to greener pastures. By 1809, John Shaw, an author of political diatribes and Pindaric odes, had left Greenville to seek a new fortune first in Natchez and later in Franklin County, which had just been organized. 14 Pinckneyville, notorious haunt for highwaymen and filibusters, was usually quiet except when a sudden influx of the hampers would commence a round of "Drinking and playing Billiards," but this little border hamlet actually remained outside the national, county, and even the territorial pale. 15

Another curious settlement which was supported by the settlers' love for frolic was Port Gibson, where one visitor found every house to be "either a store, a tavern, or the workshop of a mechanick." In addition, he noted "a very mean goal and an equally bad courthouse" which were constantly in use because of the people's fondness for excitement and litigation. "Gambling is carried to the greatest excess, particularly horse racing, cards and betting," and besides he was shocked to find "every difference of opinion" decided by a wager. 16

As indicated by these decaying or sleepy hamlets, the planters, farmers, and farm hands spent very little time there; instead, most of the life, routine and social, was carried on within the planter's estates, the farmer's home, and the field hand's shack. For the farmer and the field hand life was routine,
monotonous, and drab almost to an unbearable degree, and to them a political fracas or campaign, a religious camp meeting, assemblage, a public protest, or a summons for service on the grand jury added a little needed spice. Their dwellings were often dirty, badly ventilated, and crudely furnished, yet they grubbed from their acreage the subsistence crops of corn, potatoes, and other odd vegetables together with some cotton and pasture for cattle. To supplement their income these farmers sometimes engaged in the unauthorized cutting of pine, oak, cypress, or cedar trees on the public domain. Indeed, before 1835, most inhabitants, though lacking luxuries, lived comfortably and pleasantly. In addition, their lot might easily be improved, and the hope of a better tomorrow never died in the minds of those ambitious settlers. If they arrived too late for rich pickings in one of the older, fertile counties, they would petition for removal of the Indians in hopes of obtaining yet more profitable lands.

Although differences in wealth were plainly visible to any observer, social lines had not become solidified; therefore, any industrious person who diligently amassed some wealth might soon find himself squire of the county, owner of a sizable estate, and captain of a militia company. For these, the key to unlocked riches was land, cotton, and Negroes. By 1810 some had made the move from rags to riches. Poindexter, for instance, came to the Territory from Virginia in 1802, immediately began a profitable practice of law, obtained local offices to provide additional income, married into a fairly wealthy and prominent family, and by 1815 had amassed a fortune which included in Adams County alone eight hundred acres of land, forty slaves, and several Natchez lots assessed at three thousand dollars. By 1816, he was proudly dating his letters from "Ashwood Place" in Wilkinson County.
All new settlers naturally strove to own one of these proud plantation homes where the social life of the district found its gayest expression. In 1794, Gayoso had led the way with the construction of his famous "Concord" which later fell into the hands of Stephen Minor. From the beginning of American control to the end of the territorial regime, various other pretentious estates were constructed, and when foreign visitors were amazed by the district's wealth, they invariably referred to these homes. Sargent had begun his "Gloster" by 1759; Dunbar built his famous "Forest"; the Greens put up their brick "Springfield"; and by 1816, a Philadelphia architect and an English gardener had been summoned to erect the crowning home of the territory, "Arlington," for Mrs. Jane Surget White.20

Guests and visitors to these few plantation estates were lavishly entertained. During his meals, especially the noon one, the guest in these homes learned that the often discussed Southern hospitality was no exaggeration. Before each meal visitors might select their favorite liquor, while the host spread on the table an unbelievably wide variety of vegetables and meats. Between meals, a gentleman might take a quiet nap on the sofa, go on some kind of hunt, or engage in lively conversation over a mint julep. The ladies could engage in their own conversation or challenge the men to some card or parlor game. Occasionally the host might arrange a horse race in the afternoon or an elaborate dance in the evening.21

Slight wonder that the lawyers and judges often found the legal circuit very enjoyable, and that some eligible young men, sometimes with more at stake than a pleasant visit, made an annual social circuit of the "nabobs" in the territory. Although the young men made visits throughout the year, sometimes these eligible bachelors found disappointment rather than romance, since a
few of the women and children of richer planters went to New Orleans during the Christmas season and to Washington or later to the coastal region during the summer months. At any rate, during August the yellow fever scare drove many from the river towns and not a few stayed with their wealthy business, political and social friends whose homes dotted the back country.

The planter's leisure was not limited to social gaiety, for he often spent his time in more intelligent and useful pursuits. Foremost among these was an interest in scientific activities. The acknowledged intellectual leader among local planters was William Dunbar who even gained admittance into the American Philosophical Society. Dunbar was also the moving force in the creation of the Mississippi Society which shed its political overtones to become the center of intellectual activities. An attempt to enlarge educational facilities also consumed much of their leisure. Although unsuccessful in establishing a college, they were able to organize several academies, library societies, and coffee houses where gentlemen could read the latest magazines.

Furthermore, religion was not overlooked. For instance, John Bisland and John Henderson, two Scottish Presbyterians, diligently worked until in 1807 they established the Salem Presbyterian Church. Governor David Holmes, a zealous Baptist, not only was instrumental in organizing the Mississippi Bible Society, but he also served as its first president.

The clearest indication of mounting wealth in the entire district, however, was not to be found in the homes of a few "aristocrats" or "nabobs," or in their leisure interests, but in the mounting percentage of the black population. Slavery was nothing new to the territory, for even the earliest settlers had either brought along slaves or had soon purchased imported blacks, but their numbers grew in direct proportion to the increase and importance of
cotton production. While the white population of the territory rose from 7,400 in 1801 to 34,800 in 1816, the same fifteen-year span saw the percentage of slaves jump from 42% to 52% of the total population. 29

Another important indication was the growing number of inhabitants who owned slaves, and this development clearly demonstrated the increasing wealth of all segments of society. From 1805 to 1815, the number of inhabitants holding slaves in Adams County increased by 30% while in Jefferson County the number rose by 18%. In addition, between 1805 and 1810, those years during the height of the first cotton boom, the number of masters owning more than five slaves, which qualified them as planters, also increased. In Adams County the number rose by 6% and in Jefferson County by 26%. Nevertheless those planters who held more than fifty slaves never composed more than 2% of the white males. 30

Although the rich got richer as the poor became less poor, there was no visible tendency during the territorial period for individual planters to accumulate large tracts of land. The uncertainty of land titles, which threatened to throw the owner into expensive litigations, the amazing fertility of these lands for raising cotton (a crop which allowed greater intensification of agriculture), the rapidity of settlement in a limited region (which led to a sudden density of population), and the dilatory work of the land commissioners (which delayed the opening of public lands to sale), combined to discourage large holdings. Even when sales began in 1809, the Indians still held the rich river lands north of Walnut Hills.

Despite the general stir over lands, a surprisingly large number of citizens remained landless. In 1805, among poll tax payers in Adams and Jefferson Counties, slightly more than one-half were assessed for land taxes, while in Washington County only a little more than one-third paid taxes on landed property.
In 1805, the percentage of those poll tax payers not taxed for land was 46 in Adams County, 42 in Jefferson County, and 60 in Washington County. Certainly a number of these people actually possessed or claimed lands as legal pre-emptioners or illegal squatters. However, in 1815, when pre-emptioners had full rights and were taxed, the percentages were 43 for Adams (including Franklin) County and 45 for Jefferson County (this actually being an increase). There was furthermore no correlation between ownership in land and in slaves, and a surprisingly large number of inhabitants who owned slaves remained landless. Of course, some of these were younger sons of planters, yet it is clear that many slave holders preferred to rent out their slaves until the public domain had been opened for sale.

As settlers came in and land became scarce, a larger premium was then placed upon territorial and county offices as another source of influence and respectability. Therefore these offices were sought less by the plantation owner than by his younger sons. For instance, John Bisland, an early Scotch settler, might not have time for politics, territorial and county offices, or a militia commission, but his sons, Alexander, Peter, and John Jr., successfully sought them.

Following several prosperous years, the former bitter animosity between Natchez merchants and back country farmers was forgotten, for both had reaped substantial profits. Furthermore their interests coincided more when several merchants turned to farming and a few planters entered the business world. Samuel Postletwait, a son-in-law of William Dunbar, was not only a prosperous Natchez merchant, but he also successfully experimented enough with cotton seed to discover these formerly useless seeds to be very suitable for cattle feed and fertilizer. On the other hand, F. L. Glaiborne, one of the wealthy landholders, briefly joined into a Natchez business partnership.
When difficulties between these economic groups arose, the cause resulted more from personal disagreements than from business arrangements or economic clashes. For instance, in 1811 the hot-tempered Poindexter first challenged and later mortally wounded Abijah Hunt, who, with his nephew David, operated the largest chain of gins in the territory and managed the wealthiest mercantile firm in Natchez. Hunt, who was a vociferous Federalist and an ardent conservative, had always found Poindexter, who was one of the most active anti-Natchez politicians, repugnant and distasteful. While many agreed with him but remained silent, Hunt was unable to keep his opinions to himself, and Poindexter refused to let them go unnoticed. Poindexter mortally wounded his adversary in a duel which led to the charge that Poindexter had fired prematurely on the count of two instead of waiting for the final count of three. Perhaps Ebenezer Bradish, who acted as Hunt's second, instigated this charge, for Bradish, even more a Federalist than Hunt, had earlier been engaged with Poindexter in an undignified tavern brawl. However, Hunt's second, Bradish, failed to shoot Poindexter as prescribed by the code duello; instead, he preferred to keep this charge alive in order to wreck Poindexter's political future.34

Within this social and economic atmosphere, definite political types arose. Politics reflects society rather than the reverse, and elections are won by those who alter their political maneuvers to fit the taste of the citizens and their society. During the period of American control, no frontiersman of the type of Daniel Boone, John Sevier, or Davy Crockett emerged to attract the votes of these Natchez settlers. Instead, even the early democratic leaders were substantial men of property, men like Anthony Hutchins, Thomas Green, and Cato West, and if the Natchez District found a Henry Clay in George Poindexter, he was never an Indian slayer nor, despite his best efforts, could he become a
hero at New Orleans. Although he dealt in rough-and-tumble methods, his Virginia background stayed with him, and he preferred to imitate the Virginia gentleman rather than the sturdy pioneer. He might drink or play cards to excess, yet he forever dressed and rode like a gentleman; and the people loved and even respected this lively mixture of eastern gentleman and western frontiersman. The Natchez District resembled proud Kentucky with its gentleman politicians while the less refined Tombigbee settlement resembled the political and social atmosphere of Tennessee.

Until 1813 the Tombigbee region remained isolated. While the early settlers here remained under the jurisdiction of the territorial government at Natchez, an almost primeval wilderness separated their settlement from the capital; as a result communications with Georgia were as practical and easy as with Natchez. It was generally agreed that many of the early settlers in this region had barely escaped the sheriff or a creditor "back East," some were reputed to have left one or more wives, and some to have fled to avoid recognition of their illegitimate children. After the United States assumed control, no government was exercised there for more than a year, and during the next four years only an inadequate county government existed. Eventually Congress granted to this district a separate judge, and after the death of Ephraim Kirby, who resided there for only a brief period as its first judicial officer, Harry Toulmin began his lengthy, arduous, harrassed, and usually unappreciated tenure as magistrate of the region. He and the military commander at Fort Stoddart, more than anyone else, represented law and order to these settlers.

More than was true in the Natchez District, the Tombigbee inhabitants faced constant pressure from, and harrassment by, the Indians. This settlement
not only had to contend with the Choctaws, but it also was surrounded by hostile Creeks. Moreover these fugitive settlers, with available land scarce, often cleared the forest and pitched a log house on Indian lands and thereby frequently excited the adjacent savages to plunder.

Even more annoying, however, were the Spaniards to the south. These foreigners collected exorbitant duties on imports and exports, encouraged the Indians to go on the war path, blocked the steady southward advance of the Americans, and refused to return escaped prisoners, fugitive slaves, and stray cattle.

Besides the federal cantonment at Fort Stoddert, until 1813, when Mobile fell to the Americans, St. Stephens constituted the only populated settlement, but during the territorial period, this village remained nothing more than a frontier outpost. By 1816, three hundred people lived in its ninety houses, but despite a brief period of promise, occasioned by a thriving trade in skins, St. Stephens never grew to prominence. This local political center did not have a newspaper until 1811, local schools were slow to appear, banking facilities were non-existent, and the adjacent planters were unable to rival their western neighbors in ostentatious homes. 37

On the other hand, the settlers did make progress. As early as 1802, cotton gins were in operation along the Alabama and Tombigbee Rivers, and the growing of cotton, together with cattle raising, engaged the attention of most inhabitants. Most early settlers were clustered around the banks of the Mobile and Tombigbee Rivers, but a sizeable settlement, which one observer thought to be "the most opulent and respectable," existed along the Tensaw River. By annually overflowing its banks, the Tombigbee River added to the fertility of the soil and to the navigability of its waters. 38
For the entire Territory this era of prosperity had ended by 1803 when the Territory was disrupted by another depression which was originally caused by Jefferson's embargo and by French and British trade policies. These depressed conditions, which lasted some five years, threatened to throw the commercial and agrarian classes into conflict. For over a year the embargo bottled up valuable cotton in warehouses and barns. The partial repeal of the embargo in 1809 did not greatly alleviate the troubled situation since low prices virtually cancelled out the bright prospects of a good crop and kept the planter hopelessly depressed. 39

As if low prices were not enough, in 1811 the appearance of rot laid waste to many cotton fields; and in 1812, the war with Great Britain closed most of the European markets to cotton and brought the presence of British warships off the coast to throttle even domestic shipping. 40 Beginning in 1811, the Territory for three years suffered from devastating floods which drowned cattle, destroyed cotton, and damaged buildings and homes. 41

The eastern settlers did not share as fully in the early prosperity of the Territory as their Natchez neighbors, and they also had to endure the major brunt of ravages of the Creek Indians. Consequently, these settlers were usually less in debt for Negroes and supplies and less tied exclusively to a cotton economy; therefore, the economic depression of 1808-1812 did not hurt the eastern settler as much as the western inhabitant. 42

Under continuous pressure from debtor farmers, the territorial legislature and courts frequently displayed sympathy for their plight by enacting stay laws and providing for judicial postponements of executions. 43 For once Judge Rodney was relieved by the absence of federal judges since he felt the territory would be utterly ruined if the judges were able properly to execute their responsibilities. 44
"In times like these," questioned some citizens from Adams County, who actually echoed the opinions of numerous others, "who but the cruel and unrelenting creditor, or the miser with his hoards of dollars lying by him," would raise his voice to oppose a measure "which unless adopted, must be to reduce the husband and parent to the extreme of misery and want." The demand for relief became so widespread as to engulf almost every segment of society. In fact, the support of several merchants for debtor relief prevented this issue from developing into another bitter class struggle similar to that of the 1790's. Nevertheless the question still assumed political importance, and rival politicians who were anxious for election took differing stands. For example, Edward Turner, former member of the Green clan, after surveying the situation in Adams County, publicly announced himself opposed to the ruinous stay laws. On the other hand, Alexander Covington, a recent immigrant, lashed out against greedy creditors, avaricious speculators, and corrupt placemen, and defended the thrifty farmer as "God's chosen" and as the "virtuous backbone of society." One "Planter" sarcastically blamed the writings of Covington, who wrote under the pen name of "Simplicitas," with dividing his formerly pleasant drinking club into two snarling groups, those who defended the creditors and those who castigated the money lenders.

Likewise, a crisis developed over the banks. In 1809, while the terrors of the embargo were temporarily relieved, the territorial legislature, after an unsuccessful effort to secure for Natchez a branch of the Bank of the United States, had created the Bank of Mississippi. With its first stock subscription an immediate success, the bank began on a sound footing. Despite the lean years of wartime, the directors, primarily composed of the leading citizens of Natchez, kept the bank on a specie-paying basis even after most other banks
had suspended this practice. In 1814, however, local merchants found themselves threatened by a devastating drain of specie toward Great Britain due to a sizeable illicit trade with the British through Pensacola; consequently, they forced the directors to suspend specie payments. While many citizens, especially the back-country farmers, complained, their representatives in the General Assembly retaliated by introducing a bill to levy an assessment of fifty cents per $100 on the bank's capital, but members from the river counties joined hands to block this spiteful piece of legislation. Those opponents of suspension managed to initiate an investigation, but after the investigators found no cause for suspicion, the legislature graciously extended the bank a vote of confidence which only three diehards from the East, who voted more from resentment of Natchez than from any dislike of creditors, opposed. For instance, these eastern representatives had so consistently opposed stay laws that a gathering of inhabitants from Claiborne County pleaded with them to consider "the interest and happiness of the whole" territory and not just their own region which "may be more happy in pecuniary affairs than ours." Although their section had suffered less financially from the depression, these representatives who held a perfectly natural antipathy for the western section were less anxious to play the good Samaritan than to balance past injustices.

