

NATIONAL HISTORY SERIES

A School History
of
TENNESSEE



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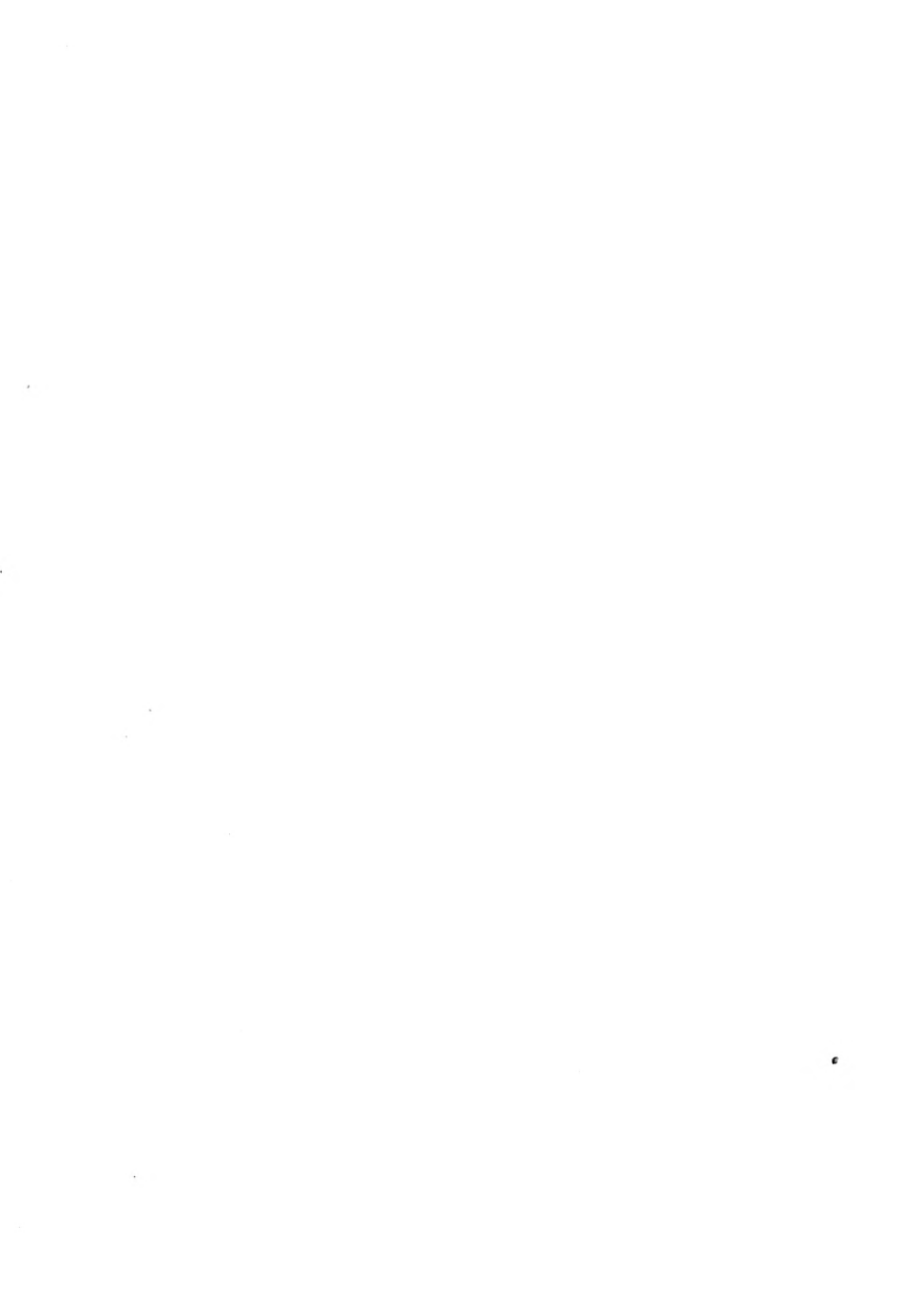


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A SCHOOL HISTORY OF TENNESSEE

BY

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NATIONAL BOOK COMPANY

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PREFACE

This book is written from the modern point of view with reference to the proper interpretation of history. Much of our history is almost exclusively political history. It is little more than an account of public officials and a description of battles. History, as properly construed, is an interpretation of the whole life of a people. It is as much the duty of a historian to interpret the industrial life, the educational life, the social life, and the religious life of a people, as it is to interpret their political life. Certainly children should not get the idea that wars and politics constitute the whole of history.

Much of the material herein used is original. It has been obtained through original investigation and research, and has never before been published.

Many facts used were gotten from histories of Tennessee by Ramsay, Haywood, and Garrett and Goodpasture. These splendid books contain a veritable storehouse of valuable historical material and will hold an important place in the history of the state.

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INTRODUCTION

The State of Tennessee is divided into three grand divisions: East Tennessee, Middle Tennessee, and West Tennessee. East Tennessee is physically separated from Middle Tennessee by the Cumberland Mountains, and Middle Tennessee is physically separated from West Tennessee by the Tennessee River. East Tennessee is the mountain section of the state, Middle Tennessee is hilly and rolling, and West Tennessee is comparatively level. But to designate East Tennessee as a "mountain section," or the East Tennesseans as "mountaineers" is decidedly misleading. East Tennessee is a valley, about three hundred miles in length with an average width of fifty or sixty miles, lying between two high mountain ranges. It is separated from Georgia and North Carolina by the Alleghanies, and from Virginia and Kentucky by the Cumberland ranges. The mountain region of East Tennessee is only about one-fifth of the territory of this section, and, perhaps, not over one-sixth of the population is found in the mountain region. The great majority—perhaps five-sixths of the East Tennessee people—live in the valleys, and are mountain people only in the sense that they live in view of the mountains.

Tennessee is abundantly supplied with rivers, creeks, and springs. Her navigable streams have

been an important means of transportation from the beginning of her history. For the first sixty years of Tennessee history the Cumberland, the Tennessee, the Mississippi, and a few smaller rivers were practically the only means of transporting goods beyond the borders of the local communities. Before the days of railroads Middle Tennessee and West Tennessee had greatly the advantage of East Tennessee in means of transportation, since they were better supplied with deep, navigable rivers, and had less difficulty in constructing roads over which they reached the streams.

But East Tennessee has the decided advantage over the other sections of the state in its possession of water power, mineral springs, and mineral resources in general. The historical Watauga, Holston, French Broad, and Tennessee rivers with their tributaries furnish water power sufficient for very large manufacturing industries. Mineral springs are found in abundance and their waters are noted for their medicinal qualities. The famous Tate Springs are located near the middle of East Tennessee, and are kept open the year round for patients. To these and numerous other springs in this section many people go each year in search of health and recreation. This section of the state is rich in mineral resources. Iron, coal, and marble are found here in large quantities, and for many years copper and zinc mines have been in successful operation. The coal and iron and copper mines were in successful operation before the Civil War. The output

of these ores is at present very large, and has increased greatly in recent years.

The soil of Tennessee is rich and very productive. This is true of all three sections of the state. While portions of the mountain section of East Tennessee are barren and unproductive, the valleys and coves and much of the hill land are very fertile and compare favorably in productivity with the best lands of Middle Tennessee and West Tennessee.

In altitude Tennessee ranges from 6,660 feet above sea level in the eastern portion of the state to 170.44 feet in the west. This gives to the state a great variety of soil and climate, and enables Tennesseans to produce every kind of plant grown in the United States except tropical fruits. The Tennessee climate and soil are especially adapted to stock raising and this, in large measure, accounts for the very high grade of horses and mules and cattle in Middle Tennessee.

CHAPTER I

COMING OF THE WHITE MAN TO TENNESSEE

THE INDIANS

Before the white man came to Tennessee this section was occupied by the Indians. It was used by them partly as a place of residence and partly as a hunting ground. The Indians would come into this section and kill game and then return to their homes in other parts of the country.

While various tribes of Indians at one time or another came into Tennessee, the chief tribes that occupied this territory were the Cherokees, the Chickasaws, the Creeks, the Choctaws, and the Seminoles. The Cherokees were the Indians who gave serious trouble to the Watauga settlers, and against whom John Sevier waged war. The settlers on the Cumberland River were attacked chiefly by the Creeks. The Chickasaws claimed all of West Tennessee. They lived on peaceful terms with the white man and rendered valuable service to the people on the Cumberland in their wars with the hostile Indians.

FIRST WHITE MAN TO VISIT TENNESSEE—DESOTO

On May the 12th, 1539, Hernando DeSoto, at the head of more than one thousand Spanish soldiers,

sailed from Havana, Cuba, and in fifteen days landed on the coast of Florida. The purpose of this Spanish expedition was to conquer the Indians in all of the territory now within the bounds of the State of Florida, and as much farther north as possible, and to open up this section to Spanish colonization. DeSoto began his march north soon after landing, but he met with great opposition at the hands of the Indians. After fighting many battles and losing a large number of his men he reached the Mississippi River at a point which is believed to be near the present location of Memphis, crossed the river, and then turned back south. To DeSoto and his soldiers is generally given the honor of having been the first white men to tread on what is now Tennessee soil. This was less than fifty years after the discovery of America by Columbus.

LaSALLE

In 1673, Marquette and Joliet, two French missionaries, discovered the western boundaries of Tennessee, and ten years later LaSalle, another Frenchman, built a cabin and a fort on the first Chickasaw Bluff. This was, perhaps, the first real work done by a white man within the bounds of Tennessee. The purpose of LaSalle in building this cabin and fort was not to establish a permanent settlement, but to establish a trading post with the Indians at this point. The Indians never objected to the white man coming among them as a trader. It was only when he began to make a permanent settlement that

he met serious opposition from the Indians. La-Salle's visit was nearly one hundred and fifty years after that of DeSoto.

CHARLEVILLE

In 1714, M. Charleville, a French trader, came up from New Orleans to trade with the Indians along the Cumberland River. He built a store near the present site of Nashville. But, like LaSalle at Memphis, his purpose was to establish not a permanent home, but a temporary trading post.

THE FIRST PERMANENT SETTLERS

The first permanent settlement in America was made by the English at Jamestown in 1607. This was the beginning of the Virginia Colony. Sixty years later the first settlement of civilized man in North Carolina was made by the English. North Carolina at this time included all of the territory within the present bounds of Tennessee. At this time North Carolina was called Albemarl. In 1671, the population of Virginia was forty thousand and the population of North Carolina was about fourteen hundred. The first settlements in both Virginia and North Carolina were made near the Atlantic coast on the east. But as the population increased the settlements in both colonies were pushed farther and farther westward toward the territory now comprising Tennessee and Kentucky.

In 1714, Lieutenant and Captain-General Spotswood of Virginia, with a number of attendants,

made a tour of exploration in the western section, and crossed the Appalachian Mountains.

FORT LOUDON

In 1756, Governor Loudon, of Virginia, sent out a body of men under the command of Andrew Lewis, to build a fort on the Tennessee River about thirty miles from the present site of Knoxville. The purpose of this movement was to protect the western settlers against the murderous assaults of the Indians. The fort was called Fort Loudon. This was the first structure of any sort erected by the English-Americans in Tennessee. Fort Loudon was captured and destroyed by the Indians four years after its erection, and a large proportion of its two hundred or more inhabitants slain.

HUNTERS

From the beginning of the eighteenth century, and even before, it was not unusual for hunters from Virginia and North Carolina to cross the mountains to hunt and trade with the Indians in the territory now within the borders of Tennessee. In 1748, Dr. Thomas Walker, of Virginia, with a number of other gentlemen came into the Tennessee territory, crossing the mountains at a depression which he called "Cumberland Gap." At this time he also gave the name "Cumberland" to the mountain and the river, which have since borne that name, in honor of the Duke of Cumberland, who was at that period prime minister of England. "Cumberland" is, perhaps, the

only Tennessee name that was given in honor of an Englishman. The Cumberland River was called by the Indians the Warioto, by the French the Chauvannon.

In 1761, a number of hunters chiefly from Virginia, formed themselves into a company and came into the section now within the bounds of Hawkins County, Tennessee, and hunted for eighteen months. At this time Daniel Boone came into Tennessee on a hunting trip. He came from North Carolina. He had doubtless been here before, since on a beech tree near Jonesboro, Tennessee, the following inscription was found: "D. BOONE CILLED A BAR ON TREE IN THE YEAR 1760."

From this time on for a number of years many groups of men, numbering from three to forty, came into the Tennessee territory for the purpose of hunting and trading with the Indians. The rapid increase in the number of explorers in this section at this time aroused the suspicions of the Indians, and led them to the conclusion that they would be compelled to resist these encroachments of the white men on their territory. As long as the white men came in small numbers to hunt and trade and then return to their homes across the mountains, they were well treated. But when they came in large numbers, and some of them gave evidence of making this territory their permanent home, the Indians realized that they would later claim this territory as their own and would attempt to drive the red man out. It was this realization that aroused the

hostility of the Indians, and their enmity was not without cause. At this time there were few permanent Indian settlements in Tennessee. This territory was held by them chiefly as a hunting ground. They would come in from beyond the present state borders, and hunt and return with their game. They did not object to the white man's using this territory for a similar purpose. But they did object to permanent settlements by the white man, because they realized that this would tend to drive out the game and in the end would mean their own expulsion.