As the grip of the depression became tighter, some farmers actually considered abandoning cotton and resorting to raising sheep, but they quickly dropped these plans when prosperity returned. In 1817, as the territorial period neared its end, one of the earliest planters witnessed "the finest season I ever saw, peace, plenty and thy mony plenty" and gratefully thanked "the Great God that appointed my habitation in this place."
While the domestic embargo and international differences with England provoked a local depression, questions and disputes over lands caused unrest and enhanced discontent. In the past, the two boards of land commissioners had often worked industriously but had accomplished little. Although the commissioners themselves were not without fault, the national administration and its local officials, more often than not, worked at cross purposes. Uncertain communication, difficult transportation, quarrelsome officials, and faulty legislation, which Rodney once termed "inappropriate" and "criud," combined to delay final decisions on conflicting land titles but not to halt new immigration. Finding the public domain closed, newcomers either squatted on vacant lands, illegally inhabited Indian lands, or continued their journey into Spanish territory. Those who remained in American territory caused new problems. As soon as they had begun cultivation, squatters on the public domain invariably demanded the right of pre-emption, and if the government was generous enough to grant this request, they would then join other pre-emptioners in praying for donation rights. On the other hand, those who settled on Indian lands actively petitioned for the government to remove the Indians and grant them pre-emption rights.

Almost as troublesome as the squatters were the pre-emptioners. Resentful over Congressional refusal to grant them donation rights, these claimants always conveniently lacked the necessary cash to meet their first payment. According to the Land Act of 1803, they were exempted from the first competitive bid but were required to pay a fourth of the purchase price ($2 per acre) before January 1, 1806. By that date many struggling pre-emptioners had either failed to show or appeared with only a partial installment which the land office refused.
plea for an extension of time for making the initial payment in order to save the settlers' improvements from "the rude grasp of the Merciless Speculator." 59

In the middle of this struggle over the first payment, Secretary Gallatin stirred up additional concern when he recommended instant abolition of the credit system. Delegate William Lattimore immediately moved to block this new threat and cautioned that such a policy would eventually lead to the monopoly of all lands "in the hands of the monied few, and...deprive the numerous poor of the means of attaining to a state of independence." 60 Congress not only discarded Gallatin's sensible, yet politically unsound, proposal, but it also authorized another year's extension on pre-emption payments. 61

By the passage of the last provision, Congress set in motion an annual occurrence. 62 Each new year found the inhabitants in an even worse position, and Congress again had to agonize over whether to overlook their demands and retard settlement or succumb to the pressures of politics and encourage subsequent and even larger demands. Congress usually adopted the less painful alternative of extending the dead-line for payment, for after 1807, when the embargo and the Spaniards at Mobile had successfully crippled their economy, the settlers had available several plausible and heart-breaking excuses for their inability to pay.

Despite these circumstances, in 1808 Congress adopted one of its rare "get tough" policies. Not only did this body refuse a territorial proposal that until land sales commenced all heads of families be granted pre-emption rights on lands which they held under cultivation, but it also explicitly declared occupation of the public domain illegal and threatened all future squatters with forcible removal. Those present possessors of public lands were allowed, if they applied before January 1, 1808, to occupy up to 320 acres as tenants-at-will. 63 Afraid that this law might lead to misunderstanding
and bitterness, Register Thomas II. Williams personally visited numerous settlers, patiently explained the new law to them, and received their applications as tenants-at-will. Later, he praised these people as industrious and well-intentioned, and upon his recommendation, backed up with numerous complaints, Congress converted the rights of those tenants-at-will who had settled before March 3, 1807 into pre-emption claims with their first payment due January 1, 1809.

This act, though humane, settled nothing and only served to encourage another deluge of petitions from various inhabitants, immigrants, and the territorial legislature praying for pre-emption rights for new settlers and a further extension of the initial payment date for old pre-emptioners. In fact, in 1809, the territorial legislature audaciously requested Congress to extend the time allowed for making payment on public lands which as yet had not been offered for public sale.

Congress soon realized that nothing short of free land would satisfy these settlers, and Gallatin pressed hard for land sales in order to halt these endless demands and to deter a sympathetic Congress from granting them. Although the western board finally submitted its report on July 3, 1807, the unravelling of British claims, together with final completion of surveying the numerous tortuous, irregular-shaped claims, retarded public sales further. By 1808, Gallatin, annoyed with delays, demands, and unwarranted legislation, prodded Jefferson into commencing sales of all undisposed lands with the exception of those covered by a British claim and those not yet fully surveyed. In January, 1809, the western land office at Washington opened its doors for business, and by August, 1809, the land offices at St. Stephens and Nashville, later transferred to Huntsville, were also selling unclaimed public lands to eager purchasers.
When the sale of lands began, the settlers still petitioned Congress for similar demands, and Congress, as often as not, yielded to these requests. In fact, the economic depression which hung over the territory, and the plight occasioned by the war with Britain served to increase the number of petitions. Various petitioners pleaded for an extension of time not only for the first payment but also for subsequent ones, and the territorial legislature even prayed for a suspension of all uncollected installments, including the accumulated interest, until cessation of hostilities. In addition, settlers demanded a suspension of all forfeiture during the duration of the war. Although Congress adamantly refused to eliminate back interest, which was a fee imposed on overdue installments as a penalty for late payment, this body afforded some relief to the majority of these petitioners.

On other occasions, land matters and disputes were not resolved nearly so peacefully or so patiently. Although the federal government repeatedly asked squatters to abandon their illegal habitations and, in a few cases, dispatched troops forcibly to remove them and burn their cabins, these authorities fought a losing battle because local public opinion supported the intruders and sometimes even the local government openly aided their cause. For instance, Governor Holmes, with legislative approval, erected Monroe County out of the Creek cession, commissioned county officers, and provided for the collection of local taxes even before these lands had been opened to public sale.

After public sales began, intruders often gathered at the land office to intimidate any prospective purchaser of their land from making a bid. Some desperate squatters even threatened these buyers with assassination, and the government often found it necessary to hold sales at places outside the territory. Although these threats were seldom fulfilled, violence sometimes occurred. Ex-governor Williams, who invested heavily in these lands, accused the western
Register of surreptitious designs when the latter sold lands to private friends prior to public sales but refused to sell lands to his personal enemies. In 1816, Williams, accompanied by a business partner and his brother-in-law, Samuel L. Winston, threatened Gray with a dagger, but the comedy failed to result in bloodshed since the ex-governor forgot to remove the sheath from his knife before striking Gray's breast. 73

The Mississippi Territory, though disturbed by conflicting claims, was not beset, like the Northwest Territory, Kentucky, or Tennessee had been, with a tangled web of land speculating companies. The closest approach came from the large tracts of western lands granted to several private companies by the State of Georgia. Despite persistent denials from the United States, Georgia claimed all lands east of the Mississippi and had even tried unsuccess-fully in 1785, by the erection of Bourbon County in the Natchez District and Houston County in the Muscle Shoals region, to extend her jurisdiction over these areas. To salvage some benefit from the lands before being forced to cede them to the United States, in 1789, the Georgia legislature sold grants to three land companies: the South Carolina Yazoo Company, the Virginia Yazoo Company, and the Tennessee Yazoo Company. 74 This grandiose project never materialized because of Indian troubles, active opposition by Spain and the United States, squabbles between the various companies, counter activities by rival speculators, and finally the peaceful termination of an international controversy over Buctka Sound which indefinitely postponed any threat of war between England and Spain. 75 None of these companies ever fully paid for the grants, yet each retained its claim to these lands. But neither the State of Georgia nor the speculators considered this matter forever closed. Therefore, in 1795, the legislators regranted these Yazoo lands to four new companies:
the upper Mississippi Company, the Tennessee Company, the Georgia Company, and the Georgia Mississippi Company.\textsuperscript{76}

Many of the original speculators were also associated with the new venture, but this time fraud was too much in evidence. When the Georgians learned that all but one of the legislators who voted for these grants were also involved in one of the land companies, the irate citizens returned to the next legislature a majority of anti-Yazoo candidates who quickly rescinded the sale. The issue appeared decided, yet the frustrated speculators, crying fraud, were not through. Some continued to claim the lands, others sold their claims cheaply to other companies, notably the New England Mississippi Company, and all of these claimants looked to the Federal courts for justice. Although the presence in the disputed region of several agents for these companies, such as Cox and Mathews, had alarmed many inhabitants, the Yazoo frauds were generally forgotten and the fears of conflicting claimants relatively quiet until 1810, when John Marshall handed down his famous decision in the case of \textit{Fletcher v. Peck} which apparently upheld the rights of Yazoo claimants.\textsuperscript{77}

At the same time the matter was also revived by the erection of a new county in the Tennessee River bend since lands in this area had been twice granted by Georgia to the Tennessee Company. This region, where the schemes of several land speculators centered, had only recently been ceded by the Cherokee Indians, who may not have ever owned or even settled the land, in the \textit{Washington Treaty of 1806}.\textsuperscript{78} Governor Williams had been very reluctant to extend government to "intruders," but after the local settlers had organized an armed militia force, he was afraid the region might become "an asylum for landless" and decided to create the region into Madison County.\textsuperscript{79} Under assurances from Williams that these settlers "were honest, ... well disposed,
[and] ready to yield obedience to government and law," Gallatin included these inhabitants among those allowed to remain on public lands as tenants-at-will, but he sternly warned that "pretended YAZOO claimants...will be removed by force in April if they do not abandon the ground."\(^{50}\) Furthermore, Williams carefully tried to prevent any of these Yazoo claimants from receiving civil or military appointments. Instead of first commissioning local settlers, he instructed Stephen Neal, whom he had commissioned sheriff, and the land Register, Thomas Freeman, to be on the lookout for local inhabitants capable of holding offices who were not Yazoo claimants.

Governor David Holmes continued these precautions.\(^ {81}\) But despite the best efforts of every official, one crafty Yazoo speculator, Michael Harrison, defied all authority, set up his own land office, and for a while even surpassed the United States in land sales. Harrison and others had "industriously circulated" among the settlers printed extracts from the Supreme Court decision, and a few panicked purchasers of public lands became so victimized by Harrison's persuasive treachery that they repurchased their lands from Harrison or some other Yazoo claimant in order to insure ownership.\(^ {82}\) Consequently, the government, when it opened land sales in August, 1809, found initial purchases to be very slow and competition stiff because of the energetic activity of Cox and his Tennessee Company. Although Harrison openly flouted Gallatin's harsh warning for removal, the local land agents were able, despite the court decision, to persuade most purchasers of the weakness of the Tennessee Company's claims.\(^ {83}\)

Shortly thereafter, with the passing of this crisis, new immigrants began to pour into the widely publicized bend of the Tennessee River. By the time Williams extended territorial government to this settlement, he reported its population as "little inferior in white population" to other counties,
and by 1816 Madison County contained almost a fourth of the entire white population of the Territory. Also Huntsville had grown from a sleepy village called Twickenham into a bustling county seat haunted by speculators, businessmen, office hunters, and young adventurers. In addition, this "Happy Valley" attracted many substantial farmers who demanded and soon procured such civilizing influences as a newspaper, a theater, cotton gins, dancing societies, taverns, and a meeting house. Despite its newness, this booming town soon towered over any other settlement in the eastern section of the territory with the exception of Mobile.

Even though the Yazoo question had been abruptly reopened and even though these fraudulent claims covered about two-thirds of the territory, most inhabitants were less concerned by these than by conflicting British grants and the indefinitely postponed land sales. In truth, Lattimore had stated that "the existence of these claims [Yazoo] seemed to be as little regarded in the territory as their consequences were severely felt."

Before the question of the British claims could be fully aired and settled, the land boards had to submit their final reports. Although the several commissioners worked diligently to complete the work, various problems and difficulties combined to delay them. The actual key to the whole situation was the opening of land sales, but the government, despite pleas, reprimands, and even warnings and threats, was unable to accomplish this goal until 1809.

In addition several Spanish claims, besides those which Spanish officials had ante-dated, became the subject of heated controversy and numerous petitions. These included lands held under a Spanish warrant of survey which though surveyed had been neither occupied nor tilled, lands held under warrant of survey but were not cultivated on October 27, 1795 because the owner was resting the soil, and lands which were held by minors but were in cultivation on the essential date. Since Spain had considered all of these claims legal, the claimants
justifiably argued "that no tribunal whatever can give to a contract less validity than it had by the Laws of the Country in which it was made. . . ."37

After Congress imposed upon the land commissioners the additional duty of recording these claims as well as those suspected of being ante-dated, the question lay undecided, but too many prominent territorial figures held land under these questionable claims to allow the matter to go unsettled forever.38 Although the territorial delegate fought hard, he was unable to secure any legislation before 1811. Finally Congress confirmed the claims of those who held Spanish warrants of survey, had resided in the territory on October 27, 1795, and had filed a claim with the Register on all lands not in excess of 640 acres. On the other hand, those ante-dated claims which the Register suspected of fraud were to be treated as vacant lands and placed on sale.39

Unconfirmed Spanish grants and fraudulent Yazoo claims had continuously served to keep the land question alive, but the controversy over British grants was more serious and resulted in a greater display of emotion, for even a few ordinarily calm individuals viewed these conflicts with considerable alarm. For instance, Toulmin envisioned perpetual law suits and litigations as a natural by-product, and Rodney feared even more the consequences of widespread popular clamor and prejudiced juries.40

To many local Anglophobes, the federal government, and especially Gallatin, seemed to favor those unconfirmed British grants in the hands of non-resident claimants. As positive evidence of this fact, they pointed out that Congress on several occasions had extended the time for filing these claims, had authorized the land commissioners not to issue patents on lands where a conflicting British claim existed, and finally had exempted all lands, claimed under British grants, from public sales. All claimants who were confronted
by a conflicting British grant merely received a certificate which could be converted into legal title only through favorable judicial decision. 91

To make matters worse, most British grants were extensive. For instance, the Earl of Eglinton claimed a tract of 20,000 acres which was "entirely covered by Spanish patents, being one of the most flourishing settlements in this district." Toulmin thought all lands adjacent to the Tombigbee River had been previously granted by the British. While such men as John McGrew, John Johnston, John and James Caller of the eastern district had to contend with conflicting British claims, Adam Tooley, Felix Hughes, Cato West, and Edward Turner from the Hatchez District faced a similar situation. Since the British grants covered much of the richer lands, a large number of prominent citizens were intensely interested in this conflict, which was made more serious by the efforts of Jefferson toward a peaceful reconciliation with England and by the hatred of many westerners for this nation. Consequently, the old political label of "tory" received new life and meaning. 92

Despite Jefferson's patience with absentee British claimants, few of them had bothered to file any claim before the government threw all of the vacant and unclaimed lands open to public sale. However those lands that British claimants had registered with the land office amounted to over 50,000 acres in the region west of the Pearl River and 6,000 in the area to the east, and while they remained unsettled these contested lands were a source of potential trouble and political controversy. 93

In 1808, when the territorial Assembly seriously considered recommending that Congress establish a federal district court in the territory, most members balked because they were afraid a flood of land litigations would result from the right of appeal to the federal Supreme Court. 94 Likewise, Delegate Lattimore, excited by the thought of British lobbyists in the federal capital, strained
every effort to oppose a court of federal jurisdiction "so long as the British
or Yazoo claims are hanging over our heads." 95

Furthermore, in 1812 two Congressional acts which recognized two more
types of British claims, refreshed the memory of many on the danger of costly
litigations. By these acts, all claimants who resided in the territory on
October 27, 1795, and who held a British warrant of survey, regardless of
whether they had cultivated or occupied the claim, or who held a fully executed
British grant to lands which had never been regranted by a subsequent government,
were to be confirmed in their land claims. 96

Forthwith, the demand for some suitable compromise which would encompass
all British claims, became more pronounced. While Lattimore doubled his efforts
in Congress, the Washington Republican pleaded, "For God's sake," to compromise
the British and Georgian claims before considering admission or else "the
right of every landholder to a seat by his fire side, must come to the test
of a law-suit. . . ." At the same time, this paper condemned armed resistance
as "weak, wicked, and fruitless." 97

As might be expected, this explosive issue became intertwined with,
at times even lost in, but always distorted by party politics and sectional
jealousies. For instance, Poindexter was falsely accused of suppressing a
legislative petition for a compromise because he had some personal interest
in British claims. Even though Cowles Mead admitted suppressing the petition,
the indelible strain of having deceived the people remained fixed on the
Poindexter faction. 98

Furthermore, the ancient struggle between the Tombigbee and Natchez
settlements over statehood and the desire of the eastern district to secure
a federal court with jurisdiction to settle maritime cases and interstate
mercantile litigation frequently obscured the real issue involved in the British claims. Having only a few contesting British claims to plague them, most "Bigbee" inhabitants were less interested in land disputes than in courts to settle commercial cases on the Mobile River, but some hesitant souls, anxious to retard admission, adroitly dropped the reminder of possible land suits in an effort to delay statehood. 99

Despite the persistence and intensity of this conflict, most contestants actually wished a compromise. One large British claimant, Seth Hunt, announced his willingness, where lands covered by his British grants were already under cultivation by another person, to accept acre for acre lands of equal fertility from the public domain. 100 Lattimore, who was the principal champion of compromise, never attained his goal; instead, his efforts merely managed to hinder admission. In 1815, when Congress was considering a bill which, by implicitly questioning all Spanish grants, lent a strong flavor to the validity of British titles, even a group of Washington County landholders who were the least involved in this whole conflict registered their protest to Congress. By this time, these petitioners, ably supported by their western neighbors, pled with Congress to set aside "legalistics" and decide this question from "a sense of the moral and political fitness of things." 101 Finally by 1817, after Lattimore completelydispaired of any success in compromising these claims, he openly admitted defeat by agreeing to a bill of admission even though land matters remained in a state of anarchy.