CHAPTER II

THE WATAUGA SETTLEMENT

In the year 1761, a number of Virginians, with some others, formed themselves into a company and came into the western part of Virginia to hunt. This company was composed of Wallen, Scaggs, Blevins, Cox, and fifteen others. They came into what is now called Carter's Valley, in East Tennessee. About the same time Daniel Boone came into the same section at the head of another company.

These hunters were attracted to this section by the great abundance of game, which they felt sure abounded along the western waters, and they went out with the expectation of making large gain through this source. At this time there were no white settlers in this part of the country, but Indians were here in large numbers.

These hunters were successful in killing large game, and they remained here about eighteen months. They came back again and others came with them, but, as yet, no permanent settlements had been made.

Impressed by the beautiful and fertile valleys of this section, as well as by the unusual opportunities afforded for possible hunting, a number of people from Virginia and North Carolina decided to settle here permanently.

The first permanent home was established by William Bean, who came a little before 1770, when the first settlers began to gather on the banks of the Watauga, and here was made the first settlement in Tennessee. Others came in and formed two other settlements near Watauga. The two additional settlements were Holston and Carter's Valley.

In South Carolina, before 1770, no courts of justice were held beyond the limits of the capital, and in the interior of the province the inhabitants took the law into their own hands and punished offenders in their own way. This mode of proceeding was called regulation and its authors "Regulators." Those who opposed them were called "Scovillites," after their leader, Scovil, commissioned by the governor of South Carolina to suppress the Regulators. Each party was armed and prepared to fight to the bitter end. The feelings arising from these tumults drove many patriots from South Carolina to the settlements on the Holston and the Watauga rivers.

In North Carolina, at the same time, there was great unrest on the part of the masses of the people, who claimed that illegal and exorbitant fees were exacted by officers of the government, that oppressive taxes were exacted by the sheriffs and that the method of collecting them was tyrannical. In 1765, the people were aroused by the report that the Stamp Act had been passed by the British Parliament. They protested to England that they would not be forcibly taxed. The Stamp Act was repealed, but this did not quiet them. The extortions of offi-

eers were continued and the taxes were multiplied. The office holders were all foreigners. The people held several meetings and assumed the name of Regulators, and adopted the policy of resisting all illegal taxation. They prevented the sitting of courts and otherwise obstructed the execution of the laws. Governor Tryon met them on the 16th of May, 1771, on the Alamance. Tryon's men numbered somewhat less than 3,000. The patriotic citizens numbered about 3,000; but they were poorly armed, and it seems had but little ammunition. The government troops, being better armed, better drilled, and better equipped in every way, won the battle. After this defeat many of these courageous citizens came to the Watauga settlement to make their home.

So a considerable number of those who made up the first permanent settlement in Tennessee, came to the Watauga settlement, not primarily to take advantage of the cheaper and better land in this section, but to get away from political oppression and establish themselves in a new country more friendly to liberty and freedom. Such men are a valuable addition to any community, and they doubtless made a large contribution to the heroic work accomplished by the Watauga settlers in their early history.

In 1772, the Watauga settlement was steadily increasing through immigration from Virginia, North Carolina, and South Carolina. It was during this year that the pioneers decided that they must

have some form of government. At this time the line between Virginia and North Carolina had not been definitely fixed, and these settlers believed for some time that they were in Virginia. But later they discovered that they were within the bounds of North Carolina. Neither Virginia nor North Carolina gave them any protection. The cost of establishing courts and maintaining an army to protect these settlers so far distant from the home government was a burden North Carolina refused to assume, even after it was certain that the settlement was within the bounds of this colony. Cut off from the protection of the home government, there was but one thing for them to do and that was to form some kind of government of their own, which would meet the demands of social order, and this they did. In forming this government they took the laws of Virginia as their guide. A written constitution or compact was drawn and adopted by them.

The procedure in the formation of this new government was truly democratic, since the consent of the whole people was obtained at each step. A committee of thirteen was elected as a general legislative body. From this body five commissioners were selected in whose hands the executive and judicial powers of the government were placed. This committee of five was the real governing body of their little "state," and was doubtless the first commission form of government in this country. John Carter, John Sevier, James Robertson, Charles Robertson, and Jack Isbel were the five men selected

to administer the laws and manage the affairs of the settlement. Their decisions were final; no appeal could be made to any other court. For six years this government was in successful operation.

Four years after the launching of this little government on the banks of the Watauga, a petition was sent up to the legislature of North Carolina, signed by the legislative body, the executive counsel, and ninety-one other settlers, praying that the settlement might be annexed to the government of North Carolina. The request of the Watauga people was granted, and, in November, 1777, the legislature converted the "District of Washington," as this section was called, into Washington County, and made the Watauga government the government of the new county. Washington County, at this time, included all of what is today the State of Tennessee. The government of North Carolina appointed justices of the peace and militia officers for this county, who in February, 1778, met, took the oath of office, and organized the new county and its court.

After February, 1778, the public affairs of this section were conducted under the jurisdiction of the county court of Pleas and Quarter Sessions. This court was composed of the justices of the peace of the county who were appointed in this first organization by the governor of North Carolina. All five of the commissioners who directed the Watauga government were members of the first court appointed by the governor of North Carolina. This body selected John Carter as president and John

Sevier as clerk. These two gentlemen had been president and clerk respectively of the Watauga government. The appointment of the members of this court by the governor of North Carolina was, perhaps, nothing more than a form. The new government, it would seem, was simply the old Watauga government with a new name. This court, composed of justices of the peace, tried all civil and criminal cases arising within this territory and was the governing body of this section.

In 1780, the population of the settlement was probably less than 5,000. The number of persons capable of bearing arms was about 900. Sullivan County had been formed from a part of Washington County and within its borders lived about one-half of the settlers. At this time Colonel John Sevier had been appointed to the command of the militia of Washington County, and Colonel Isaac Shelby had been appointed to a similar position in Sullivan County.

At the time the Watauga settlers petitioned North Carolina to become a part of that colony the American colonies were at war with England. Up to the time of the beginning of serious trouble with England the Watauga settlers had experienced but little trouble with the Indians, who were often very near their borders. But in order to weaken the American colonies as much as possible in their resistance to the English government, the English used every means possible to arouse the hostility of the Indians against the western settlers, and in this way drive

them out of this country back to their former homes. To accomplish this end, the English furnished the Indians with guns and ammunition, and made them presents of such things as were especially prized by them. Under such influence the Indians began at once to make murderous assaults on the Watauga settlers.

Up to this time it had not been necessary for the settlers to make any considerable preparations for defense against any foe, since they were in no danger of attack. But now they had to begin every possible preparation for defense against the attacks of the Indians, which might come at any time. At once they began to build forts. The character of the forts constructed has been thus described: "A fort in these rude military times, consisted of pieces of timber, sharpened at the end and firmly lodged in the ground; rows of these pickets enclosed the desired space which embraced the cabins of the inhabitants. One block house or more of superior care and strength commanding the sides of the fort, with or without a ditch, completed the fortification or station, as they are most commonly called. Generally the sides of the interior cabins formed the sides of the fort."

In 1775, two Virginians by the names of Boyd and Boggett were sent out by their government to travel through a portion of Tennessee in order that they might observe the movements of the Indians who at this time were recognized as hostile to the colonists. These two men were killed by Cherokees

at a point in East Tennessee now within the borders of Sevier County. This was the beginning of the cruel and long continued war waged by the Indians against the men, women, and children of this western settlement. The object of the Indians in this warfare was either to slay all men, women, and children on this western frontier, or to drive them out and force them to return to the section whence they came. The number of Cherokee warriors from whom they might expect an attack at any time was about 2,000. For this small group of settlers far removed from any organized government save their own, with no regular soldiers and with very limited resources, to protect themselves, their wives, and children against this great horde of savage warriors would have seemed to a less heroic people a hopeless task. But these were unusual men, and they stood their ground and refused to retreat a single inch. With such help as they could get from Virginia and North Carolina, and this was necessarily small, they resisted the Indians at every point, and waged an aggressive and successful war against them.

An Indian chief by the name of Old Abraham, noted for his cunning, in the summer of 1776, led his warriors along the path at the foot of the mountain leading into the Watanga country, hoping to take the settlers by surprise and murder them before they had time to get together for defense. A small number of the settlers were, at this time, in the garrison at Gillespie Station, which was only a short

distance from the Watauga Station. They heard the approach of the Indians, and left Gillespie Station in great haste that they might join those in the Watauga fort. They succeeded in reaching Watauga before the Indians could overtake them. The next morning after their arrival, the women from the fort went out at daybreak to milk the cows, and were fired upon by the Indians. But they succeeded in getting back into the fort without injury. There were in the Watauga fort at this time one hundred and forty inhabitants; only forty of them were men. This small group of men was under the command of Captain James Robertson, who later became the founder of Nashville, and Lieutenant John Sevier. The Indians made a vigorous assault on the fort, but on account of the splendid marksmanship and great bravery of the little group, the Indians were repulsed with considerable loss. No one in the fort received a wound. However, the Indians remained around the fort for six days. In the meantime one of the settlers made his escape from the fort in order to get aid from the Holston settlement. In response to this appeal one hundred men under the command of Colonel William Russell started at once for the relief of Watauga. But the Indians had retreated before they arrived.

From this time on for many years the settlers were in almost continuous conflict with the Indians, and suffered at their hands the most inhuman cruelties. Many of their number were heartlessly murdered, and they were compelled to live in constant



JOHN SEVIER

dread of all the horrors of which the savage Indian was capable. The following account of a church service in this section at this time will give some idea of the dangers to which these people were subjected: "On Sabbath morning, during most of this period, it was the custom of Mr. Cummings (the preacher) to dress himself neatly, put on his shot pouch, shoulder his rifle, mount his horse, and ride off to church, where he met his gallant and intelligent congregation—each man with his rifle in his hand. The minister would then enter the church, walk grandly through the crowd, ascend the pulpit, deposit his rifle in the corner of it, lay off his shot pouch and commence the solemn service of the day."*

During the year 1779, the Watauga settlers received information that the Cherokees were planning an attack on their settlement. When this news reached Colonel John Sevier, who was at this time in command of the troops of Washington County, he ordered the militia of his county to assemble at once on the Nolichucky River; and within a few days two hundred men had gathered at this place. They at once started out to meet the Indians. On Boyd Creek they came upon an Indian camp with fires burning. An advance guard was ordered to the front to fire on the Indians and then retreat. The Indians followed the retreat as was anticipated until they came up to the main body of Colonel Sevier's troops. Colonel Sevier had divided his

* Ramsay, *History of Tennessee*, p. 146.

regiment into three divisions, he commanding the center, Major Wallace the right wing, and Major Tipton the left wing. Orders were given that as soon as the Indians approached the fort, the right wing should wheel to the left and the left wing wheel to the right, and in this way practically surround the Indians. Major Wallace executed the left wheel speedily but the left wing under Major Tipton was slow in executing the right wheel, and this made an opening through which many of the Indians escaped when they met the deadly fire from Sevier's center. However, twenty-eight Indians were killed and many more were wounded. Not a single man of Sevier's troops was wounded. This is only one of a large number of battles fought by the Watauga settlers against the Indians.*

The plan of battle used by Sevier on this occasion to trap the Indians was used in other engagements successfully.

This plan was adopted and used with great success by Andrew Jackson in later years in his Indian wars.

* Letter of General Campbell—Ramsay, p. 160.

CHAPTER III

TENNESSEANS IN THE REVOLUTIONARY WAR

KING'S MOUNTAIN

In the year 1780, the capital of Georgia had been taken by the British, and they had extended their posts as far as Augusta. When the Georgians saw that they were powerless to resist the strong British force, many of them left the state and some of them came into the Watauga settlement. The next move of the British was to take Charleston, the capital of South Carolina, which would virtually give them possession of the whole South. The South Carolinians made a brave defense of their capital city, but after a long siege they were compelled to abandon Charleston to the enemy and after this it was but a short while till the whole state was subdued.

When the governor of North Carolina learned that the British would march against Charleston, he called upon the militia of his state to volunteer to go to the aid of South Carolina. When this call reached the remote Watauga settlement it met with a quick response. Colonel John Sevier with a regiment of two hundred men from Washington County, and Colonel Isaac Shelby with a similar number from Sullivan County, were soon on the march to resist the English in South Carolina.

Well might the Watauga settlers have been excused from sending soldiers into an adjoining state. To defend themselves, their wives, and children against the murderous and treacherous assaults of the Indians was enough to occupy all of their time and command all of their resources. In addition to the Indians, the Watauga people had another enemy much nearer them than the English. In the war for independence with Great Britain, many of the colonists were in sympathy with the mother country, and a number of them joined the British army and took up arms against the Americans. These were called "Tories" while the loyal Americans were called "Whigs." These Tories were scattered throughout the colonies, and a number of them were in the Watauga settlement. To what extent some of them were acting as spies and giving substantial support to the British in a secret way was hard to determine. On one occasion some of these Tories had planned to murder Colonel Sevier, and doubtless would have been successful had he not heard of the plot in time to prevent its execution.