While the Territory weathered an economic depression and suffered disruption from conflicting land titles, several favorable occurrences acted as an antidote against these difficulties. Between 1806 and 1815 the size of the Territory quadrupled. First of all, the Territory was enlarged by
acquisitions from the Indians. In 1805, the Choctaws ceded a 75-mile-wide strip of land that covered the area from the dividing ridge of the Tombigbee and Alabama Rivers to the Natchez district. Although this region was composed mostly of sandy soil and piney woods, this cession, which was not ratified by the United States until 1833, joined for the first time the only two settled areas and made travel within the territory less hazardous. In 1806, the Cherokees followed suit and gave up their claim to the fertile Tennessee bend region.102

Shortly thereafter federal surveys began on these lands. As immigrants rushed in, new counties were organized, and Natchez and the surrounding region no longer occupied the center of the stage. Its dominance was indeed becoming precarious. With the termination of Indian hostilities and the end of the British war, a sudden influx of population into the valleys of the Tombigbee, Alabama, Pearl, and Tennessee Rivers seriously threatened to break the complete political and even economic power enjoyed by this district.

By 1814, after Andrew Jackson's smashing victory at Horseshoe Bend, the Creeks surrendered an area, comprising the heart of the present state of Alabama, that almost doubled the Territory and paved the way for further immigration. In 1816, the eastern part of the Territory was again enlarged by cessions of the Choctaw and Chickasaw tribes to lands along the upper Tombigbee and Alabama Rivers and of the Cherokee tribe to lands south of the Tennessee River.103 By these acquisitions, the eastern region came into its own, and the population grew with such rapidity that St. Stephens soon loomed as a major threat to Washington as the political center of the Territory.

Even more important than these Indian cessions as a stimulant for immigration was the long sought acquisition of Spanish territory. Since the date of the Louisiana Purchase, the United States had claimed all of Spanish Florida west of the Perdido River; yet, Jefferson and Madison refused to sanction
any resort to armed hostilities to assert effective control over this area. By 1810, however, nine-tenths of the inhabitants in West Florida were Americans with strong sentiments in favor of control by the United States. Taking advantage of Napoleon's occupation of Spain, a group of influential planters in the Feliciana district assembled, initially with the Spanish governor's consent, to suggest governmental revisions, but the delegates soon quarreled with the local Spanish governor and thereafter moved rapidly to a position favoring rebellion. In September, 1810, these men, supported by a band of armed rebels, successfully assaulted the dilapidated Spanish fort at Baton Rouge, declared themselves independent of Spain, and made overtures for annexation to the United States. After some hesitation, President James Madison proclaimed West Florida, including Mobile, an American possession, and Governor W. C. C. Claiborne, supported by militia and regular troops, raised the American flag over Baton Rouge and prepared to assimilate the newly annexed region into the Orleans Territory. While Claiborne acted with dispatch and force, Governor Holmes and Delegate Poindexter protested against the inclusion of this district into the Orleans Territory. Instead they demanded that the wealthy region of Feliciana by added to the Mississippi Territory. However, Claiborne had assumed possession, extended government, and had even provided for the representation of West Florida, including settlements at Biloxi and on the Pascagoula River, in the Orleans General Assembly. Eventually Claiborne partially backed down and offered a friendly compromise. He proposed to annex only the region west of the Pearl River to his Territory and leave the remainder, which included the valuable port of Mobile, to be annexed to the Mississippi Territory when the Spaniards were eventually forced to leave. Believing a half loaf to be
better than none, Poindexter and Holmes peacefully acquiesced after Congress approved this division of the spoils. 108

On the other hand, efforts to take Mobile were less successful. When Baton Rouge fell to the westerners, Madison again showed reluctance and refused to let General Wilkinson move any more American troops into territory held by Spanish troops. However, after Congress declared war on Great Britain, Madison could no longer refuse Wilkinson's request, and by April 15, 1813, the United States occupied the entire coastal region west of the Perdido River. 109 As a result, eastern settlers were relieved of Spanish duties and interference, and the Territory had reached its broadest limits.

With two momentous events, the opening of land sales and the occupation of Mobile, favorably decided, the territorial citizens were ready to begin their drive to full equality within the American Union. In addition, the successful termination of the war with Britain and the return of economic prosperity cleared the way further. Indeed, for the first time, the prospect for statehood appeared encouraging.
FOOTNOTES IX

1 A very suggestive, illuminating, and interpretative essay which vividly illustrates the English atmosphere of the old Natchez District may be found in William B. Hamilton, "The Southwestern Frontier, 1795-1817: An Essay in Social History," Journal of Southern History, X, 389-403. By 1797, cotton was the staple of the district. William Dunbar to John Ross, August 21, 1797, Extracts [by Wailes] from the Letter Books of William Dunbar (UC). See also James Hall, A Brief History of the Mississippi Territory, to which is prefixed a Summary View of the Country between the Settlements on Cumberland River, & the Territory (Salisbury, North Carolina, 1801). Copies of this book are in the Library of Congress and in the Archives of the Historical Foundation of the Presbyterian and Reformed Churches, Montreat, North Carolina. (This latter information supplied the author by Haskell M. Monroe, Jr.) The History has been reprinted in Mississippi Historical Society, Publications, IX, 539-575.

2 The importation of luxuries was nothing new, but it did increase with prosperity. Swearingen, "Luxury at Natchez in 1801," Journal of Mississippi History, III, 188-190; Bill of King and Collins to A. Hunt, 1799, Invoice of goods shipped to A. Hunt, October 10, 1799, Mississippi Supreme Court Records, Bundles 5, 6, in Mississippi Department of Archives and History. A good illustration of the mounting wealth of the district may be seen in the following comparisons of two inventories of a planter's estates. William B. Hamilton and William D. McCain, eds., "Wealth in the Natchez Region: Inventories of the Estate of Charles Percy, 1794 and 1804," Journal of Mississippi History, X, 290-316. For figures on the exports of the territory and the duties collected at the port of entry at Loftus Heights, consult American State Papers, Commerce, I, 928, Finance, II, 548. See also Sydnor, Wailes, 21-22; Hamilton, "Mississippi Phase," 222-232.


4 The best descriptions of Natchez-under-the-Hill are by travellers who all appear fascinated by this infamous den of iniquity. Cfr. Schultz, Travels, II, 140-143, 145-146. The Louisiana & Mississippi Almanack for 1812 included among those businesses under-the-Hill one tavern, two blacksmith shops, thirteen "Catalene shops, porter houses, &c." Obviously there were other unmentionable houses of entertainment. Another listing of business establishments, which must have been taken from this almanac, is in Goodspeed Publishing Company, Biographical and Statistical Memoirs of Mississippi (Chicago, 1891), II, 160-161. This portion of the town impressed a later traveller as a "Pandemonium of devils, a limbo of vanity, and a paradise of fools." Arthur Singleton, Letters from the South and West of the United States (Boston, 1824), 126. Good secondary descriptions of this section may be found in Swearingen, Poindexter, 52-53; Virginia Park Mallias, "Natchez-Under-the-Hill as It Developed under the Influence of the Mississippi River and the Natchez Trace," Journal of Mississippi History, VII, 201-221.
Various laws were passed to prevent the evil practice of gaming, but they apparently went unenforced when it pleased the citizens. Schultz, at least, so charges. Schultz, *Travels*, II, 136. Later Poindexter, who was notoriously known for his attendance at gambling tables, pardoned several convicted gamblers while he was state governor. Swearingen, *Poindexter*, 51 fn.

In 1803, the General Assembly, by incorporating Natchez, had dignified it with the name of city. In addition, the citizens obtained a great deal of control over local affairs. Toulmin, *Statutes*, 128-135.

Cuming’s *Tour*, IV, 321.


Cf. advertisement, *Mississippi Messenger*, October 15, 1805. After accepting the presidency of a dancing assembly, Rodney explained that he attended "the dances to Preserve order and Decorum, but seldom dance." T. Rodney to C. A. Rodney, November 24, 1805, Rodney papers, (LC).


John Bisland paid ten dollars a year as a subscription fee to James T. Bell's coffee house. Receipt, dated November 29, 1810, Bisland papers. See also *Louisiana & Mississippi Almanack* for 1813, 50; *Washington Republican and Natchez Intelligencer*, August 30, 1817; *Weekly Chronicle*, September 5, 1808, October 7, 1809; Swearingen, *Poindexter*, 48-52.


These dinners were so frequent that little mention is made of them in contemporary records, and only when some unusual occurrence happens are they recorded. Cf. F. L. Claiborne to Madison, October 25, 1807, Carter, *Terr. Papers*, V, 566. Williams, in the heat of a political controversy, reported that his enemy Colonel Claiborne after "parading the Regiment, [had] marched to some Springs [Ellicott's] at one end of the Town [and], there remained near[ly] two hours drinking whiskey..." Judge Rodney is the best source for social life at Washington. One embarrassing occasion, a public dinner was thrown in his honor, in order to provide him with a royal send-off for his trip to Richmond where he would testify in the Burr trial, but Rodney suddenly became ill and had to cancel his trip; however, the dinner was held as scheduled. Rodney to C. A. Rodney, August 13, 1807, *Penn. Mag.*, XLV, 41-42. Consult also Hamilton, *Rodney*, 85-88.
14 Cuming's Tour, 315-316; E. Turner to Wailes, March 30, 1559, Wailes papers, Although Franklin County was established in 1809, Shaw was probably not there before 1811.


16 H. G. Hawkins, "History of Port Gibson," Mississippi Historical Society, Publications, X, 279-299; Cuming's Tour, 315-316; Henry Ker, Travels through the Western Interior of the United States from the Year 1806 up to Year 1816 (Elizabethtown, New Jersey, 1816), 302; Orrin Schofield, ed., Perambulations of a Cosmopolite; or Travels and Labors of Lorenzo Dow (Rochester, 1842), 156.

17 Rodney reported that Joshua Baker's house, where he spent the night, "looked dirty" but "had a clean bed..." and he was disappointed to find Mrs. Baker, although she was from his home state of Delaware, had none of the "manners of Delaware about her or its neatness." Harrell, "Diary of Rodney," 115. See also Ray Kolder, ed., "The Autobiography of William Winans," (Master's thesis, University of Mississippi, 1956), 254-256; J. F. H. Claiborne, "A Trip through the Piney Woods [1840-1841]," Mississippi Historical Society, Publications, IX, 487-538. An inventory of the property of John Montgomery, which the Indians had burned, gives a good indication of one of the more wealthy frontier settlers. Schedule of the property of Montgomery... August 1, 1817, Governor's Records, series A, vol. 20.

18 There are numerous references to the illegal cutting of timber off the public domain. Cf. William Crawford to the Secretary of State, March 10, 1817, David Holmes to Joseph Carson, July 18, 1815, Thomas Freeman to Gallatin, July 9, 1811, Carter, Terr. Papers, VI, 774, 543, 205-206. One offender was fondly referred to as "the notorious Burch." Samuel Brown to Holmes, June 24, 1811, Ibid., 207.

19 Tax lists, Adams County, 1815, MS Records of the Auditor, Mississippi Territorial Archives, series B, vol. 25. That same year, Judge Poindexter purchased 1200 acres on Bayou Sara where he built his beautiful home. MS Articles of Agreement signed by Poindexter and Moses Liddell, September 1815, Ibid., series B, vol. 13. Among the Poindexter papers, the first letter dated at Ashwood Place was Poindexter to Ficilin, May 16, 1816, Claiborne Collection. Poindexter's first marriage was to Lydia Carter in 1804. Hamilton, Rodney, 36. By 1816, he had divorced her and married Agatha Chinn. Swearingen, Poindexter, 137.

20 On the early homes of the Natchez District, see J. Frazer Smith, White Piliars (New York, 1941), 111-117; Mrs. Edith Wyatt Moore in a special issue of the Natchez Democrat, n.d.

21 Cf. Hamilton, Rodney, 36; MS Diary of Rodney.

An excellent example of the wealth and leisure living of some "nabob" settlers is contained in John A. Quitman to his father, January 16, 1822, Quitman to Colonel Platt Brush, August 23, 1822, quoted in J. F. H. Claiborne, Life and Correspondence of John A. Quitman (New York, 1860), I, 70-74, 83-86.


For instance, the Mississippi Society was incorporated November 16, 1803. Toulmin, Statutes, 409-410. Announcements of its meetings are in Washington Republican, June 16, 1813, June 29, 1814.

Besides Jefferson College, various academies opened their doors from time to time. Several examples are Franklin Academy (1806), Madison Academy (1809), Washington Academy (1811), Amite Academy (1815), Jackson Academy (1814), and Wilkinson Academy (1816) in the western part of the territory. In the east, although schools were established much later, a few such as Greene Academy (1816), St. Stephens' Academy (1816), and Green Academy (1812) opened during the territorial period. Mississippi Messenger, August 9, 1806, July 7, 1807; Toulmin, Statutes, 415; Turner, Digest, 53, 55, 56, 57, 58, 59.

Among the various societies established were Planters Society of Claiborne County (Holmes to territorial House, December 12, 1809, MS Executive Journal, Holmes, 1809-1810, 405), the Jacksonian Library Society at Woodville (Turner, Statutes, 309), and the Franklin Debating and Literary Society in Wilkinson County (Holder, "Winans," 264-265).

The Mississippi Bible Society, which elected Governor Holmes its president, was launched in 1813. Washington Republican, August 26, 1815. The session records of the Salem Presbyterian Church, February 1807 to May 1820, are in Walter B. Posey, The Presbyterian Church in the Old Southwest (Richmond, 1952), Appendix, 123-138. For a general discussion of religion in Mississippi, see Frances Allen and James Allen Cabaniss, "Religion in Ante-bellum Mississippi," Journal of Mississippi History, VI, 191-224.
The growth of Negro population can be seen from the following figures:

<table>
<thead>
<tr>
<th>Year</th>
<th>Population</th>
<th>Percentage of Blacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1801</td>
<td>7,400</td>
<td>42</td>
</tr>
<tr>
<td>1810</td>
<td>30,100</td>
<td>47</td>
</tr>
<tr>
<td>1816</td>
<td>34,800</td>
<td>52</td>
</tr>
</tbody>
</table>

Schedule of the whole number of persons within the Mississippi Territory, 1801; Abstract of the Census... for 1810, in Governor's Records, series A, vol. 25; Mississippi Republican and Natchez Intelligencer, November 20, 1816. Since the last census was taken principally to determine if the population warranted admission, these figures may not be very accurate. Other versions of the census of 1816 are in Carter, Terr. Papers, VI, 720, 730, and in American State Papers, Miscellaneous, II, 408.

These figures are painstakingly worked out in Hamilton, "Mississippi Phase," 266-268.

Consult the assessor's rolls for 1805 and 1815 in Auditor's Records, series B, vol. 17 and 23.

For instance, in Jefferson County, while Elizabeth Benoist, who owned 5000 acres of land, paid taxes on 20 slaves, Thomas Calvit held the same number of slaves but owned 1500 acres, and Cato West worked 30 Negroes on 700 acres. Assessor's list for Jefferson County, 1803, Ibid., vol. 15; Hamilton, "Mississippi Phase," 268-269.

Claiborne, Mississippi, 144; Hamilton, "Mississippi Phase," 215-216; Thomas Nuttall, Journal of Travels into the Arkansas Territory, During the Year 1819, With Occasional Observations on the Manners of the Aborigines (Philadelphia, 1821), 233. On Claiborne, see advertisement announcing that he is going out of business in Mississippi Messenger, January 21, 1808.

This story is told in Swearingen, Poindexter, 114-116. Documents covering this affair are in Poindexter papers, Claiborne Collection.


Lorenzo Dow described these inhabitants as "like Sheep without a Shepherd." Lorenzo Dow, The Life, Travels, Labors, and Writings of Lorenzo Dow; including his Singular and Erratic Wanderings in Europe and America... and the Vicissitudes, or Journey of Life, and Supplementary Reflections by Peggy Dow (New York, 1881), 120. See also Kirby to the President, May 1, 1804, Jefferson papers.
37 One traveller predicted that St. Stephens would in "a few years..."[become] of considerable importance to the United States." Ker, Travels, 332-333. Accounts of the Tombigbee region are much scarcer than those of Natchez. Samuel R. Brown, The Western Gazetteer or Emigrants Directory, Containing a Geographical Description of the Western States and Territories... (Auburn, 1817); Ball, Clarke County, passim.; Moore, Alabama, 64-89; excerpts in Alabama Historical Quarterly, III, 77-78, 80-82. The only article on the subject is not very satisfactory. P. J. Hamilton, "St. Stephens: Spanish Fort and American Town," Alabama Historical Society, Transactions, III, 227-234.

38 Kirby to the President, May 1, 1804, Jefferson papers.

39 T. Rodney to C. A. Rodney, May 2, 1809, Penn. Mag., XLV, 180; T. Rodney to Poindexter, February 3, 1808, Mead to Poindexter, September 1, 1809, Claiborne Collection.

40 These events are summarized in Hamilton, "Mississippi Phase," 255-254.

41 See Meteorological Observations of Colonel Winthrop Sargent, Washington Republican and Natchez Intelligencer, January 24, 1816; John W. Monette, "The Mississippi Floods," Mississippi Historical Society, Publications, VII, 443. Postlethwait estimated that the cotton crop, not to mention the cattle and corn, destroyed by the 1811 flood "even under the present prospects, would have produced upwards of 200,000 $" Postlethwait to John Vaughn, June 25, 1811, Rowland, Dunbar, 401.