But notwithstanding all the dangers that threatened them and their families at home, these brave men four hundred strong responded to the call of the governor and marched into South Carolina to wage battle with the powerful British foe. Colonel Sevier and Colonel Shelby with their troops joined Colonel McDowell near Cherokee Fork in South Carolina. It was the purpose of Lord Cornwallis, who was in command of the British forces in the

South, to continue the British conquest through North Carolina. In a short while after Sevier and Shelby arrived, they, together with Colonel Clark of Georgia, at the head of six hundred troops were sent out to attack an English fort twenty miles away, in command of Colonel Patrick Moore. They started out at sunset, and at daybreak next morning the fort, held by ninety British soldiers, had surrendered. Within twenty-four hours, they had marched twenty miles, taken the fort, and returned to McDowell's camp. After a few other conflicts with the British, Sevier and Shelby with their troops returned to Watauga. Of course it was not safe for them to keep so large a part of their population away from their borders long at a time.

It was doubtless this unexpected bold activity on the part of Sevier and Shelby with their troops from the Watauga settlement that aroused a bitter resentment in the English against them. After the surrender of Colonel Moore, Cornwallis decided to send a portion of his troops under the command of Colonel Ferguson, a brave, intelligent, British soldier, to the interior to take possession of the principal places, and enlist and drill all the Tories possible in order that all opposition to the British, even in the remote western section, might be speedily crushed once for all. Colonel Ferguson's troops numbered about fourteen hundred, one hundred of whom were trained British soldiers; the rest were Tories, who for various reasons had joined the mother country against the colonies.

When Ferguson reached Gilberttown early in September, remembering the trouble Sevier and Shelby had recently given, the British paroled a prisoner by the name of Samuel Phillips, who was related to Colonel Shelby, and sent by him a very threatening message to the Watauga settlers. In substance the message was that if they did not stop their opposition to the British army, he would march his army over the mountain, hang their leaders, and lay their country waste with fire and sword.

When Colonel Shelby received this message he rode forty miles to confer with Colonel Sevier with reference to the best course to be pursued. Without orders or authority from any government or from any superior officer, Shelby and Sevier decided to raise all the men they could in Washington and Sullivan counties, get as many as possible beyond their borders to join them, and march across the mountains and attack Ferguson by surprise. Colonel William Campbell of Virginia was persuaded to join them. On the 25th of September, 1780, the regiments of Colonels Sevier, Shelby, and Campbell met at Sycamore Shoals on the Watauga, about three miles below the present town of Elizabethton. Campbell's regiment numbered 400; Sevier's and Shelby's regiments numbered 240 each.

When Colonel Sevier with his regiment was ready to start, his young second wife exclaimed: "Here," pointing to a youth of less than sixteen years of age, "here, Mr. Sevier, is another of your boys who

wants to go with his father and brother Joseph to the war, but we have no horse for him, and poor fellow, it is too great a distance for him to walk." Young James Sevier joined the regiment and was in the battle at King's Mountain.

To bear the expenses of this campaign Colonel Sevier tried to borrow the money on his own account. But the people were poor, and no money was to be had. Finally he and Colonel Shelby made an arrangement with the entry taker who had some money on hand belonging to the state of North Carolina, to let them have about twelve thousand dollars to defray the expenses of the expedition. They pledged themselves to see the money refunded or a satisfactory settlement made.

On the 26th of September, the troops were ready for the march. But before they started, the officers asked the men to assemble that they might ask divine guidance and protection. Reverend Samuel Doak, a Presbyterian minister and also a teacher in the Watauga settlement, led the prayer, and is said to have closed his prayer with the quotation from the Bible: "The sword of the Lord and of Gideon." At the close of this service they mounted their horses and started on the march.

The second day after they started two of the soldiers deserted. After the latter left, it was believed that they were Tories, and that they would attempt to reach Ferguson ahead of the army, and inform him of the plans of the troops. On this account, the patriots changed their course and were

compelled to travel over a much rougher country.

On the first of October, six days after they started, they were joined by Colonel Cleveland and Colonel Winston, of North Carolina, who had under their command three or four hundred men.

It was thought that Ferguson was at Gilberttown and they expected to attack him at this point. When they reached a point eighteen miles from the place, the rains became so heavy that they were compelled to stop for a time. While here the officers held a council and decided to place Colonel Campbell in command since his regiment was the largest and had come a greater distance than any of the rest. They reached Gilberttown on Wednesday, October the 4th. But Ferguson had gone. Having learned his plans they decided to follow him with the greatest haste possible.

At Gilberttown Ferguson had heard of the approach of the mountain men, and hence was expecting an attack. When he came to King's Mountain on his march he was so well pleased with the location that he decided to stop there and go in camp. This spot on which the famous battle was to be fought was in South Carolina, about one and one-half miles from the North Carolina line. It is described as about six hundred yards long, and about two hundred and fifty yards from one base across to the other. Ferguson is said to have stoutly affirmed that he would be able at this point to destroy or capture any force the Whigs could bring against him. "So confident," says Shelby, "was Ferguson

in the strength of his position that he declared that the Almighty could not drive him from it."

On the night of the 30th of October, the officers decided to select the best men and the best horses they had and make a forced march on the next day. Many of their men were on foot, and many of their horses had grown weak on the long march. The distance from the Watauga settlement to King's Mountain was more than two hundred miles. Those selected for the rapid chase of Ferguson numbered 910. The footmen and those on weak horses were commanded to follow as rapidly as they could. For the last thirty-six hours of their march before they reached King's Mountain, they got off their horses but once, and then they rested only one hour. To add to the hardships of this long, tiresome march, the night before the battle was dark, and early in the night a drizzling rain set in, which at times became exceedingly hard. It was necessary for the men to take their blankets and sacks, and in some cases their shirts from their bodies, and wrap them around their guns that they might keep their arms dry. At twelve o'clock on the second day of their forced march, they found themselves within a few miles of Ferguson's camp. The rain had stopped and the sun was shining. They halted and the officers decided on the plan of battle. At three o'clock in the afternoon they came in sight of the enemy. The regiments of Colonel Campbell and Colonel Shelby composed the center, Campbell being on the right and Shelby on the left.

Colonel Sevier and Major Winston led the right wing, and Colonels Cleveland and Williams the left wing. The plan was to surround the mountain and attack from four sides at once. They were repulsed three times by the charges of the English, but being rallied by their officers they immediately renewed the attack. Within one hour and five minutes after the battle began they had taken the mountain, killed two hundred and twenty of the British forces, including Colonel Ferguson, wounded one hundred and eighty others, and had taken between six and seven hundred prisoners. Of their forces only twenty-eight were killed and sixty wounded. Among the prisoners taken thirty or more were North Carolina Tories, and some of them had gone out from the Watauga settlement. Some of the Tories were executed, but others were spared on the ground that they were led to take up arms against the Colonists through honest motives. In this battle the English forces numbered about 1,100, and those of the Colonists about 900.

These mountain men were untrained soldiers; they had marched 200 miles over rough roads and for a part of the time through the rain; they had been in the saddle for practically thirty-six hours when the battle began; they were outnumbered and they made the attack against a position which was regarded by the brave Ferguson as especially strong against any possible attack. Surely they gained a most remarkable victory and won for themselves a big place in American history.

EFFECT OF THE BATTLE OF KING'S MOUNTAIN

It is difficult to overestimate the importance of this great victory at King's Mountain. Lord Cornwallis had boasted that Georgia and South Carolina were subdued, and that North Carolina was but the stepping block to the conquest of Virginia. He had now passed Charlotte and was advancing to Salisbury. The whole South was in gloom on account of the victorious march of the British through Georgia and South Carolina, and it seemed that nothing could prevent the subjugation of North Carolina and Virginia by Cornwallis. But when Cornwallis heard the news of Ferguson's defeat, he was completely demoralized; he abandoned his march northward, and ordered an immediate retreat. He marched all night in the utmost confusion, and moved his army to the rear about one hundred miles.

The battle of King's Mountain was conceded to be the turning point in the American Revolution. "No battle during the war," says Lessing, "was more obstinately contested than this; it completely crushed the spirits of the royalists, and weakened beyond recovery the royal power in the Carolinas." "The victory at King's Mountain," says Bancroft, the historian, "changed the aspects of the war. The royalists of North Carolina no longer dared to rise. It fired the patriots in the two Carolinas with fresh zeal. It encouraged the fragments of the defeated and scattered American army to seek each other and organize themselves anew." "That mem-

orable victory," says Thomas Jefferson, "was the joyful enunciation of that turn in the tide of success that terminated the Revolutionary War with the seal of our independence."

This whole nation owes much to East Tennessee for the part played by the Watauga settlers in gaining independence. The patriots who followed Sevier and Shelby were no ordinary men. In patriotism, courage, self-sacrifice, intelligence, and bold individual initiative, the Watauga people deserve to stand among the first citizens of America of this period.

CHAPTER IV

THE STATE OF FRANKLIN

After the battle of King's Mountain the Watauga people hastened back to their homes. They had heard before they left that the Indians were preparing to make an attack on their settlement; hence it was not safe for them to remain longer from their families. They now took up the difficult work of developing this wild section and opening it up to civilization. In this work they struggled against all kinds of hardships and dangers, but nothing could turn them back or thwart them in their purpose to make Tennessee a fit place for a man to rear his family.

In 1784, the legislature of North Carolina ceded to the United States government all of the territory now in the State of Tennessee. Congress was given two years in which to accept it. The transfer of the Tennessee territory to the United States government was made without the consent of the Watauga people, and without even consulting them. As a result they became very indignant. They felt that after the sacrifices they had made in the Revolution, and the services they had rendered to the cause of independence they deserved some consideration and certainly better treatment than they had received. They had no adequate military

organization to meet the many dangers that threatened them. They had been cut off from North Carolina, and had not been accepted by the United States government. While in theory they were to continue as citizens of North Carolina until they should be accepted by the national government, in fact the people regarded themselves as without any real government. Hence in the interest of self-protection they began at once to organize a government as they had done on the Watauga a few years before.

Nearly every man in their communities belonged to a military company. So the first step in the formation of the new government was for each military company to elect two representatives. The representatives thus elected met in convention and called a general convention in which delegates should be elected by the people in the different counties. This convention assembled in Jonesboro in August, 1784. John Sevier was elected president and Landon Carter secretary of the convention. It was decided to hold another convention later which should be composed of five delegates from each county for the purpose of selecting a name for the new state and adopting a constitution. When the news of this action reached North Carolina, that state withdrew the act by which they had ceded Tennessee to the Federal government, and appointed an assistant judge, and an attorney general for the Superior Court of Jonesboro. It was believed that this would stop the movement for a

new state. John Sevier thought at this time that no further step should be taken looking toward independence. But so intense was the feeling of resentment against North Carolina on account of her neglect and lack of appreciation of her western citizens that it was decided to proceed with the formation of the new government. The convention which had been provided for met, and John Sevier was elected president of this convention also. This convention provided for the election of a legislature immediately, that the new government might be put in operation. The new legislature was elected, and when it assembled in the early part of 1785, it organized a judiciary system, elected judges, elected John Sevier governor, and provided for all other offices necessary. The next convention met at Greeneville in December, 1785, and adopted Franklin as the name of the new state, and also adopted a new constitution which was a revised edition of the constitution of North Carolina.

North Carolina refused to recognize this new state, and began to exercise every possible influence on the inhabitants of this section to turn them away from the new government and hold them loyal to the government of North Carolina. Influenced by the inducements offered by the mother state, especially the offer to relieve them from paying taxes for a period, many of the adherents of the new state began to drop off; and soon it was apparent to nearly every one that the State of Franklin was doomed to failure. Colonel Tipton, who had been a

strong supporter of the new state in the beginning, changed his allegiance to North Carolina, and became a bitter political and personal enemy of Governor Sevier. Early in the movement for a new state Governor Sevier had advised the people to abandon the enterprise and submit to the government of North Carolina; and some time after he was elected governor he agreed to a peaceable settlement, and the abandonment of the new government. But later, perhaps chiefly on account of the bitter animosity of Tipton, he refused to yield to the demand of North Carolina, even when virtually every one else had given up the fight. Finally he was declared a traitor by the government of North Carolina, and his arrest was ordered. He did not try to escape, but for some time no officer would attempt to arrest him. Later he was arrested by Colonel Tipton and some of his followers. Governor Sevier did not resist arrest, yet Tipton was so enraged on account of the many conflicts he had had with Sevier that he threatened to shoot him, but he did not do so. However, he handcuffed the former governor and sent him away to Morgantown, North Carolina, to stand trial for treason. The officers removed the handcuffs before they had gone very far.