43 Cf. Resolution of territorial House, September 19, 1808, fragment of MS Journal of the House, [4 Assembly, extra session, ?], 1808, in Legislative Records, series D, vol. 36; printed in Weekly Chronicle, September 28, 1808. In the case of Administrators of Kirk v. Claiborne and aunt, the court returned a judgment of $1,131.94½ against F. L. Claiborne, but Judge Leake ordered a stay of execution effective during the embargo and a month thereafter. Minutes of the Adams County Circuit Court (October 1808 - April 1812), 24. Several petitions from citizens asking for stay laws are in Legislative Records, series D, vol. 35. One of these, drawn up by Mead for a meeting of citizens at Greenville, neatly mixed-up his personal hatred for England with his own economic interests by arguing that since most of the debts are in the hands of British merchants, not to grant stay laws would be to aid the enemy. Petition, dated December 30, 1812, Ibid.


46 E. Turner to Fellow Citizens of Adams County, April 19, 1813, Mississippi Republicans, April 28, 1813.

47 "Simplicitas" to Editor, Washington Republican, August 24, 1814. Covington's identity is revealed by Marschall's notation in the margin of his copy of this issue in the Mississippi Department of Archives and History.

48 A "Planter," who supported "Simplicitas," conveniently divided the two antagonistic groups into one composed of creditors, speculators, shysters, lawyers, sheriff, and clerks, and the other made up of honest and godly farmers. Ibid., October 5, 1814.


50 In October, 1814, the board of directors assured "every person, who shall deposit specie at the Bank, that no contingency shall prevent their receiving the same in specie when demanded." Mississippi Republican, October 19, 1814; Petition, Bank directors to territorial House, December 3, 1814, US Journal, House, 3 Assembly, 2 sess., Legislative Records, series D, vol. 38.

51 Resolution of the House, December 21, 1814, Ibid., Claiborne, Mississippi, 3Cl fn.

52 Petition, Inhabitants of Claiborne County to legislature, November, 1814, Legislative Records, series D, vol. 38.

53 John Bisland to William Bisland, May 5, 1817, Bisland papers; Louisiana & Mississippi Almanac, 1813, 47.


55 Many people interested in acquiring pre-emption rights argued that the territory might be sadly de-populated unless liberal land laws were adopted. Cf. William Lattimore to John Q. Adams, April 11, 1806, Lattimore to the President, March 9, 1807, Carter, Terr. Papers, V, 456, 525.

56 For examples of pre-emption requests see Petition to Congress, October 3, 1805, November 15, 1805, January 27, 1807, December 21, 1807, February 7, 1809, Ibid., 423, 442, 505, 588, 693. On the expectation of many for donation rights, see Gallatin to the President, March 11, 1807, Ibid., 526-527.

57 Cf. Edmund P. Gaines to the Secretary of War, April 15, 1808, the Secretary of the Treasury to Seth Pease, November 15, 1808, Ibid., 526, 644-645.


**Statutes at large**, II, 400.


**Statutes at large**, II, 455.


An act of March 31, 1808, had authorized the commencement of a piece-meal land sale. **Statutes at large**, II, 479. The Secretary of the Treasury to T. Williams, October 20, 1808, the Secretary of the Treasury to the President, October 21, 1808, Carter, *Terr. Papers*, V, 650-653.


Parke Walton to Josiah Meigs, May 30, 1815, Meigs to Lewis Sewall, August 8, 1815, Sewall to Edward Tiffin, July 22, 1812, J. J. Moore to Tiffin, August 24, 1812, Sewall to Meigs, December 8, 1815, Ibid., 351-352, 545-546, 300-301, 318-319, 598-599, 599-600.


The South Carolina Company's grant was to lands around Walnut Hills, the Virginia Company purchased lands in the Upper Yazoo River Valley near Chickasaw Bluffs, and the Tennessee Company secured a claim to lands in the Muscle Shoals although its lands overlapped those claims of the Virginia Company. These grants are briefly but adequately discussed in Thomas P. Abernethy, From Frontier to Plantation in Tennessee (Chapel Hill, 1932); fuller accounts are in Whitaker, Spanish-American Frontier, passim.; Samuel B. Adams, "The Yazoo Frauds," Georgia Historical Quarterly, VII, 155-165.

These important events are briefly discussed in Ray A. Billington, Westward Expansion (New York, 1950), 235-236.


William Cranch, ed., Reports of Cases Argued and Adjudged in the Supreme Court of the United States in February Term, 1810 (New York, 1911), VI, 87-146; John Brahan to the Secretary of the Treasury, April 20, 1810, Carter, Terr. Papers, VI, 61-62.

This treaty was another in a series fashioned by those two shrewd employers of bribery and corruption, Daniel Smith and Return J. Meigs; yet, in this case the $10,000 given to the Cherokees may have been more of a gratuity than a bribe. American State Papers, Indian Affairs, I, 704; Charles G. Royce, Indian Land Cessions in the United States Bureau of American Ethnology Eighteenth Annual Report, part II (Washington, 1889), plate CLXI; Charles J. Kappler, ed., Indian Affairs, Laws and Treaties (Washington, 1892-1913), II, 90, 91; Robert S. Cotterill, The Southern Indians (Norman, Oklahoma, 1954), 153.

It is interesting to note that Williams, at this time, feared that Madison was not too well disposed toward him, and perhaps as a humor to the future president, he named this county in Madison's honor. Proclamation by Williams, December 13, 1808, Executive Journal, Williams, 319. Earlier he had first obtained the approbation of Gallatin and Jefferson before he created this county. Williams to the Secretary of the Treasury, August 23, 1809, the Secretary of the Treasury to Williams, November 5, 1809, Governor's Records, series A, vol. 9.

Secretary of the Treasury to Williams, November 5, 1808, Ibid.
81 Williams to Madison, December 14, 1808, Ibid.; Williams to Neal, December 19, 1803, Williams to Freeman, December 19, 1808, Executive Journal, Williams, 326, 324-325. Freeman, who was the Register of Land Claims and a justice of the peace, and Sheriff Neal were provided with blank commissions for civil appointments. Ibid.


83 Proclamation by Madison, April 5, 1809, Carter, Terr. Papers, V, 724; Dickson to the Secretary of the Treasury, July 30, 1810, John Graham to the Secretary of the Treasury, July 12, 1810, American State Papers, Public Lands, II, 218.

84 Address, Williams to General Assembly, February 9, 1809, copy in Governor's Records, series A, vol. 9; Census of the territory taken in 1811, Carter, Terr. Papers, VI, 730. By even the census of 1810, Madison County was entitled to three representatives to the General Assembly and should have been entitled to at least one Councillor. Samuel H. Harper and Micajah Davis to the President, December 7, 1810, Ibid., 152.

85 In 1811, the land office for sales in Madison County was transferred from Nashville to Huntsville. Proclamation by Madison, June 29, 1811, Ibid., 203. For an unusually good study of a frontier community see E. C. Betts, Early History of Huntsville, Alabama (Montgomery, 1909). See also Moore, Alabama, 72-73.

86 Circular letter, Lattimore, March 3, 1817, Washington Republican, April 9, 1817. Furthermore in 1814, Congress finally, with the able backing and support of Pinodexter, agreed to compromise the Yazoo claims. Statutes at Large, III, 116; Pinodexter to Mead, February 3, 1813, Claiborne Collection. This act provided for a fund of $5,000,000 to be issued to legal claimants for purchase of lands in the territory, and therefore by providing for a gift of 2,500,000 acres of land, the act added greatly to future speculation. Hamilton, "Mississippi Phase," 71-72.


88 Statutes at Large, II, 303; American State Papers, Public Lands, I, 611-624, 626-627.

89 Statutes at Large, II, 765, 526. A list of those confirmed in their claims by the act of 1811 are in American State Papers, Public Lands, I, 908.


96 *Statutes at Large*, II, 765, 776.

97 *Washington Republican*, April 13, 1814.


103 Statutes at large, VII, 120, 145, 150, 152, 156; Kappler, *Indian Affairs*, 106-109, 133-134, 135-137. The successful campaigns of General Andrew Jackson are patriotically recorded in Mrs. Dunbar Rowland, *Andrew Jackson's Campaign Against the British or the Mississippi Territory in the War of 1812* (New York, 1926).


108 *Statutes at large*, II, 734, 761.

Chapter X

The Road to Statehood

David Holmes, who became governor in 1809, followed the most unpopular executive of the territorial period. In contrast to Robert Williams, the people would have considered almost anyone an improvement. Therefore Holmes entered his office at an opportune moment, for most politicians and almost every inhabitant wanted a respite from the constant political bickerings of the previous four years. Unlike Williams, Holmes was mild-tempered and not overly ambitious. In addition, since he was unknown to most inhabitants, he owed no obligation to any inhabitant, was a personal friend of no one in the Territory, and was not identified with any family clan or political faction. Consequently, the leaders of every faction found Holmes amiable, and they early expressed approval of his administration.¹

Holmes also treated the legislators with more respect than had Robert Williams. The new governor always pursued a policy of moderation; and, whenever possible, he avoided disputes with the General Assembly. While a few like Thomas Freeman were annoyed by "the Governor's delicacy to touch any subject he was not fully supported in," such a policy seldom created determined opposition or stirred up lengthy criticism.²

Although Secretary Thomas H. Williams was a legacy from the repudiated Williams' administration, unlike Steele, West, and Mead before him, he was neither unhappy in being overlooked as governor nor interested in leading an opposition movement composed of frustrated office seekers. In personality he resembled Holmes more than Robert Williams, and he seized the first opportunity afforded him to leave gracefully, when in January, 1810, he accepted an appointment as collector of the port of New Orleans.³ Thereafter, Holmes
first had a fellow Virginian for a Secretary and then a local resident, and with both of these colleagues, the governor maintained cordial and cooperative relations. 4

Also, there was little reason to doubt Holmes' loyalty to the Republican faith. Whereas Williams had been vulnerable to the charge of "political heresy," the new governor brought with him a Congressional record of devotion to party, friendship with Jefferson, and respect for and from Madison. To attack this record would have been suicidal, and few were that foolish. In addition, the War of 1812 had wrecked the Federalist party nationally and destroyed any prospect for an overthrow of the Republican party. As the "Era of Good Feeling" approached nationally, most ambitious politicians saw the futility of opposing this party and its President or in encouraging internecine warfare within the local party. After the advocates of admission into the Union had been frustrated several times, some of them began to suspect that their numerous factional differences had led Congress to discriminate against them. 5

New threats to the safety of the territory also encouraged greater harmony and healed domestic wounds. All political factions could comfortably gather under the banner of ousting the Spaniards from west Florida, of suppressing an Indian threat, or teaching the British a lesson on neutral rights. 6 As the British threat began to overshadow all other troubles, most settlers became increasingly aggressive and more resentful of the feeble efforts of Madison and Congress to negotiate with England or to retaliate with economic reprisals. Many articulate inhabitants feared with Poinsett that "we shall have non intercourse until the nation will be overrun with Old maids and witches." 7

During the ravages by the Creeks in 1812, the inhabitants of the Territory momentarily laid aside their sectional differences to denounce the costly
blunders committed at the battle of Burnt Corn Creek, to mourn over the horrible massacre to Fort Mims, and to risk their lives beside Andrew Jackson in the fight to avenge these outrages. Finally, the Territory rejoiced over the capture of Mobile by Wilkinson and the magnificent victory of Jackson at New Orleans.  

Immediately following these events, the Territory launched a successful campaign for admission. In this heated controversy, Holmes showed a certain cleverness when he carefully refrained from making any public statement on this question. By not taking any stand, Holmes was able to convey an impression to the people, since they generally regarded him with respect, that his silence implied agreement with them regardless of their position, and he was also able neatly to shift the full blame for not satisfying everyone on the territorial delegate. These two events, war with England and the controversy over statehood, by diverting attention from local political jealousies, allowed Holmes to govern amid fewer controversies than his predecessors.

The most significant and important issue disturbing the territory during the administration of Holmes was a new sectional struggle between the east (comprised of the Tombigbee region and Mobile with occasional aid from Madison County) and the west (composed of the Mississippi River Counties). As long as the Tombigbee settlement remained small and insignificant, the Natchez District had retained uncontested dominance over territorial affairs. But the rapid growth in population of the eastern section after 1812 converted it into a threat to the Natchez District. By 1812, the creation of several new counties (for example, Washington County had recently been divided into three counties) placed the long-held domination of the Natchez District in jeopardy. Meanwhile, the politicians of the Natchez District laid aside their intra-sectional struggle between the city of Natchez and the outlying areas in order to prevent the
eastern politicians from using this conflict to secure control of the General Assembly and deprive the Natchez District of the territorial capital.

Although the easterners were able periodically to secure additional members to the legislature, the population growth there was so rapid that they invariably remained under-represented. But the election of Gabriel Moore, a representative from Madison County, as speaker of the House of Representatives in 1815 clearly indicated the new strength of the eastern section. These easterners frequently found allies among those pioneer settlers who resided in the piney woods adjacent to the old Natchez District and who lived along the Pearl River, for these people also had been slighted because the Mississippi River counties had dominated the government. The jealousy and bitterness created by this new sectional struggle, which expressed itself in a steady stream of grievances and demands by the easterners, paved the way for an inevitable division of the territory.

However, certain politicians had not completely forgotten the bitter days of politics under Robert Williams. Certainly the ex-governor, who remained in the territory as a land speculator, had lost none of his bitter hatred for Poindexter, and no one expected Marschalk to remain silent as long as Poindexter was active in politics.

Meanwhile Poindexter was having his troubles in Congress. The territorial citizens generally applauded his bitter diatribes against the barbarous English, but his inability, or unwillingness as some charged, to compromise the British claims and his failure to secure for the Territory admission into the Union outweighed all of his accomplishments in the minds of many voters. Therefore, when Poindexter sought a third term as delegate in 1811, Williams came out of political retirement to run against him, and Marschalk devoted his paper to the support of Williams. To oppose Poindexter, Marschalk paraded out the perennial
charge of dishonesty in handling public funds, but he also accused the incumbent while he was attorney general of having cheated an old woman out of six hundred dollars.\textsuperscript{13}

On the other hand Poindexter's greatest enemy, his own bad temper, now seemed to aid him. In one instance, after patiently engaging a heckler in oral combat, Poindexter finally lost control of himself and chased his combatant down the main street of Greenville with a large black horsewhip,\textsuperscript{14} but this comical episode served to amuse the voters who returned Poindexter to Congress by a large majority.\textsuperscript{15}

In 1813, following another fruitless term in Congress, Poindexter did not relish the thought of again facing Marschalk's sarcasm. Furthermore his opposition, shunning Robert Williams, brought forth a stronger candidate in William Lattimore, who had previously served in Congress. Not only was Lattimore more acceptable to the Natchez inhabitants, but, by marrying the daughter of the important Amite County planter James Lea, he acquired much support in the backcountry. Also Lattimore could count on a majority from the Tombigbee region which had consistently opposed Poindexter.\textsuperscript{16}

Therefore, Poindexter planned to retire from Congress. First, however, he used his influence to line up an appointment to a territorial judgeship, and then he backed Cowles Head for Delegate.\textsuperscript{17}

Unfortunately for Head, Poindexter's notice of retirement had come too late. After deciding that military honors might be a possible path to political success, Head had secured a military commission and valiantly marched off to war. When he heard of Poindexter's decision, he rashly resigned his commission to return to the territory and canvass for election to Congress, but by these hasty actions he conveniently laid himself open to a charge of
cowardice which his enemies quickly seized. Although Mead denied that he resigned out of fear, the voters were unimpressed, and they sent Lattimore to Congress.  

After Lattimore left for the federal capital, Poindexter returned to what he hoped would be a pleasant and quiet tenure as territorial judge. Marschalk, however, soon unearthed some damning facts which he used as the basis for scandalous charges and innuendoes. Later he began to publish a series of anonymous letters, which were actually written by Williams, and these letters immediately touched off a bitter renewal of the ancient rivalry between Poindexter and Robert Williams.

On October 5, 1814, Marschalk's paper, The Washington Republican, carried an anonymous notice charging that in 1811 Poindexter had deliberately suppressed a Congressional petition praying for a solution to the question of land conflicts involving British claimants and that Poindexter also had denounced a later memorial which, besides intimating that the delegate had wrongly interfered with an earlier one, reiterated the demand for a satisfactory compromise with British claimants. Furthermore, "A By Stander" quoted Poindexter as saying, when he saw the second petition, that since no gentleman would affix his name to it only "damned rascals had signed it."  

After reading this item, Poindexter demanded that Holmes remove Marschalk as militia adjutant, but Governor Holmes preferred to disregard Poindexter's letter. Then when the editor of The Washington Republican printed another amusing letter, this one signed by "Castigator," Poindexter could stand no more of these quips. He hauled Marschalk into his own court on a contempt charge, and ordered the editor to appear before the April session of court. After Marschalk refused to sign a bond not to publish any more letters signed by "Castigator," the enraged Judge clamped Marschalk into jail where he spent several nights before Judge Josiah Simpson released him on a writ of habeas
By this time, the normally despised Marschalk had come to be regarded as something of a martyr whom one writer compared with Matthew Lyon of Vermont. While the editor was represented as the champion of "the freedom of speech and the liberty of press," Poindexter, who was unfavorably likened to the English Judge Jeffries, was represented as a judicial tyrant who employed the law to settle his own rights.