When the news spread abroad that Governor Sevier had been arrested and sent to North Carolina for trial, his friends began at once to devise some means of rescuing him. A few days later James and John Sevier, sons of the governor, to-

gether with several strong friends, were seen to start toward Morgantown leading Governor Sevier's spirited riding horse which was noted as a very fast runner. Governor Sevier was not kept in jail continuously at Morgantown, but was given large liberties by the sheriff.

Two accounts are given of the rescue of Governor Sevier from the officers at Morgantown. One account is that his sons and friends came into town on court day when a large crowd was present and remained there all day without being recognized. That night Governor Sevier got on his horse and the group rode away at a rapid gait. The other account of the rescue is given by Ramsay and is as follows: "It was ascertained that the trial was to take place at Morgantown and thither this daring band bent their eager steps. Their plan was to obtain his release by stratagem, and if that failed, the next step was to fire the town, and in the hurry and confusion, burst the prison doors by force and make their escape. * * * The 'Franks' had approached as near the town as they deemed it prudent, where four of them concealed themselves near the road, while two of their number, James Cozby and Nathaniel Evans, went forward into the town. They rode to a convenient distance from the courthouse, tied their horses to a limb of a tree, near to which they hid their rifles, and boldly entered the town, their capacious hunting shields concealing the side arms they had prepared in case of need. Soon they had mingled with the crowd and had passed off

for countrymen, attracted there by common curiosity. Evans had taken charge of Governor Sevier's celebrated race mare, and led her up in front of the courthouse door, the bridle carelessly thrown over her head; he was apparently an unconcerned spectator of passing events. Cozby entered the house and there arraigned at the bar sat the object of their solicitude. * * * Slowly he turned his head, and their eyes met. Sevier knew the rescue was at hand, but he was restrained from any outward demonstration, by a significant shake of Cozby's head; but it could not prevent the tear of gratitude, for he knew there were daring spirits near that would peril their life's blood in his defense. During a pause in the trial, Cozby stepped forward in front of the Judge, and in that quick and energetic tone, so peculiar to him, asked the judge if he was done with that man. The question, manner and tone caused every person to start, to cast their eyes on the speaker, then on the judge, all in amazement. In the meantime Sevier had caught a glimpse of his favorite mare standing at the door; taking advantage of the confusion, he made one spring to the door; the next he was safely in the saddle, and with the speed of thought, was borne from the wondering crowd. * * * His comrades were not slow to follow in his wake, and although immediate pursuit was made, a few minutes brought him to the main body, who with one wild shout of victory, closed in the rear and bore him on in triumph. That night they rested at the house of a friend, about twenty miles distant; from

whence they made an easy journey to their homes, content that they had gained a bloodless victory."

Soon after Governor Sevier's return to Tennessee, the legislature of North Carolina passed an act of pardon and oblivion for all who had taken part in the formation of the new State of Franklin, and this ended the conflict. Governor Sevier was now elected to the state senate of North Carolina from Greene County, and one year after his rescue he took his seat as a member of the law-making body of his state. This session of the legislature which met at Fayetteville in November, 1789, passed another act transferring Tennessee to the United States government, and the next year, 1790, Tennessee became a territory of the United States.

CHAPTER V

THE CUMBERLAND SETTLEMENT—MIDDLE TENNESSEE

The first structure in Middle Tennessee by a civilized man was built by M. Charleville, a French trader, on a mound near the present site of Nashville. This Frenchman erected his store here in 1714, for the purpose of carrying on trade with the Indians.

In the year 1779, Casper Mansker, Uriah Stone, John Baker, and several other citizens from North Carolina came into the Middle Tennessee country to hunt and collect furs for trade. They came down the Cumberland River to the point where Nashville is now located. From this time on for several years hunters in considerable numbers came into Middle Tennessee to hunt and trade. They carried back flattering reports of the rich country along the Cumberland River which aroused great interest in this section as a suitable place for permanent settlement.

In 1779, a group of men from the Watauga settlement composed of Captain James Robertson, George Freeland, William Neely, Edward Swanson, James Haully, Mark Robertson, Zachariah White, William Overall, and a negro, came into the Cumberland section and planted a field of corn on a part of the present site of Nashville. Captain Robertson

had been prominent in the founding of the Watauga settlement. He was a member of the governing body of five, and was prominent as a military officer in the Indian fights in that section. After planting the corn, they returned to Watauga to get their families, for they had decided to settle permanently at this place. But they left three of their number here to keep the buffaloes from destroying the corn in their absence. This was the beginning of the permanent settlement in Middle Tennessee. In this same year Mansker, who had been here before as a hunter, conducted to this section a number of families, who came to settle permanently in Middle Tennessee. They settled on the Cumberland River not far from Nashville.

In December of this year Robertson, with a number of others, left the Watauga section to return to the Cumberland. They came by land, and decided on a very indirect course, coming through Kentucky. Another party started from East Tennessee at the same time bound for the same place. But the latter came by water. They came down the Holston and Tennessee rivers and up the Ohio and into the Cumberland. Of course their small boats were propelled by hand. This party was led by Colonel John Donelson. In the party was the wife of Captain James Robertson, and also Rachel Donelson, who later became the wife of Andrew Jackson. Colonel Donelson kept a diary of this remarkable and most hazardous voyage, and some quotations from this diary are here given:

“Journal of Voyage intended by God’s permission in the good boat, Adventure, from Fort Patrick Henry on Holston River to the French Salt Springs (Nashville) on the Cumberland River, kept by John Donelson.”

“December 22, 1779. Took our departure from the fort and fell down the river to the mouth of Rudy Creek, where we were stopped by the fall of water, and most excessive hard frost; and after much delay and many difficulties we arrived at the mouth of Clouds Creek on Sunday evening, the 20th February, 1780, where we lay by until Sunday, 27th, when we took our departure with sundry other vessels bound for the same voyage, and on the same day struck the Poor Valley Shoal together with Mr. Boyd and Mr. Rounsifer, on which shoal we lay that afternoon and succeeding night in much distress.”

“March 2nd. Rain about half the day; passed the mouth of French Broad River, and about 12 o’clock Mr. Henry’s boat being driven on the point of an island by the force of the current and sunk, the whole cargo much damaged and the crew’s lives much endangered, which occasioned the whole fleet to put on shore and go to their assistance.”

“Wednesday, March 8th. One of the company, John Cotton, who was moving down in a large canoe, had attached it to Robert Cartwright’s boat into which he and his family had gone for safety. The canoe was here overturned, and the little cargo lost. The company pitying his distress concluded to halt and assist him in recovering his property. They had landed on the northern shore at a level spot, and were going up to the place, when the Indians, to our astonishment, appeared immediately over us on the opposite cliff and commenced firing down upon us, which occasioned a precipitate retreat to the boats. We

immediately moved off, the Indians lining the bluffs along continued their fire from the heights on our boats below, without doing any other injury than wounding four slightly."

"Tuesday, March 21st. Set out and on this day labored very hard and got but a little way; camped on the south bank of the Ohio. Passed the two following days as the former suffering much from hunger and fatigue."

"Tuesday, March 28th. Set out very early this morning. Killed some buffalo."

"Friday, March 31st. We are now without bread and are compelled to hunt buffalo to preserve life. Worn out with fatigue our progress at present is slow."

"Monday, April 24th. This day we arrived at our journey's end at the Big Salt Lick (Nashville) where we have the pleasure of finding Capt. Robertson and his company. It is a source of satisfaction to us to be enabled to restore to him and others their families and friends who were entrusted to our care, and who sometime since, perhaps, despaired of ever meeting again. Though our prospects at present are dreary, we have found a few log cabins which have been built on a cedar bluff above the Lick by Capt. Robertson and his company."

Colonel Donelson and his company started from the Holston on December the 22nd and arrived at Nashville on April the 24th. Thus they were on their journey through the dead of winter for more than four months. Some of those in this company were: Mrs. Robertson, the wife of Captain James Robertson, Colonel John Donelson, Robert Cartwright, Benjamin Porter, James Cain, Isaac Neely,

John Cotton, Mr. Ramsear, Jonathan Jennings, William Crutchfield, Moses Renfro, Joseph Renfro, James Renfro, Solomon Turpin, — Johns, Francis Armstrong, Isaac Lanier, Daniel Durham, John Boyd, John Montgomery, John Cockrill, and John Coffey, with their respective families; also Mary Henry, a widow, and her family, Mary Purnell and her family, John Blackmore, and John Gibson.

No more perilous trip was perhaps ever undertaken in this country with women and children than this. It well reflects the remarkable character of the early settlers of Tennessee, and is conclusive proof that they represented a superior type of manhood and womanhood.

But the great hardships endured by the Cumberland settlers in reaching their destination were only a mild beginning of the trials that awaited them. Hardly had they settled in their cabins when the Indians began their savage and deadly attacks with a view to their complete extermination. Perhaps no other settlement anywhere in America ever survived hardships so great and so trying as those visited upon the early settlers on the Cumberland. Their difficulties were greater and their hardships were more intense than those of the Watauga people, because they were separated from civilization by a much longer distance, and could hardly hope for assistance from without. The Indians understood their sad predicament, and took full advantage of it.

During the month of May, 1780, the Cumberland settlers met and drew up a form of government. At this time there were eight stations here. Nashboro (Nashville) was the center of population; Freeland Station was just a short distance north of Nashville; Eaton Station was on the east side of the river; Gaspers Station was at Goodlettsville; Ashers Station was near Gallatin; Bledsoe's Station was near the Sulphur Spring in the neighborhood of Gallatin. Fort Union was about six miles above Nashville.

Their numbers were so small, and the Indian attacks were so furious and so close together that a number of the settlers soon became discouraged, and had decided to move out and seek a safer locality for their families. But Captain Robertson took a firm stand against any retreat, and finally persuaded his associates to stand their ground. The most severe difficulty that confronted them at this time was the scarcity of powder. To meet this difficulty Robertson agreed to go back to Virginia and North Carolina and secure a fresh supply of powder. Accompanied by his son and a few others, he took the long, perilous journey and returned with the powder.

In 1782, the settlers again became very despondent. But when the news of the victory of the Americans over the English at Yorktown reached them it gave them new hope and inspired them with new courage. Some who had left them after the first year returned. They now petitioned to the legislature of North Carolina to grant them in some way

the benefits of organized government. In 1783, Captain Robertson was elected a member of the North Carolina legislature; and through his efforts the settlement was formed into a county and named Davidson in honor of General Davidson of North Carolina. A court was established, and in 1784 the town of Nashville was laid off and named in honor of Colonel Nash of North Carolina. Nashville was substituted for Nashboro, when the town took the place of the station. In 1785, the legislature of North Carolina granted a charter to Rev. Thos. B. Craighead and others for the establishment of Davidson Academy. This institution afterwards became the University of Nashville. In the same year an act was passed by the legislature forbidding the distillation of spirituous liquors in Davidson County. One reason for this was to save corn. This was the first prohibition law in Tennessee.

It was believed generally that when the colonies had gained their independence, and the English had withdrawn, Indian hostilities would in large measure cease, since the bitter hostility of the Indians was attributed to British influence. This belief gave hope and courage to the Watauga and Cumberland settlers, and enabled them to withstand and endure Indian outrages even when they were almost beyond endurance. But in this expectation they were sorely disappointed. Moved by revenge and the hope of plunder, and encouraged by the Spanish in the south, the Indians continued their attacks with their old time vigor and cruelty.

For a number of years after the Cumberland people established their settlement, they were not strong enough to wage an aggressive war against the Indians, and they could get no assistance from the outside. North Carolina gave them no assistance at all. Hence they could not do more than defend themselves against the large numbers of Indians who were continually attacking them, and they found great difficulty even in defense. But their numbers increased after 1782 and by 1790, when Tennessee became a territory of the United States, they felt that they were strong enough to carry the war into the Indian country, and so crush the savages that they would cease their murderous attacks on the settlement. But now a new difficulty arose. They were restrained by the national government from any aggressive war against the Indians.

When the national government was formed, it became the policy of President Washington and those associated with him to do everything possible to gain the friendship of the Indians, who had been alienated from the Americans by the English during the Revolutionary War. To gain their friendship, the administration made them presents of firearms, ammunition, and other things highly prized by the Indians and prohibited any aggressive war against them. This policy of the national administration caused great hardship to the Cumberland and the Watauga settlements. The Indians were armed and supplied with ammunition by the national government, thus making them far more dangerous and

effective in their warfare against the western settlers, and at the same time these settlers were prohibited from making any aggressive war against them.

When Tennessee became a territory, William Blount of North Carolina was appointed territorial



GOVERNOR WILLIAM BLOUNT

governor. He took up his residence in Knoxville, which was then regarded as the capital. John Sevier was placed in command of the troops in East Tennessee, and James Robertson was appointed to the command of the troops in the Cumberland country. Under the Indian policy of the national government Sevier and Robertson had a most difficult task.

Their greatest difficulty was to restrain their people from going into the Indian country for the purpose of completely crushing their treacherous enemies.