Meanwhile, Marschalk gathered all of those letters signed by "Castigator" and brought them out in a pamphlet which he offered to the public for the nominal fee of fifty cents, but Peter Isler, editor of The Mississippi Republican, came to Poindexter's aid. The judge himself circulated several handbills in his own defense, and then Mead admitted suppressing the infamous petition of 1811. But these counter movements only served as a stimulant for Marschalk who even increased his correspondents by introducing "Philo-Castigator."

To escape the biting barbs of Marschalk, Poindexter accepted an offer to become aide-de-camp to General William Carroll. Although Marschalk was none too happy with the thought of Poindexter's departure, his attitude quickly changed when he received word that Poindexter at the sound of the first roaring guns had fled the field of battle and ridden post-haste to New Orleans, where he remained until the cannon were silent. Immediately "Castigator" began to ridicule Poindexter's military exploits and to revive several earlier charges, such as those connected with the summ duel and his private life. Unable to wring from Marschalk the identity of "Castigator," Poindexter was so furious that he almost threw a brick bat at Marschalk. In fact, the editor escaped injury only after quickly ducking into his own home. When Poindexter, following a complaint by Marschalk, refused to make the necessary bond to preserve peace, a local justice had him arrested. However, Poindexter immediately issued a
writ of *habeas corpus* in his own behalf and arranged with his personal friend, Judge Walter Leake, to have himself released.\textsuperscript{28} In addition, Marschalk had to face a charge of libel based upon publications of the first "Castigator" letters. After a jury found Marschalk guilty, Judge Leake sentenced him to a prison term of three months,\textsuperscript{29} but Marschalk still refused to let up in attacks on Poindexter.

While the western section of the territory was disrupted by the old Williams-Poindexter feud, the eastern district, where the citizens had generally supported the ex-governor, was unconcerned about the ex-governor and his renewed rivalry with Poindexter after Williams had lost his patronage power. Yet the eastern politicians were far from united. Just as politics in the old Natchez District centered about Poindexter, Harry Toulmin, territorial judge for the Washington District, suffered similar troubles in the Tombigbee region. Toulmin's vigorous defense of common, federal, and territorial laws and his unbending enforcement of local peace had run counter to the ambitious designs of several western expansionists.

On the other hand, Toulmin had collected many friends. Jefferson and Madison, who held him in high regard, always valued his advice highly, and Holmes usually followed his recommendations of suitable men for eastern offices. In addition, Toulmin had married two of his daughters to influential families. While one became Mrs. Edmund Pendleton Gaines, wife of the army commander at Fort Stoddert, the other had married a son of General James Wilkinson.\textsuperscript{30} In Lemuel Henry, sometime representative and councillor of the General Assembly and presently receiver of public moneys in the eastern land office, and in R. H. Gilmer, a local attorney, Toulmin found firm allies. Furthermore, Benjamin Smoot, a former sheriff of Washington County, and Theodore Brightwell, sheriff of Mobile County, usually supported him.
The chief opposition to Toulmin came from men anxious to seize Mobile, if necessary without the approval of Madison and the federal government, in order to stop the Spaniards from exacting annoying duties and making humiliating searches of their cargoes. Since 1805, Toulmin had courageously held back this tide, but in 1810, when Feliciana fell to western filibusters, agitation for the capture of Mobile became stronger. Therefore that notorious filibuster, Joseph P. Kennedy, who acted more like a frustrated general, found new friends who were anxious even to resort to arms.

Furthermore, some respectable citizens like Joseph Carson, whom even Toulmin liked and admired, criticized Madison's timidity and praised the temerity of the Callers and Kennedy. Two ancient families, the Hanes and the McGrews, were also careful not to criticize the bold saber-rattling of these adventurers.

In addition, several men like William Bu'ford, who hated Toulmin, and several politicians like Lewis Sewall, Register of the land office, who had clashed with Receiver Lemuel Henry, joined with the filibusters in order to embarrass Toulmin and Henry. Then when Toulmin attempted to expose the activities of a society known as "the Expedition of Mobile" in which the Callers were members, these brothers deserted the Judge and supported Kennedy's plans to seize Mobile by force.

In fact, public opinion was so aroused that Toulmin was unable to obtain a conviction of these filibusters even after he had captured them just as they returned from a skirmish with Spanish troops below the border. Furthermore Kennedy and the Callers were able to prevail upon a Baldwin County grand jury to return a presentment against Toulmin for mistreating suspects and for corresponding with the Spaniards.

Kennedy and Caller later laid this presentment before the General Assembly. In the House, Speaker Mead, himself an enemy of Toulmin, referred
the damning presentment to a committee composed of Kennedy, who acted as chairman, and James Caller, whereupon the House condemned Toulmin in a Resolution which was forwarded to Congress.\textsuperscript{35} Congress not only refused to act upon such flimsy evidence but also commended Toulmin for his careful attention to duties.\textsuperscript{36}

In 1813, however, Toulmin's enemies were able to deliver him a humiliating blow. After Toulmin had successfully canvassed for a seat in the territorial House from Mobile County, Kennedy and the Callers persuaded the legislators not to seat him on the grounds that he was not a legal resident of Mobile County and that a federal judge could not also hold a territorial office.\textsuperscript{37}

While these intra-sectional battles were bitter, the general questions of admission and division of the territory forged a unity of expression within the two sections. In 1812, the admission of Louisiana and the outbreak of the British war had delayed admission of the Territory, but in 1816, when peace returned to the United States and Congress had agreed to the admission of the northern State of Indiana, the prospect of statehood for Mississippi was most encouraging.

Most of the post-war immigrants went into the eastern portion of the territory, with its new freedom from Spanish duties, with additional land open for public sale, and with its greater room for expansion, and when this influx of new settlers tipped the population figures in favor of the Tombigbee and Tennessee Bend regions, the Natchez politicians, accustomed to exclusive power, became apprehensive. Furthermore, since territorial taxes had always been assessed according to the ability to pay, the inhabitants of the Natchez District paid more than three-fourths of the total tax collected, while those in Adams County alone bore over a third of this tax burden. If the population shift left political power in the hands of the Tombigbee area, the western inhabitants feared that
this tax load might remain forever on their shoulders; therefore, a division of the territory suddenly appeared equally necessary for their economic and political welfare. 38

As a result, the western settlers, many of whom had always heretofore refused to entertain any thought of dividing the territory before admission, now joined the movement for immediate statehood for only the western portion of the territory. On the other hand, most easterners, who for over a decade had been demanding separate territorial government, also changed their minds. After Feliciana was not annexed but Mobile was added to the territory, they saw a wonderful chance to transfer the capital from Washington to the banks of the Tombigbee River and to force the Natchez District into a secondary political role while keeping the tax burden where it had always been.

Consequently Toulmin and a few other recently converted easterners fought vigorously but in vain for "indestructible" admission of the entire Territory. This active movement culminated in a special convention which met at John Ford's on the Pearl River. These "indestructible" advocates appointed the persuasive Toulmin as an agent to lay before Congress the reasons for admitting the territory "with its present limits." Toulmin left immediately for the federal capital, but with Delegate Lattimore and most influential Natchez politicians favoring division, these "indestructible" politicians had little chance of success. In addition, the State of Georgia, after several times threatening to retard admission, finally by rescinding the Article of Agreement and Cession of 1802 gave its consent to a division of the territory. 40

Thereafter the debate shifted from the question of admission and concentrated on the exact line of division. Several possible suggestions had already been offered. After Louisiana entered the Union a few Natchez citizens began a movement which aimed at separation of the old Natchez District from
the Mississippi Territory and its annexation into Louisiana. This plan would have placed the lower reaches of the Mississippi River entirely under the control of one state, and by combining the commercial interests of New Orleans with those of Natchez it would have allowed the merchants greater control over river commerce. Although this scheme indicated sound reasoning, its fulfillment was utterly impossible. Neither the State of Louisiana nor Congress welcomed the suggestion, and within the Territory only a few men gave it any attention.

Another futile proposal was made after the successful rebellion of West Florida. George Poindexter, then territorial delegate, sought to resolve two questions with one solution. He tried to maneuver the newly annexed area into the Mississippi Territory by proposing that all the land south of a line drawn due east from the Yazoo River be admitted as a state. In this instance, the citizens of Madison County, anxious to be freed from its domination by Natchez and the river counties, were agreeable, but the "Bigbee" settlers objected violently. In addition, since New England Congressmen would not hear of the admission of another southwestern state in addition to Louisiana, the suggestion was promptly dropped.

After these two proposed lines of division were put aside, the prevailing feeling favored a north-south division, and thereafter the debate centered on the exact line. The easterners suggested the traditional division line of the Pearl River, but the westerners sought to make the Tombigbee River the eastern boundary, which would place the port of Mobile in the new state of Mississippi. In 1812, when Congress was seriously considering admission, a Senate committee had expressed an idea favoring the Tombigbee River as a dividing line, but the western settlers, ably supported by several influential Georgia politicians, blocked this maneuver. Following the war of 1812, which had temporarily halted
consideration of admission, several compromises were suggested, but the one offered by William Lattimore received the closest attention. By 1817, Lattimore, who first opposed admission until land claims had been completely settled and then would agree only if the entire Territory were admitted, completely reversed his earlier stands and worked diligently for an equal division of the territory. 43

Although Lattimore was able to secure enough support in the House to pass several bills admitting the Territory into the Union, the Senate constituted a stiffer obstacle. In addition to the sectional fight within the Territory, the Senators were aware of a larger sectional struggle, and Southern Senators liked the thought of two slave states more than that of only one. Furthermore, a few territorial inhabitants, notably Lattimore, sensed greater advantage from four than from two Senators. Consequently, the territorial delegate threw his energies into the search for a suitable compromise over the boundary. In the end, his suggestion to place the counties of Greene, Wayne, and Jackson in the new state was closely followed when Congress provided for a line drawn from the Gulf of Mexico to the northwestern corner of Washington County and from thence directly to where Bear Creek empties into the Tennessee River. This compromise line placed Mobile, the Tombigbee settlements, and Madison County in the Alabama Territory, and left the remaining coastal counties of West Florida, the Pearl River settlements, and the old Natchez District to form the State of Mississippi. 44

Although Lattimore had successfully resolved a touchy problem, his solution failed to satisfy anyone completely, and the Mississippians promptly sent him into an unwanted retirement. Poindexter resigned his judicial post to lead the assault on his old enemy Lattimore and to fight belatedly for admission of the entire Territory. 45 This move was more theatrical than serious,
but it did help to deal a death blow to the political fortunes of the hapless Lattimore and to serve as an issue for Poindexter to re-enter the political arena.

The admission of Mississippi into the United States climaxed nearly two decades of growth and brought to these frontiersmen the reward of political equality. The bitter years of frustration were quickly forgotten as the citizens sent their representatives to Washington and settled down to the serious business of governing their state without the former Congressional interference.

Although the people of Mississippi had complained bitterly about their lengthy apprenticeship as a territory, they had, by 1817, been amply schooled for the new role of statehood. In fact, the territorial type of government had served them well, and perhaps far more than the founding fathers had envisioned this territorial period served as an efficient training ground for political democracy.

Having behind them an experience with democratic organizations and institutions, most settlers had come to the territory convinced not only of the necessity of local rights but also of the essential rights of free expression and liberty. Localism was more than just a symbol; it constituted the sole method of a successful government and the only way to a happy life. This attitude had become deeply ingrained in most Americans as a result of the long, bitter fight for independence which they had so recently endured.

Since many of the immigrants to the Mississippi Territory had been barred from political participation in the East they were ambitious to secure these rights in, and sometimes to control, their new government; and, they were particularly anxious to test their concepts of government under different circumstances. Consequently their democratic ideas had not been shaped by their new environment, regardless of how raw it might be, but had evolved from
bitter experiences in, and deep frustrations with, an older society. Although their ideas were not new, these men were able to put these beliefs into practice for the first time on the frontier.

Instead of being able to create the political utopia of which they dreamed, new immigrants had found themselves under the yoke of a strong territorial government which often limited their political participation. Indeed, some of the older inhabitants had considered the first grade of territorial government even more despotic than Spanish government.

Confronted squarely with a government which was anti-democratic, the citizens of the Mississippi Territory frequently resorted to every device, ruse, and maneuver they could in order to alter or even destroy it. Thus, they converted the grand jury into a legislative body which proceeded to issue presentments often more partisan than judicial. Likewise, they organized local committees which drew up petitions and sent agents to Congress. Employing such methods, the citizens were able to take advantage of a political revolution in the central government and prematurely acquire an elective legislature.

Each time thereafter, when the territory encountered "tyranny," the inhabitants prodded their representatives to search for some democratic antidote. For instance, the territorial delegates prevailed on Congress to enlarge the franchise until in 1814 it included all male taxpayers. Despite these enactments, demands for statehood, which entailed political equality, could always be distinctly heard in the background and constantly increased until 1817 when Congress eventually granted statehood to the western section.

Along with these worthy by-products of democracy were mixed some bad features. For instance, a few political manipulators early learned the clever art of election chicamery. Seldom was there an election in which some non-residents or some non-land holders were not able to vote illegally.
cases perfectly legal voters who voted against the local machine saw their ballots disqualified on some technicality. Yet these experiences taught the citizens an equally valuable lesson in democracy and prepared them well for statehood.

In addition, unique forces within the territory which were unconnected with the type of government also worked toward the extension of democracy. Since the Mississippi Territory was a frontier completely separated from the remainder of the United States by the lack of adequate communication, directives from Washington, which were delayed for weeks and sometimes months by poor transportation and faulty mails, frequently indicated an astonishing ignorance of territorial affairs. In a few cases, the local federal and territorial officials, out of sheer expediency, had to interpret their orders loosely in an effort to resolve local problems, and their interpretations often meant more freedom and broader rights for the settlers.

Furthermore, newer frontiers always existed on the older frontier, and an intense sectionalism within the Territory invariably arose. Sometimes the rivalry was limited to the Natchez and Tombigbee settlements, but usually each of these two settlements was disrupted by sectional conflicts of its own. In fact, these conflicts, which were especially pronounced between Natchez and its back country, were very similar to those bitter struggles in colonial America between tidewater and piedmont with the curious difference that in the Mississippi Territory the West was the settled area while the East constituted the frontier. Although these sectional conflicts sometimes increased territorial hatred for the central government, in a few cases they served to divert attention from affairs in the national capital.

Regardless of whether or not a change in attitude toward the federal government resulted, a new demand for democracy was usually the by-product
of sectional conflicts within the territory as well as of tension between Natchez and the federal capital. Since few Americans relish colonial subserviency, inhabitants of the Territory sought a method by which they might quickly escape the territorial status. Although Congress had enumerated certain population requirements as prerequisites for advancing democracy, clever politicians might circumvent these regulations. Consequently, the territorial period of government naturally encouraged capable but shrewd politicians and amply rewarded political acumen.

Furthermore, the movement toward statehood and democracy was greatly aided by the westerner's ambitions. Included in those factors which had motivated his migration to the West was a hope of acquiring economic wealth, and the sooner this desire could be accomplished the more satisfied he was. He wanted to reproduce his mythical Virginia, South Carolina, Maryland, and even North Carolina in the Natchez District or on the banks of the Tombigbee River. He was not looking for a new society. Instead he sought a chance to be somebody important, such as captain of the Natchez Fencibles, proud plantation owner, county squire, or member of the legislature, and finding opportunity less, or even non-existent, in the East, he decided to go West in hopes of acquiring land and slaves, the essentials for prestige and influence.

On the other hand, this frontiersman was also a product of the revolutionary era. He did not have to fight in the late war for independence in order to be part of this liberal movement. Its republicanism had rubbed off on him and had often made him an unsuspecting idealist. Whether they realized it, most Americans of this period were devoted republicans, and this deeply ingrained faith in liberty and local democracy kept the Westerner, despite tempting offers from the Spaniards, frequent neglect by the federal government, and even traitorous designs by some important American leaders, uncompromisingly
loyal to the United States and constantly appalled by despotic Spain.

Frequently, however, the Westerner's materialism and idealism came into insoluble conflict, in which case one usually dominated the other. At other times, however, these two unlikely forces would compromise or blend themselves into an energy to build, an eagerness for democracy, and a zealous loyalty to God and country. Little wonder the Spaniards were so baffled by the frontiersman; they would never understand the American fascination for that intangible ingredient of freedom. Although the western settlers created in the counties and cities a highly regulatory government to control them, they still demanded a freedom of mind quite different from the Spanish.  

The American was also an intensely romantic individual despite his apparent coarseness and ruggedness and his utilitarian attitude. To at least a small degree, he shared with Thomas Jefferson, unconsciously perhaps, a belief in rationalism and a faith in the goodness of man. In addition to this political idealism, he was a product of two other forces. First he was a political realist. While he might believe that the United States had been divinely chosen by God to lead the world into a new order, he was realistic enough to fight for his own rights first. Furthermore, by 1817 his knowledge and understanding of politics had been tempered under the fire of a twenty-year struggle to throw off the shackles of territorial government. Secondly, he was materialistically minded and sought, along with political equality, economic inequality. In the realm of economics, he believed in a typically nineteenth-century type of government. While the machinery of government ought to afford equal opportunities, it should never prevent, and even might encourage, the amassing of wealth in the hands of God's chosen. Since everyone felt himself capable of accumulating riches, he wanted no impediments in the way.
If the frontiersman was a democrat, he had brought his democracy with him; it was not born in the piney woods, the coastal plains, the river bottoms, or the swampy forests. Its intensity sometimes varied with the wealth of a region, or with the unsettledness of a society, but most often zealous democrats thrived in areas where the power of the more conservative leaders lagged under the impact of an optimistic and articulate group of recently settled pioneers. In the West, "King Numbers" was on the move, and these settlers were not to be denied or halted by predatory government, by their creditors, or by pessimistic admonitions of doom from conservative friends and opponents. The spade work for Jacksonian democracy was being done. In the end, the geography of the region counted less than the attitudes of the people. While there was very little to conserve, there was much to destroy and even more to convert through democratic devices. Consequently the Westerner, who was always impatient, set immediately to work remolding the West and its society to fit his preconceived notions, and the southwestern states arose as a living monument to his ingenuity.
FOOTNOTES X

1 For instance, after the governor's arrival, Mead wrote that he was "well pleased, and believed him a man of sterling integrity both in morals & in politics." Mead to Poindexter, September 1, 1809, Claiborne Collection. See also David dolmes Conrad, "David Holmes," Mississippi Historical Society, Publications, centenary series, IV, 235-257.