In the Cumberland settlement, James Robertson was recognized as the real head of this section in every sense, and to him the settlers looked for protection and guidance in war and in peace. General Robertson felt it his duty to be loyal to the president

and the Federal government, and in every way possible to carry out the policy of the administration with reference to the Indians. At the same time the Indians were attacking and murdering the Cumberland settlers almost continuously. Naturally the people became very impatient, and finally some of them began to criticize General Robertson severely because he would not allow them to follow the Indians and destroy them.

Finally General Robertson* decided that the settlers could not stand the Indians' outrages any longer without an aggressive fight, and he gave his permission for them to move against their foe. He decided that if he should be criticized for this policy he would resign his office as military leader of this section, and let his command be given to another. An army of several hundred soldiers was raised, and they were joined by a small number of soldiers from Kentucky. On the 6th of September, 1794, General Robertson ordered Major Ore to march into the Indians' country on the south and destroy the lower Cherokee towns. Such a deadly blow was

* *James Robertson* was born in Brunswick County, Virginia, but with his parents moved to Orange County, North Carolina, while he was a boy. He was poor and uneducated, but he made use of such opportunities as came to him to train his mind. He was prominent in founding the Watauga settlement and in defending it against the Indians. He came into Middle Tennessee in 1779 and was the founder of the Cumberland settlement. He is justly called the Father of Middle Tennessee. Had it not been for his courage and fidelity and unimpeachable character the Cumberland settlers would have given up the struggle in the new country and gone back to their former homes.



GENERAL JAMES ROBERTSON

dealt the Indians in this campaign, that it put an end to the serious Indian troubles in the settlement. General Robertson was severely criticized by the government, and as a result offered his resignation as brigadier general. But it was never accepted, and within a short while the whole matter was dropped.

CHAPTER VI

JOHN SEVIER'S LAST INDIAN CAMPAIGN

When Tennessee became a territory of the United States, John Sevier was appointed brigadier general and given the command of the troops of East Tennessee. Here as in Middle Tennessee Indian outrages were almost unbearable. They became so bad that in the year 1793 General Sevier was given authority to do what the people had long desired, that is, to go into the Indian country and wage a bitter war against them.

In September, 1793, General Sevier at the head of an army of about 700, crossed the Little Tennessee River, and made a rapid march till he reached an Indian village called Estimaula. They burned this village and went in camp nearby. He then marched south to the Indian town called Etowah. This was near the present site of Rome, Georgia. Here he met the Indians in a furious battle. The Indians were routed, many being killed, and the town was destroyed. Sevier lost three men in this battle. Besides doing other things General Sevier took and destroyed nearly three hundred towns belonging to the Indians.

This blow put a stop to Indian outrages in East Tennessee. This was General Sevier's last military campaign, and was the only one of his life for which

he received any compensation. He was in thirty-five battles and was never wounded, notwithstanding the fact that he always led his soldiers. He never lost a battle. He was careful of the lives of his soldiers; in all of his thirty-five engagements with the enemy he lost only fifty-six men. The secret of his invariable success was the impetuosity and vigor of his charge. Himself an accomplished horseman, a graceful rider, passionately fond of a spirited charger, always well mounted at the head of his dragoons, he was at once in the midst of the fight. His rapid movement, always unexpected and sudden, disconcerted the enemy and at the first onset decided the victory. He was the first to introduce the Indian war-whoop in his battles with the savages, the Tories, or the British. Less harmful than the leaden missile, it was not less effectual, and was always the precursor of victory. The prisoners at King's Mountain said: "We could stand your fighting but your accursed hallooing confused us; we thought the mountains had regiments instead of companies." Sevier's enthusiasm was contagious; he imparted it to his men. He was the idol of the soldiers, and his orders were obeyed cheerfully and executed with precision. In a military service of twenty years, not one instance is known of insubordination on the part of the soldiers, or of discipline by the commander.

CHAPTER VII

THE STATE OF TENNESSEE—1796 JOHN SEVIER

The population of Tennessee in 1795 was as follows:

	<i>Free</i>	<i>Slaves</i>	<i>Total</i>
Jefferson County.....	7,064	776	7,840
Hawkins County.....	10,859	2,472	13,331
Greene County.....	7,172	466	2,638
Knox County.....	9,238	2,335	11,573
Washington County.....	9,127	978	10,105
Sullivan County.....	7,690	777	8,457
Sevier County.....	3,449	129	3,578
Blount County.....	2,633	183	2,816
Davidson County.....	2,621	992	3,613
Sumner County.....	5,294	1,076	6,370
Tennessee County.....	1,545	398	1,941
•			
TOTAL.....	66,692	10,582	72,262

When this census was made in 1795, a vote was taken to determine whether the people wished to form a state government. The result of this vote was that 6,504 voted in favor of forming a state government, and 2,562 voted against it. Middle Tennessee for some reason was strongly opposed to the formation of a state government, Davidson County voting more than five to one against it. But General Sevier and East Tennessee were enthusiastically for the new state and it carried by a large majority.

On November the 28th, 1795, Governor Blount ordered an election to be held in each county on the 18th and 19th of the following month for the purpose of electing five delegates from each county to a constitutional convention which was to meet in Knoxville on January 11, 1796. The convention met on the day appointed. Governor Blount was elected president of the convention, and William Maclin was elected secretary. On the first day of the convention a motion was made and carried that the convention on the next day commence its work with prayer and a sermon to be delivered by Reverend Carrick. This convention adopted the first constitution of Tennessee, and ordered an election to be held on the 6th of February of that year for the election of a legislature and a governor. The election was held and John Sevier was elected the first governor of Tennessee. The legislature met on the 28th of March and began its work of completing the state government of Tennessee. William Blount*

* *William Blount* was born in North Carolina and was living in this state at the time he was appointed territorial governor of Tennessee. He was very popular in Tennessee as territorial governor, and was honored by being elected one of the first United States senators from the new state. He was expelled from the United States senate one year after his election on account of a letter he had written which seemed to indicate that he had in some way entered into conspiracy against the Spanish in Louisiana and Florida. Next to Sevier he was the most popular man in Tennessee, and the people did not regard the charge against him as at all serious. When he returned to Tennessee he was elected to the state senate from Knox County soon after his arrival, and was made speaker of the senate when it met. He died soon after this.

and William Cocks* were elected to represent Tennessee in the United States senate. The state at this time was entitled to one representative in the lower house of Congress, and Andrew Jackson of Davidson County was elected to this office.

John Sevier was elected governor for three successive terms. Under the constitution he was not eligible for a fourth successive term. Governor Sevier was succeeded by Archibald Roane, who was elected governor of Tennessee in 1801 and served until 1803. He was a candidate for reëlection, but Sevier was now eligible again to election, and he became a candidate against Roane. Sevier was elected for the fourth time by a large majority. During Governor Roane's term of office, the election for the office of major general of the militia was held. In this election only the field officers of the

* *William Cocks* was born in Eastern Virginia in 1748. He was of English stock. He was a descendant of the fourth generation of Richard Cocks who came to Virginia from Devonshire, England, in 1632. It is said that when twenty-seven years of age, the Revolution being imminent, he was offered by Lord Dunmore, the colonial governor of Virginia, any office in the army below that of commander-in-chief, provided he would espouse the cause of the crown against the colonists. In the establishment of the State of Franklin he was one of the leaders, and was nearly the equal of John Sevier and William Blount in prominence and influence. He was one of the most active advocates of the establishment of Blount College and was a zealous supporter of every movement in the interest of education. Cocks, together with Sevier and William Blount, was a leader in the formation of the new state. He served twelve years in the United States senate, and was later elected judge of the supreme court in Tennessee. Late in life he moved to Mississippi, and died in that state. Cocks County was named for Senator Cocks.

militia could vote. When the vote was counted it was found that John Sevier and Andrew Jackson had received the same number of votes. Under the law it became necessary for the governor to cast the deciding vote in case of a tie. Governor Roane voted for Jackson.

It was at this time that serious charges were made against Sevier with reference to certain fraudulent land transactions. He was charged with making false entries; and a committee of the legislature brought in a report adverse to him. "In the absence of more conclusive evidence," says Phelan, "his character, his popularity, the love his neighbors bore him, his achievements during long years of service, are of themselves sufficient to overthrow the most conscientious skepticism. But joined to this, that he was twice elected, even after the investigation, to the same high office, that at the end of his last gubernatorial term he was elected to the State Senate, that in 1811 he was chosen a representative in Congress and served as a member of that body until his death, and he should be acquitted, even in the eyes of those prone to accept the most sinister interpretations of all complex human transactions." Sevier had very bitter political and personal enemies. His great popularity with the masses was in all probability largely responsible for much of the bitter antagonism against him.

Soon after Sevier defeated Roane for governor, he met Andrew Jackson on the streets of Knoxville. Jackson was judge at this time, and was holding

court in Knoxville. Sevier accused Jackson of having been responsible, in large measure, for the serious charges that had been brought against him, and denounced Jackson violently. He was the more bitter against Jackson because it was through him that Jackson got the office of judge. As a result he and Jackson came near engaging in a "personal difficulty." But they were separated by their friends. For some time a duel was discussed between them, but finally through the efforts of their friends peace was restored.

After Sevier served a third successive term as governor for the second time, he again became ineligible to reëlection. After serving one term in the state senate he was elected to Congress in 1811, and remained a member of Congress until his death in 1815. In 1815, he was appointed by the president of the United States to determine the boundary lines in a section of Alabama occupied by the Indians. While engaged in this work he died, and was buried in Alabama. But later his body was moved to Knoxville.

John Sevier was born and received his education in Virginia. He belonged to a prominent family. He had both English and French blood in his veins. His grandfather was a Frenchman, but his grandmother was an English woman. His father lived in England before he moved to America. He was preëminently the builder of the State of Tennessee.

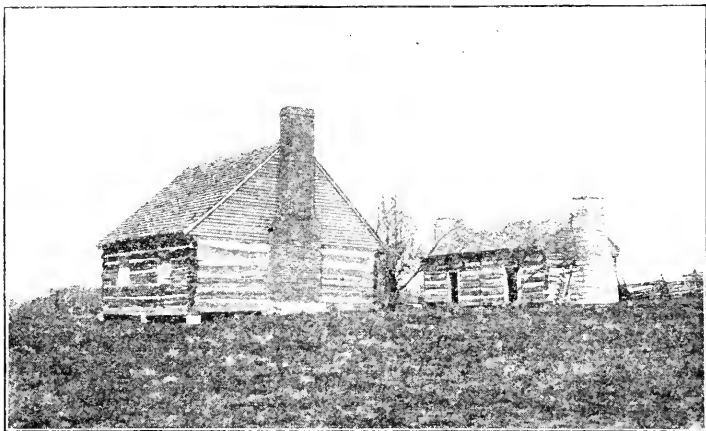
CHAPTER VIII

THE RISE OF ANDREW JACKSON AS A SOLDIER

Andrew Jackson was twenty years younger than John Sevier. This was fortunate for Tennessee. Tennessee was not big enough at that time to furnish adequate opportunities for the full development of two such characters. Sevier had a hold on Tennessee people that could not be broken by any power or influence. While he was in his prime, he was conspicuously first citizen of the state, and no living man was strong enough to dislodge him from this distinguished position. Jackson came up as the infirmities of age compelled Sevier to decline. Sevier's field of activity was the State of Tennessee. Jackson's activities were almost from the beginning in the sphere of national politics. Sevier had the capacity for a much broader field of activity; but he did not have an opportunity to use his capacity in the larger field.

Andrew Jackson was born in Union County, North Carolina, on March the 15th, 1767. His father had come to this country from Ireland just two years before he was born. His father was very poor. Not being able to buy any land, though land was very cheap at this time, he built a cabin on another man's land and went to work. But he died a short

while before Andrew was born. Mrs. Jackson had two other little boys, Hugh and Robert. After her husband died she got a position as housekeeper with one of her friends and put the two older boys to work on neighboring farms. Mrs. Jackson was a very religious woman, and she prayed that Andrew



ORIGINAL HERMITAGE

might be a minister of the gospel. The strong, religious character of his mother, it would seem, made a deep impression on him. He had a profound appreciation of religion and was a member of the church when he died.

In 1780, when he was thirteen years old, he volunteered as a soldier in the Revolutionary War. He was soon captured by the British; and when in prison he took the smallpox. While suffering with

this disease, he was taken home by his mother. He was seriously ill, and had a very narrow escape from death. Soon after this his mother died. When he recovered from the smallpox, he went to work in a saddler's shop and followed this business for some time. At seventeen he became a country school teacher. Of course he had little education, yet it required but slight training to become a country school teacher at this time. When eighteen years old, he went to Salisbury, North Carolina, and began the study of law in the office of a noted lawyer of that place. He was admitted to the bar at Salisbury a few weeks before he was twenty-one years old. He practiced law for a short time in North Carolina, and then decided to move to Tennessee. He came to Jonesboro, East Tennessee, and was admitted to the bar at this place in February, 1788. He lived at Jonesboro for a year or more; and while here fought a bloodless duel with Colonel Avery, a noted lawyer, who insulted him during a legal contest in which they were engaged on opposite sides.

He came to Nashville from Jonesboro, and took up his duties as district attorney, an office to which he had been appointed some time before. In 1796, he was chosen the first representative in Congress from Tennessee. In 1797, he was appointed to the United States senate by Governor Sevier to fill a vacancy caused by the expulsion of Senator Blount. After serving one year he resigned his position as senator. He returned to Tennessee and opened a store near the present site of the Hermitage. But

soon after this he was elected judge of the superior court. His salary in this position was six hundred dollars a year. The salary of the governor at this time was seven hundred and fifty dollars a year. In 1806, a young lawyer of Nashville by the name of Charles Dickinson made some insulting remarks



THE HERMITAGE

about Mrs. Jackson. This led to a duel between Jackson and Dickinson, and Dickinson was killed. The duel was fought in Logan County, Kentucky. In the duel, Jackson received a serious wound, but he was able to ride back to Nashville.

When the war of 1812 opened, Jackson volunteered his services, and those of twenty-five hundred soldiers in Tennessee under his command. He was

major general of militia at this time. At the head of more than two thousand volunteers on January the 7th, 1813, he started down the Cumberland River on flat boats, bound for New Orleans to meet the British. But when he reached Natchez he was informed that the British were nowhere to be seen in this section. He marched his troops back to Tennessee and disbanded them.

On August 20th, 1813, one thousand Creek Indians surrounded Fort Mims in Alabama, and within a few hours had killed four hundred of the five hundred and fifty persons in the fort. Not a single white woman or white child escaped. This massacre so stirred the people of Tennessee that the legislature empowered the governor to put a large army in the field, and appropriated \$300,000 to pay the expenses of the expedition against the Creeks. The troops met at Fayetteville, Tennessee, on October 4th, to begin the march to Alabama. General Jackson was in command. He had not recovered from the serious wounds he had received in a fight with the Bentons a short while before; his arm was in a sling, and he had to be assisted in mounting his horse. But, supported by an iron will, he assumed command and started on the long and perilous trip.

When Jackson reached Alabama with twenty-five hundred men and thirteen hundred horses, he found himself one hundred and fifty miles from any proper supply of provisions. He was really in great danger of famine. He sent back for provisions, but for some reason they did not come. For ten weeks he



GENERAL ANDREW JACKSON

battled with famine. His troops became discouraged, and many of them decided to go back home. On one occasion when a considerable number of his soldiers started for home, he seized a musket and taking his stand in front of them, declared that he would shoot the first man who advanced another step. By such heroic courage he held his men in the field. Finally he allowed some of them to go back on condition that they would return when they had supplied themselves with the things they needed.

So great were the difficulties that confronted him that he was advised by Governor Blount to give up the expedition and return home. But this Jackson refused to do. Later he received fresh troops in the place of some whose term of enlistment had expired. About the middle of March the supplies came, and he started for Fort Strother to meet the Creeks, who had gathered all their forces fifty-five miles south of him. So rough was the country over which they marched that it took eleven days for the troops to cover this distance.

The Indians were fortified in the bend of the river called the "Horse Shoe." General Jackson sent General Coffee, who commanded a part of the troops under Jackson, to cross the river with his men, two miles distant, and to come up on the rear to prevent the Indians from escaping across the river. He attacked them in front and Coffee attacked them from the rear. The result of the battle was a crushing defeat for the Indians. Between seven and eight hundred Indians were killed. Jackson lost

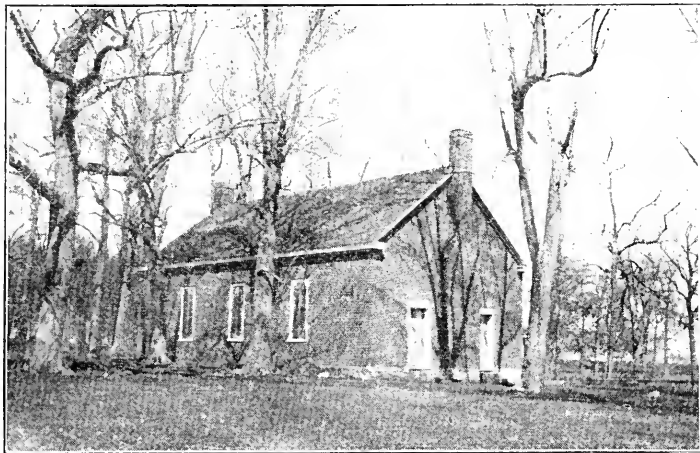
fifty-five killed and one hundred and forty-six wounded.

In recognition of his great services in this campaign, in which he defeated the Creeks in several strongly contested battles, Jackson was appointed major general in the United States army in the place of William Henry Harrison, who had resigned; and was assigned to the southern section.

The British were now expected to arrive in New Orleans in large numbers. So Jackson with his troops for a second time started for this point. On December 2nd, 1814, he with his staff arrived in New Orleans and took charge of the forces in that city. General Coffee at the head of three thousand Tennesseans had been marching for a week from Pensacola to New Orleans over bad roads and with three hundred of his men sick. General Carroll was floating down the river from Tennessee with two thousand volunteers; and two thousand soldiers from Kentucky were on their way to join Jackson at New Orleans.

On Jackson's arrival at New Orleans, he began at once to prepare for the battle which he knew must come within a short while. He constructed breastworks of mud and dug ditches in front of these. In the battle, which took place on the 8th of January, 1815, the English numbered about 10,000 and Jackson's forces numbered about 5,500. The larger portion of Jackson's forces was composed of Tennesseans. The English soldiers in this battle are said to have been the best soldiers in Europe at this time.

The English attacked Jackson's forces behind their breastworks and attempted to drive them out. General Carroll and General Coffee with the Tennessee troops bore the brunt of the English onslaughts. The result of the battle was a complete victory for



CHURCH WHERE JACKSON WORSHIPPED

Jackson. The British loss was more than two thousand; the American loss was thirteen.

Jackson's great victory at New Orleans filled the American people with gratitude and exultation. It is said that the Americans in Europe rejoiced more than those at home over the victory. "Now," said Henry Clay, "I can go to England without mortification." "The subaltern," who wrote the history of the British expedition against New Orleans, said three years before he died: "When I look back upon

the means which General Jackson adopted to cover New Orleans, and remember the material of which his army was composed, I cannot but regard his management of that campaign as one of the most masterly of which history makes mention. His night attack on our advance guard was as bold a stroke as was ever struck. It really paralyzed all our future operations; for though unsuccessful it taught us to hold our enemy in respect and in all future movements to act with an excess of caution. The use also which he made of the river was admirable. Indeed I am inclined to think that to him the generals who came after him were indebted for the perception of the great advantages to which the command of the rivers may be turned. And do not let us forget that he had little else to oppose to Wellington's veterans fresh from their triumphs in Spain and the South of France except new levies."

This great victory at New Orleans was preëminently a Tennessee victory. General Coffee and General Carroll as well as Jackson were Tennesseans, and the great majority of the soldiers who repulsed the British and drove them back in overwhelming defeat were Tennessee volunteers. The victory of New Orleans made Jackson a national character; after this his name was known and honored in every American home. From this time on to the close of his life his public activities were national rather than local, and the problems that engaged his attention belonged to the whole country rather than to the State of Tennessee.

THE SEMINOLE WAR—JACKSON AND FLORIDA

Until 1819, Florida belonged to Spain. In it were many Seminole Indians. During the year 1817 they committed many outrages on white citizens of the United States residing in Florida and Georgia. On December the 1st, 1817, a boat containing forty United States soldiers with their wives and children was attacked by the Indians near Fort Scott on the Apalachicola River, and every one on board was killed except two men who escaped and one woman taken captive. Soon after this massacre, General Jackson, who was now major general in the United States army, was ordered to Florida to put an end to Indian hostility.

Some time before Jackson started on this campaign he had suggested to the president of the United States that the president allow him to seize Florida and hold it as an indemnity for the various injuries Spain had inflicted on this country. In reply to his suggestions he heard indirectly that the president approved his plan. He then began his march four hundred and fifty miles south with his Tennessee and Kentucky troops. He destroyed many Indian villages, put down all Indian opposition, hung two British subjects who had been inciting the Indians to hostility, forced the Spanish to surrender St. Marks and Pensacola to him and then returned, leaving Florida in charge of American troops. The people throughout the country approved of his taking Florida from the Spanish. But

at this time the United States government was negotiating with Spain for the purchase of Florida, and it was thought by some that this act of Jackson would break off all peaceable negotiations, and make the purchase impossible; but it did not. However, Florida was turned back to Spain for the time being and in 1819 a treaty was signed by which Florida was ceded to the United States.

CHAPTER IX

GOVERNORS FROM BLOUNT TO CARROLL

At the close of John Sevier's sixth term as governor, Willie Blount* was elected governor of Tennessee.



GOVERNOR WILLIE BLOUNT

He was a half brother of William Blount who had been territorial governor and one of Tennessee's first United States senators. It was while Governor Blount was chief executive of the state that Jackson fought and destroyed the Creeks. Much of the credit of this expedition belongs to Governor Blount. By his own personal efforts he raised \$370,000 to defray the ex-

penses of this war. He served three terms in succession as governor.

* *Willie* (pronounced *Wylie*) *Blount* was born in Bertie County, North Carolina, in 1767. He was for a time one of the secretaries of his brother, Governor William Blount. He was elected judge of the superior court when under thirty, but declined to serve. He was elected governor in 1809, 1811, and 1813. He was candidate again for governor in 1828, but was defeated by Sam Houston.

In 1815, Joseph McMinn was elected governor. He came to Tennessee from Pennsylvania. He had been a farmer in Pennsylvania and he followed this occupation in Tennessee. He settled in Hawkins County. He had a good education, but made no display. He led a very simple life and worked hard. He and his wife often worked side by side in the field. He was speaker of the state senate in 1807, and held several other offices before he was elected governor. He was elected in 1817, and again in 1819.

General William Carroll and Edward Ward were the opposing candidates for governor in 1821. Carroll was born in Pennsylvania, and came to Nashville in 1810 to open a nail store. This was the first store of the kind opened in Tennessee. He was very fond of military tactics, and was elected captain of a military company in Nashville in 1812. He took a conspicuous part in the Creek war, and commanded a brigade at New Orleans. It was against his troops that the British made their most desperate attack. He was a brave, resourceful, able commander and deserved much of the credit for the victory at New Orleans.

Edward Ward, Carroll's opponent, was born in Virginia. He was a dignified, scholarly man, and possessed considerable wealth. Ward was supported in this race by General Jackson, but Carroll was elected by a large majority. He was reelected in 1823, and again in 1825. He was a very capable business man and his administration as governor was eminently successful.

Sam Houston was elected governor of Tennessee in 1827 by a large majority. Houston was born in Rockbridge County, Virginia, March 2nd, 1793. When he was four years old, his father died, leaving his mother with six sons and two daughters. Soon after the death of his father, his mother with her children moved to Blount County, Tennessee. Sam worked hard, helping to support the family, but was fond of study and acquired some education. When a boy, he ran away from home and joined an Indian tribe nearby. He lived with the Indians some years. When eighteen years old he taught a country school. In 1813, he joined the United States army, and was with Jackson in the Creek war. He showed great bravery at the battle of the Horse Shoe, and was severely wounded. In 1818, he began the study of law, and was admitted to the bar a few months later. He was elected district attorney of Davidson County in 1819; and, in 1821, he was elected major general of Tennessee volunteers. In 1823, he was elected to Congress, and again in 1825. He was elected governor in 1827. A few months before opening his campaign for reelection he was married to Miss Eliza Allen of Sumner County. She was attractive and cultured, and belonged to a prominent family. Three months after his marriage, he and his wife separated for causes unknown, and immediately he sent in his resignation as governor, and left the state. He went to Arkansas and joined the tribe of Indians with whom he had lived as a boy, and here spent some years living the life



GOVERNOR WILLIAM CARROLL

of an Indian. Later he went to Texas and was made commander-in-chief of the Texas troops. He met and defeated Santa Ana at the battle of San Jacinto, and by this victory gained freedom for Texas. Up to this time Texas had belonged to Mexico. He was elected the first president of the Republic of Texas; and when Texas was annexed to the United States, he was elected to the United States senate. He was elected governor of Texas in 1859. He died in 1867.

When Houston resigned his office as governor of Tennessee, William Hall became governor by virtue of the fact that he was at the time the speaker of the state senate. Governor Hall was born in Virginia. He had been a brigadier general in the Creek war, and had held many honorable offices.

Governor Carroll was eligible again for the office of governor in 1829, and this year he became a candidate and was elected. He was reëlected in 1831, and again in 1833. He and Governor Sevier are the only two men who have ever served for more than three terms as governor.

CHAPTER X

WEST TENNESSEE—MEMPHIS

In 1818, what is now West Tennessee was in possession of the Indians. During this year Andrew Jackson and Isaac Shelby, who had been appointed as a commission to treat with the Indians, concluded a treaty by which the Chickasaws transferred to the United States West Tennessee. They were paid for this territory the sum of \$300,000.