2 Freeman to the Secretary of the Treasury, July 9, 1811, Carter, Terr. Papers, VI, 205.


4 Henry Daingerfield, a Virginian, was confirmed January 9, 1811, and died February 19, 1815. Ibid., II, 161; Holmes to the Secretary of War, March 13, 1815, Carter, Terr. Papers, VI, 514-515. Nathaniel A. Ware, who was given a recess appointment, June 7, 1815, was officially confirmed January 9, 1816. Ibid., 526 fn.; Executive Journal, Senate, III, 21.

5 Cf. T. Rodney to Poindexter, June 27, 1809, Shields papers.

6 Shields wrote that "the local politics of the Territory appear to be entirely merged in the great national questions which concern the union." Shields to Poindexter, September 12, 1809, Ibid.

7 Poindexter to Mead, November 11, 1811, Claiborne Collection.

8 On the declaration of War, Holmes reported that the citizens had received the news "with great satisfaction, from a thorough belief that no other course could secure the Government from degradation." Holmes to Monroe, July 12, 1812, MS Executive Journal, Holmes, II, 186-187; "At a Meeting of the Citizens of Natchez, on Saturday the 11th of July, 1812 at the City Tavern, occasioned by the arrival of the news of a Declaration of War against England," printed broadside in Madison papers. See also Rowland, Andrew Jackson's Campaigns, passim, especially 375-393; Jacobs, Tarnished Warrior, 290-282.

9 In 1810, the former county of Washington was divided into Washington, Baldwin, and Wayne Counties. Cf. Holmes to Benjamin Smoot, September 4, 1810, Carter, Terr. Papers, VI, 104.

10 Cf. R. Williams to Madison, December 4, 1810, Memorial, Territorial House to Congress, January 11, 1814, Ibid., VI, 145, 411-412.

11 Cf. A resolution of the territorial house, December 23, 1815, signed by Moore is in Ibid., VI, 625.

12 Demands for separation by easterners began as early as 1803 and continued past the War of 1812. Petition to Congress by Inhabitants of Washington District, referred November 25, 1803, Ibid., V, 290-292. These demands may be closely followed in Ibid., VI, passim.

Returns are in Governor's Records, series A, volume 23.

Lettimore married Miss Cecelia Lea, February 26, 1809, *Weekly Chronicle*, March 1, 1809. See also Shields to Poindexter, November 30, 1812, Shields papers. Jno. W. Walker to Poindexter, December 23, 1812, Claiborne Collection.

Executive Journal, Senate, II, 329, 333; Swearingen, Poindexter, 120, 122.

Poindexter to Mead, January 4, 1813, Claiborne papers; *Mississippi Republican*, April 22, 1813. Returns are in *Ibid.*, June 30, 1813.

Correspondence concerning this controversy is contained in a pamphlet, with the front page torn, deposited in the Mississippi Department of Archives and History in George Poindexter personal file. Hereinafter referred to as "Castigator" pamphlet.

Poindexter to Holmes, October 6, 1814, Claiborne Collection.


Swearingen, Poindexter, 126-128.

*Washington Republican*, December 21, 1814.


Carroll to Poindexter and William Bullitt, January 22, 1815, Claiborne Collection.

*Washington Republican*, February 8, 1815; "Castigator" pamphlet, 69-79.

Complaint by Marschalk to R. H. Morrow, justice of the peace, February 17, 1815, Governor's Records, series A, volume 15.

Warrant, dated March 4, 1815, Waines papers; Swearingen, Poindexter, 130.


Silver, *Gaines*, 10 fn.


34 Toulmin to Samuel Postlethwait, October 21, 1811, November 10, 1811. Deposition of Henry, November 9, 1811, Claiborne Collection.


39 Journal of a Convention of the Delegates of several Counties of the Mississippi Territory, begun and held at John Foris on Pearl River, on Tuesday the 29th day of Oct. 1806, MS copy in the Mississippi Department of Archives and History; reprinted in Carter, Terr. Papers, VI, 708-717.

40 Act of the Georgia Legislature, December 5, 1812, Carter, Terr. Papers, VI, 337.

41 An Attempt to Show the policy of annexing part of Mississippi Territory to the State of Louisiana [Natchez, 1815], pamphlet in Mississippi Department of Archives and History.

42 Holmes to White Turpin, December 22, 1811, Wales papers; Claiborne, Mississippi, 350; Swearingen, Poincexter, 117-118. Poincexter's letters to Mead during 1812 and 1813 are very valuable in showing the nature of this sectional struggle. See especially Poincexter to Mead, November 15, 1812, December 14, 1812; Walker to Poincexter, December 23, 1812, Claiborne Collection.


45 Cf. Thomas Hinds to Poincexter, March 26, 1817, Claiborne Collection; Swearingen, Poincexter, 140-145.
46 A copy of this act was printed in *Washington Republican*, November 30, 1814. Lattimore to Burnet, November 4, 1814, Governor's Records, series A, volume 14.


CRITICAL ESSAY ON AUTHORITIES

Manuscripts

Because of the dearth of secondary studies available on the old Southwest and the lower Mississippi valley, one might suspect that there was a scarcity of primary source material, but such is not the case. In fact, any student of territorial Mississippi will be immediately staggered by the available material. Unfortunately it is widely scattered and principally composed of official documents rather than private correspondence. Consequently the task of investigating significant movements which occurred behind the public scenes is often difficult if not impossible, and the actual attitudes and motivations of the leading public figures can not be fully ascertained. However, with few exceptions, the panorama of events can be traced with some precision, and because of the wealth of material the task of selection becomes all important.

Surprisingly, the material, especially personal correspondence, on the earlier territorial period is more abundant than on the later period. Several reasons account for this. Many of the early figures either subsequently left the territory (as in the case of Andrew Ellicott) or (as in the case of Winthrop Sargent) corresponded with important persons in the East. The crude surroundings of the frontier often precluded the preservation of private papers. In the process of constantly moving from cabin to home to estate, many leading planters discarded or lost their papers. Far more tragic than these ordinary occurrences was the fact that the home of an early collector of manuscripts, James Francis Hamtrack Claiborne, burned. Not only were many important papers which he had collected destroyed, but also the second volume of his important
history of Mississippi went up in smoke. Extensive searches for more
private papers of early Mississippians have invariably ended in frustration,
and therefore few additional papers have ever been discovered.

After combing through the vast material which remains, however, the
historian will invariably believe that the cloak-room politics could be
illuminated by those lost papers since Claiborne was primarily interested
in political history. Despite the loss of much material, three depositories
are now enhanced with sources gathered by this avid and indefatigable
collector. By far the best of these for the early period is the J. F. H.
Claiborne Collection in the Mississippi Department of Archives and History
(hereinafter referred to as Mississippi Archives). The other two collections
are in the Library of Congress (MSS Division) and in the Southern Historical
Collection at the University of North Carolina, but these last two collections
primarily contain the personal papers of the historian and deal more
directly with the later history of the state.

For the pre-American period of Mississippi, there is an abundance
of information which has hardly been touched by historians. Dunbar Rowland,
who was director of the Mississippi Archives for many years, went to
Europe and had copied various records dealing with early Mississippi
history; these transcripts are now housed in the Mississippi Archives.
The British transcripts (composed of ten volumes) and the French transcripts
(consisting of thirty-four volumes) have been partially published by Rowland
(with the aid of Albert G. Sanders, who translated the French records).
The Spanish transcripts, which are principally from the collection labelled
Papeles procedente de la isla de Cuba in the Archivo General de Indies
at Seville, are an indispensable source for understanding the early
factionalism in the territory, since the bulk of this collection consists
of correspondence between the Natchez governor and his superiors in Louisiana, Havana, and Madrid.

For the period during Andrew Ellicott’s sojourn in Natchez, there are two valuable sources. Deposited in the National Archives is a collection of papers relating to the Southern Boundary between the United States and Spain and comprising three large volumes of letters. The principal correspondents are Ellicott, Timothy Pickering, Cayoso de Lemos, and Stephen Minor. Even more significant are the personal letters of Ellicott (Library of Congress) which he wrote to friends in the East, especially his wife, as well as to such Natchez acquaintances as Lewis Evans, George Cochran, Daniel Clark, William Dunbar, Winthrop Sargent, and Peter B. Bruin. Surprisingly, the papers of James Wilkinson, which are principally located in the Library of Congress and the Chicago Historical Society, are of negligible value. Wilkinson stayed in Natchez for a short time, but since he was more interested in New Orleans than Natchez, his letters scarcely mention Natchez politics. On matters concerning Anthony Hutchins and his committee, less material is available. The principal source for his side of the controversy is the Claiborne Collection which contains the papers of Anthony Hutchins as well as the journal of Isaac Guion.

More personal papers of Winthrop Sargent are available than of any other governor. By far the most extensive collection is the Sargent papers in the Massachusetts Historical Society. It includes private letters to eastern friends as well as personal letters to Pickering and his local political allies. Likewise the Sargent papers in the Library of Congress, though less numerous, are extremely useful. Another extensive collection is housed in the Ohio Historical Society, but it contains mostly original drafts of Sargent’s official correspondence which has
been largely published. A few items written by Sargent are in the Mississippi Archives, and included among these is the very interesting will of Governor Sargent which affords a valuable insight into his Puritan personality. A few of Sargent's letters are in the Timothy Pickering papers (Massachusetts Historical Society), and the Alexander Hamilton papers (Library of Congress) yielded a few interesting facts such as the date of Spanish evacuation of St. Stephens.

By far the most extensive collection of manuscripts concerning the territorial governors is the vast Records of the Governors in Mississippi Territorial Archives (Mississippi Archives) which contains letters written to the governor. Among these papers, which are bound in twenty-five large black boxes, are the only surviving letters of several important politicians, and the use of this rich collection, which relates to all aspects of Mississippi history, is most rewarding for the political historian.

With the career of Governor William Charles Cole Claiborne, the absence of personal papers becomes noticeably acute. A few of his letters are in the prodigious Simeon Gratz Collection (Historical Society of Pennsylvania), but even more important are the various letters which Claiborne wrote his friend Andrew Jackson. These letters are in the Jackson papers (Library of Congress). Perhaps his nephew, J. F. H. Claiborne, collected most of these papers, but this collection now includes precious little on W. C. C. Claiborne. Two other collections of W. C. C. Claiborne material are located at the Louisiana State University Library and at the Cabildo in New Orleans, but these papers deal exclusively with his career in the Orleans Territory. Therefore, most of Claiborne's Mississippi story must be pieced together from official sources. One very
valuable source for his administration is the voluminous collection of
the Jefferson College papers (Mississippi Archives).

However, several large collections contain either a few of Claiborne's
letters or a few which relate to certain aspects of his career. Among
these are the indispensable Thomas Jefferson papers (Library of Congress),
the Albert Gallatin Collection (New York Historical Society), the James
Madison papers (Library of Congress), and the enormous Breckinridge Family
Collection (Library of Congress).

For the Cato West and Robert Williams regimes, there is more material
still extant. The most important sources for this era are the letters,
careless jottings, court opinions, and judicial decisions of Thomas
Rodney, but unfortunately the material on Rodney is also widely scattered.
The largest depositories are the historical Society of Delaware and the
Library of Congress, but many important letters are also in the Cratz
Collection while the New York Public Library and the library of Brown
University also contain materials on Rodney. Fortunately, Rodney's worthy
biographer, William B. Hamilton, has had much of this material copied,
and these transcripts and photostats are in the William B. Hamilton
Collection (Duke University Library).

For land squabbles and factional rivalries under Governor Robert
Williams, the Isaac Briggs papers (Library of Congress) are an important
source. Likewise the Benjamin L. C. Wailes papers (Mississippi Archives)
are valuable, and Wailes' massive diary, available in the Mississippi
archives and Duke University Library (the latter also contains copies
of the former), are indispensable for understanding economic conditions
in the territory. Equally significant are the papers of John Bisland
(Louisiana State University Library) and William Dunbar (Library of Congress) who were important early planters.

More important for political events are the Joseph D. Shields papers (Louisiana State University Library), the George Poindexter Papers in the Claiborne Collection (Mississippi Archives), the Stephen Minor papers (Louisiana State University Library), and some scattered letters of Poindexter in the Duke University Library. These papers are especially valuable because they throw light upon the activities of William Shields, Poindexter, and Cowles Head. Three libraries, the New York Public, the New York Historical Society, and the Library of Congress, have miscellaneous collections dealing with the territory, and these papers contain a few important letters of Poindexter. Also the Samuel Smith papers (the Alderman Library of the University of Virginia) contain a most significant letter written by Walter Leake. Furthermore, the Philander Smith papers (Mississippi Archives) and the Robert Williams papers (Mississippi Archives) include a few valuable letters.

On the Aaron Burr Conspiracy, several sources are very helpful. The most important are the Burr Conspiracy papers (Library of Congress), and the papers of Harman Blennerhasset, which includes a valuable journal kept by him. The latter's papers are especially valuable since Blennerhasset settled permanently in the territory. A third source, important for the final capture of Burr, is the Albert J. Pickett Collection (Alabama Department of Archives and History). Material on early politics in Alabama is very scarce, since Pickett, Alabama's first important historian, was less interested in political history than J. F. R. Claiborne, his Mississippi counterpart, and more interested in military history. Some
insight into economic and social conditions there may be gained from the James and Telpha Churchill papers (Duke University Library).

Even though David Holmes was governor as long as all of his predecessors combined, material on his terms is very scarce. With the exception of the Governor’s Records, there is no sizeable collection of his letters. A few may be found in the Jackson papers, the Madison papers, the Gratz Collection, the Southern Historical Collection (all of which have been previously mentioned), the James Monroe papers (Library of Congress), the Thomas Hart Benton papers (Library of Congress), and a few scattered items in the library of Columbia University. Unfortunately these letters mostly concern military affairs during the War of 1812, but a careful search of Virginia, including his home town of Winchester, failed to produce any personal letters.

Published Correspondence

In comparison with earlier periods of American history, the Jeffersonian period suffers from a lack of published correspondence, and the early Southwest especially suffers on this account. However this difficulty is being rapidly eradicated by the work of several enterprising editors. In addition, the historian of American territories must be forever grateful to Clarence E. Carter whose monumental *The Territorial Papers of the United States*, 17 vols. (Washington, 1937– ) has filled a large gap. The majority of letters brought together in this work are from the National Archives and the Library of Congress, but Carter also includes letters from several private collections located in libraries outside the nation’s capital. The two volumes on Mississippi (volumes IV and V) were used extensively, and the single volume on the Orleans Territory (volume IX)
also was rewardingly consulted. These papers are especially helpful in matters concerning land problems, Indian relations, land communication, and politics, and these papers will always serve as a basic source for any student of the Old South. In addition, the editorial notes of Carter are sometimes excellent and often acted as a welcome time saver.

Besides this collection, the published works of local individuals are disappointing. The interesting and valuable letters of Thomas Rodney are published in *The Pennsylvania Magazine of Biography and History*, XLIII (1919), 1-23, 117-142, 208-227, 332-367; XLIV (1920), 47-72, 170-189, 270-284, 289-308; XLV (1921), 34-65, 180-203. Rodney carried on a lively correspondence with his son, Caesar A. Rodney, who was Jefferson's last Attorney-General, and fortunately Rodney was on good terms with all factions. In fact, the only local politician whom he vigorously opposed was Robert Williams; therefore his letters are an excellent source for political events. Furthermore, they are equally valuable for social life since after settling in the territory he discarded his sedate nature and began enjoying life in the company of local "nabobs."

One important source of correspondence between Spanish officials and also between French officials is James Alexander Robertson, ed., *Louisiana Under the Rule of Spain, France, and the United States, 1785-1807*, 2 vols. (Cleveland, 1911). The only printed source devoted entirely to the interregnum period of Mississippi isbumber Gowland, ed., "Military Journal of Captain Isaac Juion," *Seventh Annual Report* of the Department of Archives and History of the State of Mississippi (Jackson, 1909), and it sheds some light on political factions during the era of Sillicott's sojourn. Also helpful are the descriptive notes included in the *Historical Index to the Pickering Papers*, Massachusetts Historical Society, Collections.
sixth series, VIII (1896). As Secretary of State, Pickering often corresponded with Ellicott and Sargent.


Few events in the territory had any significance nationally, but the Burr conspiracy stands out as an important exception. Published letters concerning Burr's activities in Mississippi often shed light on more than the conspiracy. Of these, the most helpful are Dunbar Rowland, ed., "Historical Documents Concerning the Aaron Burr Conspiracy," Third Annual Report of the Director of the Department of Archives and History of the

Also useful are the collected papers of several national figures who briefly guided frontier affairs. The most important are Paul L. Ford, ed., The Writings of Thomas Jefferson, 10 vols. (New York, 1892-99); Andrew A. Lipscomb and Albert E. Bergh, eds., The Writings of Thomas Jefferson, 20 vols. (Washington, 1903); Henry Adams, ed., The Writings of Albert Gallatin, 3 vols. (Philadelphia, 1879); John S. Bassett, ed., Correspondence of Andrew Jackson, 7 vols. (Washington, 1926-35).


Certain very significant letters which are no longer available have been quoted wholly or partially by some of the early historians who collected manuscripts. Especially profitable are J. F. H. Claiborne, Mississippi, As a Province, Territory, and State (Jackson, 1880) and

Also in J. F. H. Claiborne's *Life and Correspondence of John A. Quitman* (New York, 1860) are several entertaining letters describing social life, but unfortunately the life of this interesting man does not cover the territorial period. An important letter of William Lattimore is in *American Historical Review*, XXIX (1933-34), 507-510, while a humorous letter by Silas Dinsmoor is in Alabama Historical Society, *Transactions*, III (1893-99), 169.

**Diaries, Memoirs, and Travel Accounts**

Works of this type are scarce and usually provide only limited information on politics, but one diary is a veritable mine of information. Andrew Ellicott, *The Journal of Andrew Ellicott* (Philadelphia, 1803), while it records the same incidents as his correspondence, summarizes the events better and even mentions a few occurrences not reported in his letters; but, it also represents an attempt by Silicott to defend his earlier actions. As an example of conditions of travel to the territory, William B. McGroarty, ed., "Diary of Captain Philip Buckner," *William and Mary College Quarterly Historical Magazine*, VI (1926), 2 series, 173-207 gives a good picture of the hazards and inconveniences. Insight into frontier existence may be obtained from Laura D. S. Harrell, ed., "Diary of Thomas Rodney, 1804," *Journal of Mississippi History*, VII (1945), 111-116 (original is in the Mississippi Archives). Another useful source is Ray Holder, ed., "The Autobiography of William Winans" (M. A. thesis, University of Mississippi, 1940). Winans was one of the earliest preachers in the territory, and the comments of this Methodist clergyman are not only interesting but also significant.
For a description of life in the eastern section of the territory, see Mary Welsh, "Reminiscences of Old St. Stephens," Alabama Historical Society, Transactions, III (1898-99), 208-226. For the economic picture, B. L. C. Wailes, Report on the Agriculture and Geology of Mississippi (n. p., 1854) furnished the best available source.

The memoirs of several prominent men contain material which is germane to the territory. For an understanding of why Spain signed the Pinckney treaty, the Memoirs of Don Manuel de Godoy, Prince of Peace (London, 1830) edited by J. B. D’Emeard, is essential. Everett S. Brown, ed., William Plumer’s Memorandum of the Proceedings in the United States Senate, 1803-1807 (New York, 1923) contains some important observations on W. C. C. Claiborne. For an understanding of events connected with the great conspiracy, Matthew S. Davis, ed., Memoirs of Aaron Burr, 2 vols. (New York, 1836-1837) and James Wilkinson, Memoirs of My Own Times, 3 vols. (Philadelphia, 1816), are valuable sources when used with care. The latter, which is especially untrustworthy, includes several important depositions.

Travel accounts proved to be a very poor source for political events, yet fruitful for social and economic matters. The economic and cultural growth of the territory may be seen by comparing Francis Baily, Journal of a Tour in Unsettled Parts of North America in 1796 and 1797 (London, 1856) with Christain Schultz, Travels on an Inland Voyage, 2 vols. (New York, 1810) and Henry B. Fearon, Sketches of America (London, 1818). James Hall, "A Brief History of the Mississippi Territory," Mississippi Historical Society, Publications, IX (1906), 539-575, is an attempt by a religious missionary to describe the territory in 1801, but he gives only very brief attention to the political factionalism. More important
is a later description by Major Amos Stoddard in *Sketches, Historical and Descriptive of Louisiana* (Philadelphia, 1812). Stoddard carefully gathered information on the early territory from various citizens. Although it is not always too accurate, it demonstrates the Republican feelings of most inhabitants who as late as 1810 could still be stirred merely by the mention of Allicott's name. A valuable account is Victor Collot, *A Journey in North America* (Paris, 1796) because of his observations and recommendations to the French government.

Other enlightening travel accounts include Perrin du Lac, *Voyage dans les deux Louisianes* (Paris, 1805); Cumings' *Tour to the Western Country, 1807-1809* in Reuben C. Thwaites, ed., *Early Western Travels, 1748-1846*, 32 vols. (Cleveland, 1904); Arthur Singleton, *Letters from the South and West of the United States* (Boston, 1824). Several interesting observations by visitors are included in Louise Butler, "West Feliciana. A Glimpse of its history," *Louisiana Historical Quarterly*, VII (1924), 90-120.

The religious journals of Lorenzo Dow contain a few significant facts which are unattainable elsewhere. For these works see Lorenzo Dow, *The Life, Travels, Labors, and Writings of Lorenzo Dow... and the Vicissitudes, or Journey of Life, and Supplementary Reflections* by Peggy Dow (New York, 1881) and Orrin Schofield, ed., *Perambulations of a Cosmopolite; or Travels and Labors of Lorenzo Dow* (Rochester, 1842). Accounts of the backcountry of Mississippi are scarce, but one important source is J. F. H. Claiborne, "A Trip through the Piney Woods," *Mississippi Historical Society, Publications*, IX (1906), 487-539.

Some valuable information may be gleaned from such travel accounts as Henry Ker, *Travels through the Western Interior of the United States*...
from the Year 1808 up to the Year 1816 (Elizabethtown, N. J., 1816);
Samuel R. Brown, The Western Gazetteer or Emigrants Directory (Auburn,
N. Y., 1817); and Thomas Nuttal, Journals of Travels into the Arkansas
Territory. During the Year 1819. . . (Philadelphia, 1821).

Biographies

Several biographies are very useful and two in particular, written
by scholarly historians, denote high scholarship in an otherwise barren
area. Charles S. Sydnor, A Gentleman of the Old Natchez Region, Benjamin
L. C. Wailes (Durham, 1938) contains two excellent chapters on early
Mississippi, but Wailes' life mostly spans the later period. More useful
because it covers the early period is William B. Hamilton's Anglo-American
Law on the Frontier: Thomas Rodney and His Territorial Cases (Durham, 1953).
The author devotes the early pages to a detailed life of Rodney while
he uses the later pages for a judicious consideration of the beginnings
of law on the Mississippi frontier. Also helpful is Jack Swearingen's
The Early Life of George Poindexter, A Story in the First Southwest
(New Orleans, 1934) which covers Poindexter's life to the Constitutional
Convention. Although this biography is valuable, enough additional material
has been uncovered to question some of Swearingen's interpretations;
therefore, the definitive life of this important politician has yet to
be done. Far less useful is Catharine Van Cortlandt Mathews, Andrew
Ellicott, His Life and Letters (New York, 1908) which strains at every
point to defend the commissioner yet is not even as convincing as Ellicott's
own journal.

An adequate life of none of the territorial governors has yet been
written. Benjamin H. Pershing, "Winthrop Sargent: A Builder in the Old
Northwest" (Ph. D. thesis, University of Chicago, 1937) covers only Sargent's Northwest career, yet it gives a true picture of his personality. Two doctoral theses have been written on W. C. C. Claiborne, but neither is adequate. Vivian Virginia Volstorff, "William Charles Cole Claiborne, A Study in Frontier Administration" (Ph. D. thesis, Northwestern University, 1932) tries hard to defend the governor and in many ways is a more thorough work than Wiley Woodrow Jenkins, "William C. C. Claiborne, Governor of the Creoles" (Ph. D. thesis, University of Texas, 1951). Even less satisfactory is Nathaniel Herbert Claiborne, Notes on the War in the South (Richmond, 1869) which is a work by a brother, and it proves even less effective as a defense than Volstorff. For a genealogy of the important Claiborne family, see John Herbert Claiborne, William Claiborne of Virginia (New York, 1917). William Boyd Norton, "The Life of David Holmes" (M. A. thesis, University of Colorado, 1935) is so terrible that it is utterly worthless. Biographies on early Alabama leaders are practically non-existent, and the only available one, J. F. E. Claiborne's Life and Times of General Sam Dale, the Mississippi Partisan (New York, 1860), is too biased in Dale's favor to be very useful.

Also helpful for consultation are the biographies of certain persons whose careers briefly involved affairs in the territory. James Silver, Edmund Pendleton Gaines (Baton Rouge, 1949) is a sound work and partially compensates for the lack of works dealing with the eastern section. The best recently published work concerning Claiborne's career in the Orleans Territory is William B. Hatcher, Edward Livingston (Baton Rouge, 1940). There are several biographies of Wilkinson, but the best is James R. Jacobs, Tarnished Warrior (New York, 1938). Of the various biographies of Burr, the most recent and most useful is Nathan Schachner, Aaron Burr
(New York, 1937). See also James Parton, *The Life and Times of Aaron Burr* (New York, 1858) and Samuel H. Wandell and Meade Minnigerode, *Aaron Burr*, 2 vols. (New York, 1925). Since James Madison acted as Secretary of State during the time of the Louisiana Purchase and much of the Florida troubles, several important facts can be ascertained from the definitive biography by Irving Brant. The third volume, *James Madison, Secretary of State* (Indianapolis, 1950) is extremely valuable. For Jefferson, his able biographer, Dumas Malone, has not brought his study up to the time of Jefferson's presidency, but Jefferson's early ideas on a land system may be found in his *Jefferson, the Young Virginian* (Boston, 1948). A study of William H. Harrison which shows his part in securing favorable western legislation is Freeman Cleave's, *Old Tippecanoe, William Henry Harrison and His Times* (New York, 1939). A good study of a frontier governor and land speculator is William H. Masterson, *William Flount* (Baton Rouge, 1954).

A good study of the western world is Bernard Mayo, *Henry Clay, Spokesman of the New West* (Boston, 1937). Clay was not only a good friend of Foin Dexter, but he was also leader of Congress during the War of 1812 and the agitation over statehood for Mississippi. Finally, every student of American history must consult Allen Johnson and Dumas Malone, eds., *Dictionary of American Biography*, 22 vols. (New York, 1928-44).

**Histories and Monographs**

In the general field of published histories which deal with the early periods of Mississippi history, the student most noticeably suffers from the lack of sound books. With the exception of works by such scholarly historians as Charles Sydnor, William B. Hamilton, and Arthur P. Whitaker,
secondary sources must be used with caution, and original sources must always be consulted before offering any substantial conclusions.


A careful study of the treaty between Spain and the United States which proves the contention that "Europe's distresses are America's advantages" is Samuel F. Bemis, *Pinckney's Treaty* (Baltimore, 1926). The best study
of events between Pinckney's Treaty and the Louisiana Purchase is Whitaker's

*The Mississippi Question, 1795-1803* (New York, 1934) which is an even

better study than his earlier one. Other good studies are I. J. Cox's

*The West Florida Controversy, 1783-1813* (Baltimore, 1918); E. Wilson

Lyon's *Louisiana in French Diplomacy* (Norman, Okla., 1934); and Brady

Price, "The United States and West Florida, 1805-1812" (Ph. D. thesis,

University of Texas, 1939). A useful book for the rebellion of 1810

is Stanley C. Arthur, *The Story of the West Florida Rebellion* (St. Francisville,

La., 1935) for the author has included much original material. However,

its value is hampered by the fact that the author makes no attempt at

a critical analysis.

There are several general histories of Mississippi and Alabama, but

none is entirely adequate. By far the best of the more recent histories

is A. B. Moore, *History of Alabama* (Tuscaloosa, 1951), but there is no

comparable history for Mississippi. The most recent one is Dunbar Rowland's

*Mississippi, The Heart of the South*, 2 vols. (Jackson, 1925), but it

is outdated and suffers from the author's biases. The same may be said

for Thomas M. Owen's *A History of Alabama and Dictionary of Alabama Biography*,

4 vols. (Chicago, 1921). Earlier histories are John W. Monette, *History

of the Discovery and Settlement of the Valley of the Mississippi*, 2 vols.

(New York, 1848) and Robert Lowry and William H. McCordale, *A History

of Mississippi* (Jackson, 1891). Three books compiled by Rowland, *The

Official and Statistical Register of the State of Mississippi* (Nashville,

1908), *Encyclopedia of Mississippi History*, 2 vols. (Madison, Wisc.,

1907) and *Courts, Judges, and Lawyers of Mississippi, 1798-1935* (Jackson,

1935), serve as useful reference tools. A mass of unassimilated information

which, though especially useful on early settlers is not always accurate,
is Goodspeed Publishing Company, Biographical and Historical Memoirs of Mississippi (Chicago, 1891).

Despite new evidence, two of the earliest histories remain the most useful. For Alabama see Albert J. Pickett, History of Alabama, Georgia and Mississippi, 2 vols. (Charleston, 1851), and for Mississippi consult J. F. H. Claiborne, Mississippi, as a Province, Territory, and State (Jackson, 1880). Although both authors are extremely prejudiced, especially Claiborne, they printed much material which is no longer available; therefore, these books are indispensable sources for primary as well as secondary material. In addition, these two men personally knew many of the important figures of the territory.

Far more helpful than even these studies are several specialized works by scholarly historians. The most important single work on early Mississippi history is William S. Hamilton's "American Beginnings in the Old Southwest: the Mississippi Phase" (Ph. D. thesis, Duke University, 1938). Hamilton devotes considerable attention to land matters as well as to social and economic conditions while he tends to slight political matters. Also valuable are Charles S. Sydnor's Slavery in Mississippi (New York, 1933) and Thomas P. Abernethy's The Formative Period in Alabama (Montgomery, 1922), yet these latter works hardly concern the territorial period. The development of territorial government may be seen in Cris E. Warrell, "The Development of a Government in the Mississippi Territory, 1797-1817" (M. A. thesis, Mississippi State College, 1940). A better discussion is in W. MeGruder Drake, "Constitutional Development in Mississippi, 1817-1890" (Ph. D. thesis, University of North Carolina, 1954) and in the same author's "Mississippi's First Constitutional Convention," Journal of Mississippi History, XVIII (1956), 79-110. Population trends are


With the exception of J. F. H. Claiborne's history, authors on early Mississippi have slighted political matters. However, one monograph, William H. Hamilton's "Politics in the Mississippi Territory," Huntington Library Quarterly, XI (1947-48), 277-291, contains several suggestive generalizations which proved helpful. More and less satisfactory is R. A. McLeomore's "Factionalism, A Fruit of Spanish-American Rivalry on the Mississippi Frontier," Journal of Mississippi History, VI (1944), 237-240. A special incident is covered in Robert V. Haynes, "Revolution of 1800 in Mississippi," Ibid., XIX, 234-251. Governor Sargent's political beliefs have been capably analyzed in George B. Toulmin, "The Political
Ideas of "inthrop Sargent, a New England Federalist on the Frontier,"
Ibid., XV (1953), 207-229. Other briefer studies of territorial leaders
are F. L. Riley, "Sir William Dunbar: the Pioneer Scientist of Mississippi,"
Mississippi Historical Society, Publications, II (1899), 85-111; M. E.
Chambers, "William Charles Cole Claiborne," Ibid., III (1900), 247-260;
David J. Conrad, "David Holmes," Ibid., centenary series, IV (1921), 234-
257. These latter studies are not very critical and indicate very little
understanding of the subject.

For Claiborne's Tennessee career see J. J. M. Ramsey, The Annals of
Tennessee to the End of the Eighteenth Century (Chattanooga, 1926) and
James Parton, Life of Andrew Jackson, 3 vols. (New York, 1860). Background
material for David Her may be found in Kemp P. Battle, History of the
University of North Carolina, 2 vols. (Raleigh, 1907-1912), and for
Harry Aulmin consult Thomas J. Clark, A History of Kentucky (Lexington,
1950) and the same author's introduction to Aulmin's A Description of
Kentucky... (Lexington, 1945).

Several important and useful studies are available for land problems.
For a general picture of the land question consult Roy M. Robbins, Our
Landed Heritage, the Public Domain 1776-1936 (Princeton, 1942). Older
but fuller and very satisfactory is Payton J. Treat, The National Land
System, 1785-1820 (New York, 1910), and a less useful but more popular
account is contained in Aaron M. Sakolski, The Great American Land Bubble
Land System in the South: 1803-1812," Mississippi Valley Historical
Review, XVI (1929-1930), 495-506. The best single source on land claims
in the territory is James M. Helms, "Land Tenure in Territorial Mississippi"
(M. A. thesis, University of Virginia, 1954). On earlier British grants,


Indian problems constantly remained a source of irritation to the settlers who always petitioned the governors for relief. The best general work on this subject is Robert C. Cotterill, *The Southern Indians* (Norman, Okla., 1954) although the author tends to be too sympathetic to the red men. Since the federal government determined Indian policy, two studies which proved helpful are Royal S. Way, "The United States Factory System for Trading with the Indians, 1796-1822," *Mississippi Valley Historical Review*, VI (1919-20), 220-235 and Cotterill, "Federal Indian Management in the South, 1789-1825," *Ibid.*, XX (1933-34), 353-352. Another work, Martin Abbott, "Indian Policy and Management in the Mississippi Territory,


Indirectly bordering on the matter of travel, especially on the Natchez Trace, is the question of robbery. The best study is Otto A. Rothert, *The Outlaws of Cave-in-Rock* (Cleveland, 1924), but a more popular account is given by Robert N. Coates in *The Outlaw Years, the History of Land Pirates on the Natchez Trace* (New York, 1930).
Because of its importance in shaping and transforming political institutions, social history received considerable attention in this study. The various studies by Hamilton and Sydnor, already mentioned, are most helpful. Also useful is Everett N. Dick, *Dixie Frontier* (New York, 1945). A very suggestive and important essay is W. B. Hamilton, "The Southwestern Frontier, 1795-1817: An Essay in Social History," *Journal of Southern History*, X (1944), 390-403. Another study, less interpretive, is Nell Angela Heidelberg, "The Frontier in Mississippi" (M. A. thesis, Louisiana State University, 1940). Also helpful is G. F. Whittington, "Dr. John Sibley of Natchitoches, 1757-1837," *Louisiana Historical Quarterly*, X (1927), 467-473.