After this treaty settlers came in rapidly, and by 1830 West Tennessee had nearly 100,000 inhabitants.

But many years before this treaty was made with the Indians, two men had received large grants of land in and around the present site of Memphis. John Rice, an early trader in Tennessee, was impressed with the location on which the city of Memphis was afterward built, and in 1783 entered in a law office in North Carolina 5,000 acres of land at this place. He bequeathed his title to his brother. In 1794, John Overton bought this grant for five hundred dollars, and transferred one-half of it to Andrew Jackson. In 1783, John Ramsay also entered a tract of 5,000 acres in this same section. Overton got a part of this tract also.

In 1819, John Overton, Andrew Jackson, and James Winchester agreed to lay off a town on this land. This was the beginning of the city of Mem-

phis. Jackson later sold his interest in the enterprise. But John Overton watched over and directed the development of the town in its early history, and was really the founder and father of Memphis. Overton was born in Louisa County, Virginia, 1766. He began the practice of law in Kentucky, but moved to Nashville in 1789. He and Jackson arrived in Nashville about the same time, and they soon became warm friends. This friendship was never broken. Overton was elected a judge of the supreme court in 1811. He served on the bench with great ability. He was a successful business man as well as a good lawyer. He did much for the development of Tennessee.

CHAPTER XI

ANDREW JACKSON—PRESIDENT

In 1824, General Jackson made the race for president of the United States. His opponents in this election were John Quincy Adams of Massachusetts, William H. Crawford of Georgia, and Henry Clay of Kentucky.

The candidates received the following electoral votes:

Jackson	99
Adams	84
Crawford	41
Clay	39

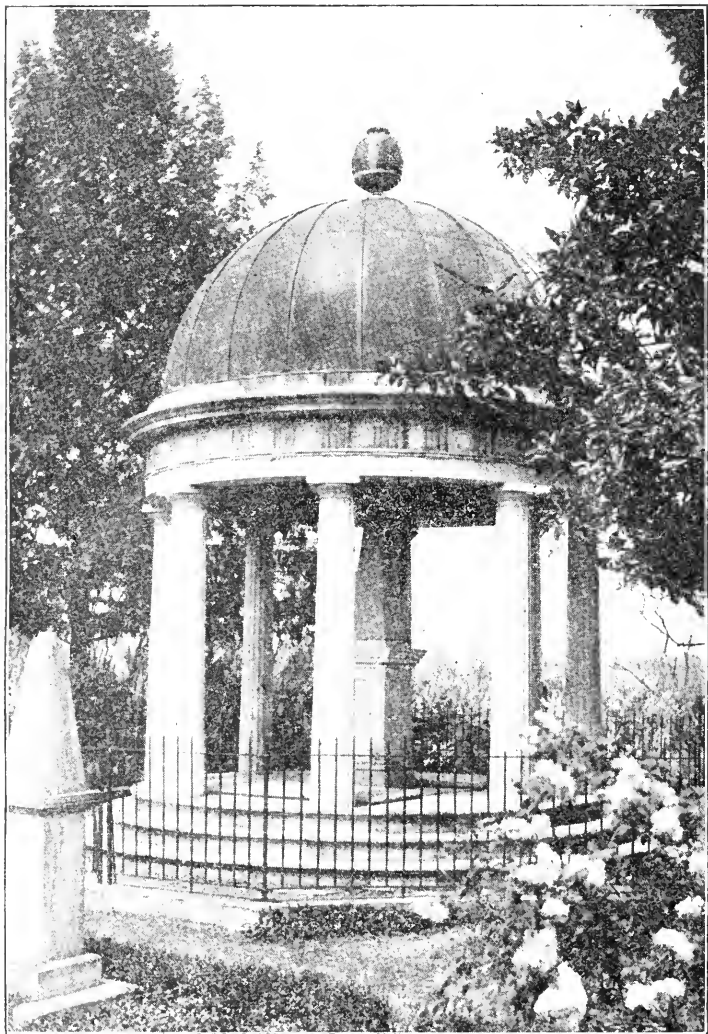
Since no candidate had received a majority of the electoral votes cast, there was no election. It then became the duty of Congress to decide the contest, and select the president from the three candidates receiving the highest number of votes. In such a contest, the vote was cast by states, each state having one vote. Jackson had carried more states and had received more votes than either of the other candidates, and it was believed that he would be the successful candidate. But Henry Clay, who was speaker of the house of representatives at the time, threw his influence to Adams and he was elected.

Jackson was a candidate again in 1828, and Adams was again his opponent. When the vote was counted,

it was found that Jackson had carried Virginia, North Carolina, South Carolina, Georgia, Alabama, Kentucky, Mississippi, Missouri, Pennsylvania, Ohio, Illinois, and had received one hundred and seventy-eight electoral votes to eighty-three for John Quincy Adams. President Jackson was a candidate for reëlection in 1832, and was elected over Henry Clay by a very large majority.

Mrs. Jackson died two months before his first inauguration. This was a shock from which he never recovered. His devotion to his wife's memory is well brought out in the following incident:

The Honorable Nicholas P. Trist, President Jackson's private secretary, relates an affecting incident which occurred while the president was on a visit to the Rip Raps in Virginia. Mr. Trist had retired for the night and so had the president. At the last moment the secretary remembered certain letters about which he wanted specific instructions. "As the letters were to be sent off early the next morning," Mr. Trist says, "I returned to his (President Jackson's) chamber door, and tapping gently, in order not to wake him if he had got to sleep, my tap was answered by, 'Come in.' He was undressed but not yet in bed, as I supposed he must be by that time. He was sitting at the little table with his wife's miniature—a very large one, then for the first time seen by me—before him, propped up against some books; and between him and the picture lay an open book which bore the marks of long use. This book, as I afterward learned, was her prayer



JACKSON'S TOMB

book. The miniature he always wore next to his heart suspended around his neck by a strong, black cord. The last thing he did every night, before lying down to rest, was to read in that book, with the picture under his eyes.”*

* Dyer, *Life of Jackson*.

CHAPTER XII

THE WHIG PARTY IN TENNESSEE

With Andrew Jackson's second election to the presidency of the United States, Tennessee state politics became national politics. From this time on down to the Civil War the chief issues in nearly every state campaign were national rather than state. The principal cause of this change was the opposition that developed in Tennessee to some of the policies of President Jackson.

It was at this time that the Whig party came into existence in Tennessee. From the time Thomas Jefferson became president of the United States in 1800 down to the entrance of Jackson into national politics, there was only one political party in the country, and this was the Democratic party. The Whig party came into existence through opposition to President Jackson.

David Crockett, a noted Tennessean, has sometimes been called the founder of the Whig party. Crockett had fought with Jackson in his Indian wars; but as a member of the Tennessee legislature in 1823 voted against Jackson for the United States senate. He was elected to Congress while Jackson was president, and in Congress strongly opposed some of Jackson's policies. This led to Crockett's defeat.

David Crockett was born in East Tennessee in 1786. His parents were very poor, and as a boy he had a hard struggle. He attended school less than six months altogether. After he left home to make his own living he learned that his father was indebted to a farmer in the neighborhood to a considerable amount. Without the knowledge of his father, he volunteered to work for the farmer for six months to pay his father's debt. At the end of the six months he went home and surprised his father by presenting him a receipt in full for the debt.

When he was married, he could hardly read and knew virtually nothing about public affairs. He says in his autobiography that when he was elected to the Tennessee legislature he did not know the meaning of "government" or "judiciary." When he heard some one speak of "judiciary," he determined to find out the meaning of the word after he got to the legislature. He moved from East Tennessee to Giles County and later moved to Obion County. He went to the legislature from Giles County, but was living in Obion when he was elected to Congress. He was a very skillful hunter, and was noted far and near as a "bear hunter." He was first elected to Congress in 1829. On account of his opposition to President Jackson he was defeated in 1831; but was elected again in 1833. He was again defeated in 1835. He attracted national attention in Congress, and developed into a representative of force. After his second defeat, he shouldered his rifle and

started for Texas, which at that time had a small population and was struggling to free herself from Mexico. He went to Texas for the purpose of helping the Texans gain their independence. When he reached Texas, he found a small body of patriots—less than two hundred—fortified in a building called the Alamo located within the limits of the present city of San Antonio. Crockett with a small number who accompanied him joined them. They were surrounded by several thousand Mexicans under command of Santa Ana. The Texans refused to surrender and decided to fight to the last. Every man in the Alamo was slain by the Mexicans. Crockett is said to have done the work of ten men in defending the fort, and was one of the last to be killed.

The fate of the brave band at the Alamo fired the whole of Texas for revenge; and as they went out to meet the army of Santa Ana led by the brave Sam Houston, another Tennessean, the watchword of the soldiers was "Remember the Alamo."

Texas was largely settled by Tennesseans in the beginning, and her early history is really a part of Tennessee history.

The opposition to some of President Jackson's policies became pronounced in Tennessee during his second term, and was largely due to the fact that he selected Martin Van Buren of New York to succeed him as president of the United States. Many of the Tennesseans of that day wished to see Hugh Lawson White, a distinguished Tennessean, succeed Jackson, and they felt that Jackson should give his sup-

port to White. White was one of the United States senators from Tennessee at this time. In 1831, Jackson offered him a place in his cabinet, as secretary of war, but he declined to accept it. He was a strong supporter of President Jackson but opposed to his choice of Van Buren for president. Jackson tried to defeat White for the senate in 1835, but failed. Through Jackson's influence, Van Buren received the Democratic nomination for president. White became a candidate against Van Buren in 1836 and carried Tennessee against Jackson's candidate by over 10,000 majority. Van Buren was elected, however.



HUGH LAWSON WHITE

Hugh Lawson White was born in Iredell County, North Carolina, on October 30th, 1773. When he was eight years old, his father moved to Knox County, Tennessee, and became the founder of Knoxville. A house in which he passed much of his life in Tennessee is thus described: "A front view displays two square sections, 'pens' or apartments of unequal size, each a story and a half high, built

of logs coarsely hewn, the interstices of which are stuffed with clay, and with an outer covering of boards. Between these two rooms stands a heavy stone chimney furnishing a fire place in each. A rude piazza extends across the whole front, its roof some distance below the eaves of the house, and supported by six slender, sawed posts. The whole stands upon wooden blocks or under-pinnings. One small window is visible while a small step ladder in one corner of the piazza is the stairway to the half story above."

Young White, while growing up, was "mill boy," followed the plow, and cleared the forest. He attended the county schools of his neighborhood. He began the study of ancient languages, under a Presbyterian minister, when he was fifteen years old. In 1793, he followed Sevier in an expedition against the Indians, and in the battle of Etowah shot and killed the Indian, "King Fisher." He studied mathematics and law in Pennsylvania, and was admitted to the bar at Nashville. In 1801, he was elected judge of the superior court. He was elected to the United States senate in 1825, and reelected twice as a member of this body. He resigned his place in the United States senate in 1840 because the Tennessee legislature directed him to vote for certain measures which he did not believe were for the best interest of the country. He was a great lawyer, a great statesman, and one of the great men of his time. He was well qualified for the highest position in the gift of the American people.*

* *Bench and Bar of Tennessee*, p. 111.

CHAPTER XIII

GOVERNORS FROM CANNON TO JONES

In 1834, Tennessee's second constitutional convention met. The old constitution was revised and adjusted to the changed conditions. In this convention a new section of the state took an important part. When the first constitution was adopted, West Tennessee had not been opened, and hence had no representative in the convention. But in 1834, although it had been opened to settlers but a short while, it had a large population and from that time down to the present has been a prominent factor in every state movement.

In 1835, Governor Carroll was a candidate for reelection to the office of governor for a seventh term. He claimed that the adoption of the new constitution in 1834 made him eligible for a fourth successive term. His opponent was Newton Cannon. Cannon was not on friendly terms with President Jackson, and was outspoken in his advocacy of Hugh Lawson White for president against Van Buren. Cannon was elected by about 7,000 majority.

Newton Cannon was born in North Carolina. He moved to Williamson County, Tennessee, when a boy. He was elected to the legislature in 1811. He volunteered as a private in the Creek War, but was soon elected captain and then colonel of the "Ten-

nessee Mounted Rifles." He was a member of Congress from 1814 to 1823, with the exception of one term. He was a candidate against Sam Houston for governor in 1827, and was defeated for a third term in 1839.

From 1834 down almost to the Civil War, the contests between Whigs and Democrats in Tennessee



GOVERNOR NEWTON CANNON

were very sharp, both in the state and national elections. Party lines were closely drawn and partisanship was at a high pitch. The two parties were about equally divided in strength, and sometimes the victory went to the one and sometimes to the other. However, for some years after the opposition to Jackson developed, the Whigs were in the ascendancy. This

was a source of much worry to President Jackson and the Democrats, and they did everything in their power to bring the state back to Jackson.