Religion has received more attention. Walter B. Posey has written three studies which cover the activities of the Presbyterians, the Baptists, and the Methodists, and his *The Presbyterian Church in the Old Southwest* (Richmond, 1952) includes material on the first Presbyterian church organized in the territory. Another useful study is Frances Allen and James A.


Another subject of general interest has been the homes of Natchez. The only book devoted exclusively to Natchez is J. Wesley Cooper, Natchez, A Treasure of Ante-Bellum Homes (Philadelphia, 1957). Not as well illustrated but with better descriptions of some of these homes is J. Frazier Smith, White Pillars (New York, 1941). See also Mrs. H. D. Dupree, "Some Historic Homes of Mississippi," Mississippi Historical Society, Publications, VII (1903), 325-347.


For an understanding of western support for the War of 1812, Julius W. Pratt's Expansionists of 1812 (New York, 1925) remains authoritative despite some recent criticisms. On the war itself, see Mrs. Dunbar Rowland, "The Mississippi Territory in the War of 1812," Mississippi Historical Society, Publications, centenary series, IV (1921), 7-156 which has since been published as Andrew Jackson's Campaigns Against the British (New York, 1926).

There are several valuable studies on localities. Peter J. Samilton's Colonial Mobile (Mobile, revised 1952) contains much useful material, and E. C. Betts' Early History of Huntsville Alabama (Montgomery, 1909) is unusually good for a local study as is Timothy A. Ball's A Glance into the Great South-east; or Clarke County, Alabama and Its Surroundings (Chicago, 1882). Unfortunately the three most important territorial settlements are without adequate studies. The town of Washington has been totally neglected, while the city of Natchez has been the subject of several inadequate treatments. Harriet T. Kane's Natchez on the Mississippi (New York, 1947) is a popular account which in some ways is fairly good, but Joseph D. Shields' Natchez, Its Early History (Louisville, Ky., 1930) is so full of errors as to be entirely untrustworthy. Also P. J. Hamilton's "St. Stephens: Spanish Fort and American Town," Alabama Historical Society, Transactions, III (1899-99), 227-233 is not very satisfactory. Other local studies include Jesse M. Wilkins, "Early Times in Wayne County,"

Of the various events which touched the territory, none was as fascinating as the Burr conspiracy which still remains shrouded in mystery. The most judicious study is T. P. Abernethy's The Burr Conspiracy (New York, 1954) which tries to prove the existence of a conspiracy. Walter F. McCaleb, in his The Aaron Burr Conspiracy (New York, 1935), takes the opposite viewpoint and attempts to exonerate Burr. The movements of Burr in the territory are carefully traced in Abernethy, "Aaron Burr in Mississippi," Journal of Southern History, XXV (1949), 1-21.


Rapala and Newspapers

Rapheal literature played an important part in political warfare among factions in the territory. Yet the early absence of a press and
the continual difficulty of procuring suitable printers often limited
the use of printed propaganda.

While most political attacks were printed in local newspapers, a
few became either important or violent enough to gain separate publication
in a pamphlet. The first significant political issue, the removal of
Governor Winthrop Sargent, was the subject of two pamphlets published
by direction of the ousted governor. *Papers in Relation to the Official
Conduct of Governor Sargent* (Boston, 1901), while presenting an able
defense, contains several valuable documents; but, *Political Intolerance
or the Violence of Party Spirit Exemplified in a Recent Removal from
Office* (Boston, 1801) is merely a bitter diatribe by a defeated politician.

Even more significant is a pamphlet containing the polemics of
"Castigator," who was Robert Williams, against Poindexter. Unfortunately
the only extant copy (Mississippi Archives) is without the title page,
therefore the exact title remains unknown. Governor Williams is also
involved in another important pamphlet entitled *Correspondence between
his Excellency Gov. Williams, and James W. Bramham, Esq. respecting the
publication of certain letters written by Mr. Bramham to John W. Eppes
and Thomas M. Randolph, Esquires* (Natchez, 1808). Valuable as an illustration
of a circular letter is *Address of Doctor William Lattimore to the Electors
of the Mississippi Territory* . . . (Natchez, 1813).

Another important subject of pamphlet literature was land claims.
A good example of a petition praying for validation of Spanish claims
dated before the Pinckney Treaty is contained in the *Report of the Committee
to whom was referred . . . the Several Petitions of Thomas Burtling and others;
of John Callier and others; and of Cato West and others* (Philadelphia,
1800) and in *Petitions of Cato West*. . . *Published by Order of the House*
of Representatives (Philadelphia, 1800). Conflicting land claims with Indians is the subject of the report of the Committee, to whom was referred
the petitions of the legislative Council and the House of Representatives
of the Mississippi Territory, and of sundry residents and claimants
of lands on the Alabama River. (n. p., 1804). The land squabbles which
involved Jefferson College may be seen in report of the Committee on Public
Matters, to whom were referred the petitions of the mayor, aldermen and
assistants of the City of Natchez; of the board of trustees of Jefferson
College, in the Mississippi Territory and of William Dunbar. (Washington,
1806).

Another important pamphlet is Daniel Clark's Proofs of the Corrupt
of General James Wilkinson, and of His Connection with Aaron Burr (Philadelphia,
1803). Also important as a source for economic and social material are
the various copies of the Louisiana and Mississippi Almanack. On the
significant question of a division of the territory, one petition which
apparently had very little influence is An Attempt to Show the Policy
of Annexing Part of the Mississippi Territory to the State of Louisiana
[Natchez, 1815]. The pamphlet along with certain broadsides are in Mississippi
Imprints, 1799-1830 (Mississippi archives).

As a source for political matters newspapers are indispensable, but
unfortunately during the territorial period most newspapers were shortlived;
therefore, extant copies of many papers are scarce or non-existent.
Furthermore, copies of these papers are widely scattered. The largest
collection is in the Mississippi Archives, but the American Antiquarian
Society in Boston, Massachusetts, contains a valuable and extensive
collection of early newspapers for the territory. The Library of Congress
and Duke University Library also have a few scattered issues of important
papers. Copies of one of the earliest papers printed in the territory are in the University of Chicago Library. The Alabama Archives was disappointing since it contains only a very few issues of some papers printed in the later years of the territory, and a search of county courthouses produced almost no early newspapers.

One of the earliest papers is Green's Impartial Observer (Natchez), but only a few copies are still extant. The same is true for another early paper, the Mississippi Herald (Natchez) which later became the Mississippi Herald and Natchez Gazette. This paper was the first one published by Andrew Marschalk. One of the more important early newspapers was the Mississippi Messenger (Natchez) which was first published by Timothy and Samuel Terrell but later by Timothy Terrell and John Shaw. This paper became the leading organ for the Green family and was always violently anti-Williams as well as very critical of Marschalk. When this paper folded in 1808, Shaw established the Mississippian (Natchez) which lasted until 1811.

More objective and less partisan than either Marschalk's or Shaw's papers was the weekly Chronicle (Natchez) which was printed from 1808 to 1812. Its editor, John W. Winn, generally received patronage from the mild-tempered David Holmes and the territorial legislature. In 1813, Marschalk established the first newspaper, the Washington Republican, in the territorial capital of Washington and commenced a vitriolic attack on Poindexter and his political junta. In 1815, Marschalk moved his paper to the more prosperous city of Natchez where he continued to oppose his bitter enemy. Following this move, he changed the name of his paper to the Washington Republican and Natchez Intelligencer and began a vigorous defense of delegate William Lattimore. Poindexter utilized the pages
of a competing paper, the Mississippi Republican, to answer charges of
his adversary, but the editors of this paper, Peter Isler and James
M'Curdy, never personally entered the fray.

While newspapers printed in the Natchez district were relatively
scarce, those for the eastern section are practically non-existent.
Scattered issues of the Mobile Sentinel (Fort Stoddert), Madison Gazette
(Huntsville), Alabama Republican (Huntsville), Mobile Gazette, the Halcyon
(St. Stephens), and the Huntsville Gazette are still extant, but they
yield nothing significant.

In addition, several papers published outside of the territory
provided useful material. The Tennessee Gazette (Nashville) contains a
little material on Claiborne. More important are the New York Herald
which was avidly read by local Federalists and the National Intelligencer
(Washington, D. C.) which was the principal paper read by the Republicans.

**Government Documents**

Almost as valuable for source material as personal manuscripts are
the numerous county, territorial, and national documents. Several pub-
lished collections of federal documents are extremely useful. Francis
Newton Morin, ed., The Federal and State Constitutions, 7 vols. (Washington,
1809) contains certain acts relating to the territory as well as Mississippi's
first constitution. Equally valuable is Hunter Miller, ed., Treaties
and Other International Acts of the United States of America, 3 vols.
(Washington, 1931-49). Indispensable are The Debates and Proceedings
of the Congress of the United States, 42 vols. (Washington, 1834-56)
and the American State Papers: Documents, Legislative and Executive, 38
vols. (Washington, 1832-61). The latter contains much significant material

Several manuscript collections of government documents proved exceedingly helpful. The Records of the Secretary of State in the National Archives contain the territorial papers of the Mississippi and the Orleans Territories, and among these papers are several significant letters not included in Carter's Territorial Papers. Likewise, several valuable letters which have not been published are in the Records of the General Land Office (National Archives).

Certain Spanish records are also valuable in understanding the attitudes of the people. Foremost among these are the Spanish transcripts, already mentioned, but almost as important are certain Spanish documents now housed in the office of the Chancery Clerk of Adams County at Natchez. These documents include court records, land deeds and grants, regulations, and other administrative records. A microfilm copy of these papers is in the Mississippi Archives, and much of this material has been published in May Wilson McBee, ed., The Natchez Court Records: 1767-1805 Abstracts of Early Records (Ann Arbor, Mich., 1953). Selected documents from the British transcripts are published in Dunbar Rowland, ed., Mississippi Provincial Archives, 1763-1766, English Dominion (Nashville, 1911).

Far more numerous and important are the various territorial documents. Most of these have been microfilmed by the Library of Congress in the Records of the States of the United States series under the supervision
of W. S. Jenkins, and a copy of these records is in the Fondren Library of the Rice Institute. These documents have been conveniently divided into executive, judicial, and legislative categories.

From the executive records, several letter books have been published while the unpublished books (one for Williams and three for Holmes) are housed in the Mississippi Archives. The journals of Governors Sargent and Claiborne have been published in Dunbar Rowland, ed., *The Mississippi Archives, 1795-1803*, *Executive Journals of Governor Winthrop Sargent and Governor William Charles Cole Claiborne* (Nashville, 1905) while the journals of Claiborne as governor of the Orleans Territory are also included in Rowland, ed., *Official Letter Books of W. C. Claiborne, 1801-1816*, 6 vols. (Jackson, 1917). Much bulkier and harder to handle are the enormous manuscripts included in the Records of the Governors, previously mentioned. Also helpful in ascertaining certain specific information are the Records of the Territorial Treasurer (1 box), Records of the Territorial Legislature (40 boxes), and the Records of the Territorial Auditor (27 boxes). On Indian relations, a MS journal, entitled *The Proceedings of the Governor of the Mississippi Territory as Superintendent of Indian Affairs* (*Mississippi Archives*), is very useful, but this journal covers only the administrations of Claiborne and Acting-Governor Cato West. Also helpful is the Register of Appointments, composed of two manuscript journals which cover the years of 1805-1810 and 1814-1817.

Another valuable source is the numerous legislative records. Although all of the house and council journals were published, printed copies for several sessions are no longer extant. In the Mississippi Archives are manuscript journals for the house during the years of 1803, 1808, 1811, 1813, 1814, and 1815 and for the 1804 session of the Legislative
Council. William D. McCain had edited the *Journal of the House of Representa-
tives, Second General Assembly, Second Session*... (Hattiesburg, Miss., 1940) and the *Journal of the Legislative Council, Third General
Assembly, Third Session* (Beauvoir Community, 1947). Copies of original
journals include *A Journal of the Legislative Council, at the Third Session
of the Third General Assembly*... (Hatchez, 1806) and *A Journal of the
House of Representatives, at the First Session of the Fourth General
Assembly (Hatchez, 1807)*. The latter is without a title page.

The numerous laws passed by Congress and the territorial legislature
are another indispensable source for political history. The federal
enactments are contained in the *Public Statutes at Large of the United
States of America*, 17 vols. (Boston, 1825-75), but the acts of the territorial
assembly have not been so conveniently compiled. The General Assembly
authorized the digests of territorial laws which are very useful. They
are: Henry Soulemin, compiler, *The Statutes of the Mississippi Territory,
Revised and Digested by the Authority of the General Assembly*... (Hatchez,
1807; and Edward Turner, compiler), *Statutes of the Mississippi Territory
... (Hatchez, 1816). A later edition, A. Hutchinson, compiler, Code
of Mississippi... (Jackson, 1824), also includes several territorial
laws.

The most controversial laws were those enacted under Sargent, and
most of these acts are included in the *Historical Records Survey, Sargent's
Code, a Collection of the Original Laws of the Mississippi Territory
enacted 1798-1800 by Governor William Sargent and the Territorial Judges
(Jackson, 1939). These laws which are not included in this work are in
(Beauvoir Community, 1948)*. The first enactment of the Sargent administration
has been published by Douglas C. McMurtrie as *The Mississippi Militia Law of 1799*. (Chicago, 1933) and another important act was uncovered by the same editor and published as *The Banking Act of 1802* (Chicago, 1936). The early laws concerning Jefferson College are included in *Laws of Jefferson College, Located in the Town of Washington, State of Mississippi* (Natchez, 1820).

As in the case of the legislative journals, all legislative enactments were published, but there are no remaining copies of many of these publications. The first laws of the territory are in *Laws of the Mississippi Territory at a Session of the Legislature began [sic.]... the 22d Day of January, Anno Domini 1799... to the 25th Day of May* (Natchez, 1799), but a more complete publication is *Laws of the Mississippi Territory at a Session begun... 22d Day of January... 1799... to the 25th Day of October* (Natchez, 1799) which lacks a title page. The only known copies of the printed laws for the session beginning in October, 1800 and for the session which lasted from October 24, 1801 to February 1, 1802 also lack title pages. These two copies are in the library of Harvard University. Other copies include *Acts passed at the Third Session of the First General Assembly... (Natchez, 1802); Acts passed by the Second General Assembly... during Their First [Second?] Session... (Natchez, 1804); Acts passed by the Third General Assembly... during Their First Session... (Natchez, 1805); Acts passed by the Third General Assembly... during Their Extra Session (Natchez, 1805); Acts passed by the Fourth General Assembly... during Their Second Session (Natchez, 1808); Acts passed at the Second Session of the Sixth General Assembly... (Natchez, 1810).

In addition to these published acts, the Mississippi Archives contains manuscript copies of these laws and most of those for which there are no
extant pamphlets. Furthermore, several loose and undated manuscript
laws are also in this depository.

A very valuable source for political events is the territorial
court records. Extremely useful are the published notes of Thomas Rodney
which are included in Hamilton's biography of Rodney, previously mentioned.
Other published records are Mary Louise Flowers Hendrix, ed., Mississippi
Court Records from the Files of the High Court of Errors and Appeals,
1792-1859 (Jackson, 1950), which is more useful to the genealogist than
to the historian, and the more valuable Historical Records Survey, Transcrip-
tion of County Archives of Mississippi: Adams County, 2 vols. (Jackson,
1942). The first volume of the latter contains the minutes of the court
of general quarter sessions, 1792-1801, while the second volume includes
minutes of the county court, 1802-1804. The originals of these are in
the Adams County courthouse which also houses minutes of the circuit
court, 1802-1812; minutes of the county court, 1804-1812; and minutes
of the superior court, Adams district, 1802-1804. Also included among
these records are deed books, marriage records and court judgments.
In the Mississippi Archives are scattered manuscript records of the
territorial supreme court. In the Washington County courthouse at Chatham,
Alabama are deed books and minutes of the Washington County Court.

Useful in locating and identifying certain insignificant individuals
are the census records. Microfilm copies for the territory are in the
Mississippi Archives, while the census returns of 1810 have been largely
published. Harold Jacobs has edited the "Census of Wilkinson, Mississippi
Territory, 1805," Journal of Mississippi History, XI (1949), 104-111;
"Census of Claiborne and Warren Counties, Mississippi Territory, 1810,"
Ibid., XIII (1951), 50-63; and "Census of Washington County, Mississippi