In 1839, the Democrats resolved to make a desperate effort to elect a Democratic governor over Cannon, who was a pronounced Whig. The Republican Banner of Nashville and Brownlow's Whig

of East Tennessee were the leading papers of the state supporting the Whig candidate. To overcome the influence of these papers as much as possible, the Democrats brought two young Democratic editors into Tennessee from New England. They were Jeremiah George Harris, and E. C. Eastman. Harris became the editor of the Nashville Union, and Eastman became the editor of the Knoxville Argus.

For governor, the Democrats nominated James K. Polk of Maury County, who was at that time a member of Congress and was speaker of that body. A joint campaign was arranged, and Polk and Cannon began a canvass of the state in a series of debates. This was the first joint canvass of the state between opposing candidates for governor. In joint debate Governor Cannon was at a decided disadvantage. He was not a gifted public speaker; he was too heavy and dry to hold a public audience. On the other hand Polk was a great stump speaker. He is regarded by one historian as the first great stump speaker of Tennessee. He presented an able discussion of public questions and with this used illustration, humor, and ridicule with great skill. He was a devoted follower of Andrew Jackson. The Democrats had a strong organization this year, and Polk was elected by 3,000 majority. The legislature was also Democratic.

The Whigs lost the governorship in 1839 largely because the Democrats had in Polk a great stump speaker and their candidate was without talent in this direction. They determined to nominate a can-

didate for governor in 1841 who could "get after Polk" as they expressed it; and for this task they selected James C. Jones* as the Whig nominee for governor.



GOVERNOR JAMES C. JONES

In personal appearance Jones was very striking. He was six feet two inches in height and weighed only one hundred and twenty-five pounds; he had a very prominent nose and a very large mouth. He was called "Lean Jimmy Jones." He walked like a soldier on parade, and had a serious appearance. He possessed a scattering general knowledge of

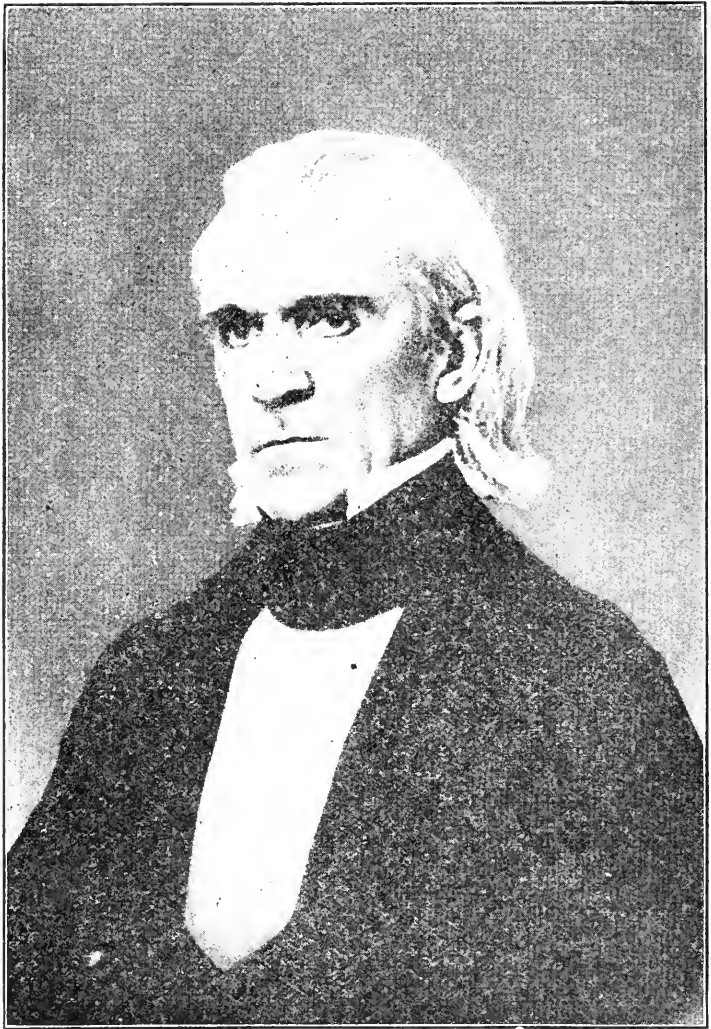
things but was in no sense an educated or mentally trained man. He knew he was no match for Polk in serious debate, and he made no attempt to answer Polk's arguments. Polk had overwhelmed and de-

**James C. Jones* was born in Davidson County in 1809. As a child he had been taken out of school on account of his weak constitution. He was put to work on the farm, and through hard labor there his health was restored. He was elected to the legislature in 1837 and again in 1839. He was elected governor in 1841 and re-elected in 1843. In 1850, he moved to Memphis and became president of the Memphis and Charleston Railroad. He was elected to the United States senate in 1842, and served one term as a member of this body.

feated Cannon by his wit and humor and ridicule, and now he tried them against Jones when they began their joint canvass of the state. But somehow they lost their effectiveness. Jones was so comical in appearance with his big mouth and pug nose and slim, gaunt form that the crowd began to laugh as soon as he rose to speak. In addition to this he was himself a master in the use of ridicule, wit, and anecdote. When he couldn't think of anything to say in his debate with Polk, he would turn and look at Polk, and this was done in such a comical way that he convulsed his audience. He defeated Polk in 1841 and again in 1843.

JAMES K. POLK, PRESIDENT OF THE UNITED STATES

In 1844, the Democrats nominated James K. Polk for president of the United States. The nominee of the Whig party this year was Henry Clay of Kentucky. The chief issue in this campaign was the annexation of Texas to the United States. Polk was strongly in favor of annexation and the slogan of the Democrats in this campaign was, "Polk, Dallas and Texas." Dallas was the Democratic nominee for vice-president. Clay's position on the annexation of Texas was indefinite. Polk received one hundred and seventy electoral votes and was elected. Clay received one hundred and five electoral votes. However, Polk lost Tennessee. Clay carried Tennessee by one hundred and thirteen majority.



PRESIDENT JAMES K. POLK

THE MEXICAN WAR

War was declared against Mexico during President Polk's administration. The war began in 1846 and closed in 1847, when the city of Mexico was taken by the American troops. Tennessee took a very prominent part in this war. When the call was made for 2,800 volunteers from Tennessee, 30,000 responded. Since that time Tennessee has been known as the "Volunteer State." Among those from Tennessee who performed distinguished service in this war, were William B. Campbell, Gideon J. Pillow, William Trousdale, B. F. Cheatham, W. T. Haskell, and William B. Bate. General Bate fought through the Mexican War as a private.

As a result of the war with Mexico, California, New Mexico, Arizona, Nevada, Utah, and parts of other western states were added to the United States.

James Knox Polk was born in Mecklenburg County, North Carolina, November the 2nd, 1795. He was the oldest of ten children. His father was a plain farmer. He moved to Tennessee and settled on Duck River when young Polk was eleven years old. When he was eighteen years old, young Polk was placed in a country store as clerk by his father, who hoped to make of him a merchant. But he didn't like his position, and remained in it only a few months. He entered the University of North Carolina as a student in 1815 and graduated with honor in 1818. He began to read law in the office

of Felix Grundy in 1819 and was admitted to the bar at Columbia, Tennessee, in 1820. He represented Maury County in the legislature in 1823. Before this he was a clerk of the lower house of the legislature. In 1825, he was elected to Congress, where he remained till 1839, when he was elected governor. He distinguished himself as an able debater in Congress. In 1834, he was defeated for the speakership by John Bell, another distinguished Tennessean. He defeated Bell, however, for the speakership in 1835, and was elected again to this position in 1837.

President Polk was a man of great ability, and furthermore was a man of conviction and courage. On account of his great friendship for Andrew Jackson and close alliance with him throughout his political career he was represented by his political enemies as a subservient tool in Jackson's hands. This was a very great injustice to Polk, who was a man of independence of thought and action. But so widespread was this opinion that he has failed to receive the place in history that rightfully belongs to him.

CHAPTER XIV

GOVERNORS FROM A. V. BROWN TO HARRIS

James C. Jones served two terms as governor, and in 1845 declined to become a candidate for a third term. He was the first governor of Tennessee who had been twice elected governor, who did not ask for a third term. Up to this time it was the invariable rule for governors who had served two terms to seek the third successive term.

In 1845, the nominee of the Democrats for governor was Aaron V. Brown* of Giles County. The Whigs nominated Ephraim H. Foster† of Davidson County. The issues in this campaign were largely

* *Aaron V. Brown* was born in Brunswick County, Virginia, in 1795. He was the son of Rev. Aaron Brown, a Methodist preacher. He was a graduate of the University of North Carolina. His father moved to Tennessee and settled in Giles County in 1813. Young Brown studied law in Nashville, and practiced law in this city for a while, but soon moved to Pulaski. He was a law partner of James K. Polk. He served in both branches of the legislature. He was strongly in favor of limiting capital punishment, and worked to this end while in the legislature. He was elected to Congress in 1839, and served till 1845, when he was elected governor. He was appointed postmaster general of the United States by President Buchanan, and displayed great ability in the management of this office.

† *Ephraim H. Foster* was born in Wilson County, Kentucky, in 1794. His father moved to Tennessee in 1797. Young Foster was graduated from the University of Nashville in 1813. He was General Jackson's private secretary during the Creek War. In 1835, he left Jackson and supported Hugh Lawson White for president. In 1837, he was elected to the United States senate. He was one of the founders of the Whig party in Tennessee.



GOVERNOR AARON V. BROWN

Brown,* the nominee of the Whig party. Neil S. Brown was from Giles County also, but he was in no way related to Governor A. V. Brown. His majority was very small. The chief issue in this gubernatorial campaign was national. Neil S. Brown at this time criticised very severely President Polk's conduct of the Mexican

national. Brown made President Polk's policies the chief issue of the campaign. Foster had not been enthusiastic on the annexation of Texas, and on this Brown attacked him vigorously. Brown was elected by a majority of 1,470.

Governor Brown was the Democratic nominee for reelection but was defeated by Neil S.



GOVERNOR NEIL S. BROWN

War, and used this criticism effectively against his opponent.

In 1849, William Trousdale† was nominated by the Democrats for governor, and was elected over Neil S. Brown. In this, as in all the other campaigns of this period, national issues were paramount. Trousdale was known as the "Old War Horse of Sumner."

In 1851, the Whigs placed in nomination William B. Campbell for governor. Governor Trousdale was nominated by the Democrats for a second term. At this period the Whigs and Democrats were so equally divided in strength that the successful candidate as a rule received a small majority. The usual majority in a gubernatorial contest was between one

* *Neil S. Brown* was born in Giles County in 1810. He was admitted to the bar at Pulaski in 1834. In 1835, he moved to Texas, but came back to Tennessee the next year. He was in the Seminole War, and was sergeant major of the First Tennessee Regiment. In 1837, he was elected to the legislature. In 1843, he was defeated for Congress by A. V. Brown. He was elected governor over A. V. Brown in 1847. He was defeated for reelection by William Trousdale. He was appointed minister to Russia in 1850 and filled that important post for three years. He was a delegate to the Constitutional Convention in 1870.

† *William Trousdale* was born in North Carolina in 1790. When he was six years old, his parents moved to Tennessee. He was in the Creek War and swam the Tennessee River on horseback, although he himself could not swim. He was in the battle of New Orleans in 1815. He was a member of the state senate in 1835. He was in the Seminole War and received two wounds in the Mexican War. In recognition of his great victory in the Mexican War he was appointed brigadier general in the United States army. He was elected governor in 1849; he was a candidate for re-election but was defeated. He was appointed minister to Brazil in 1852.



GOVERNOR WILLIAM B. CAMPBELL

and two thousand. For a number of years neither party could reelect its candidate for governor. Governor Trousdale was defeated by Campbell* by the usual small majority. Campbell refused to become a candidate for reelection.

Andrew Johnson was the nominee of the Democratic party for governor in 1853, and Gustavus A. Henry was the nominee of the

Whigs. Johnson was elected.

* *William B. Campbell* was born in Sumner County in 1807. He was a descendant of John Campbell, who moved to Augusta County, Virginia, in 1730. He was a nephew of Governor David Campbell of Virginia. He attended the law lectures of Henry St. George Tucker at Winchester, Virginia, and he began the practice of law at Carthage, Tennessee. He was captain of a Tennessee company in the Seminole War and distinguished himself for bravery. He was in Congress from 1837 to 1843. He was in the Mexican War and was colonel of the First Tennessee Regiment. His regiment was the first to enter the city at the Battle of Monterey and to run up the American flag. In this battle his regiment made a desperate charge, which cost him one-third of his men. His command was "Boys, follow me." From this time the First Tennessee Regiment has been called the "Bloody First." He was elected governor in 1851, and refused to become a candidate for reelection. He was Tennessee's best Whig governor. He approved secession but remained neutral during the Civil War. He was elected to Congress just after the war, and served one term.

THE IMMORTAL THIRTEEN

While Andrew Johnson* was a member of the state senate, he became the leader of "The Immortal Thirteen." In 1841, Jones defeated Polk for governor, but neither the Whigs nor the Democrats had a working majority in the legislature. The Whigs had a majority of one in the lower house, and in the senate there were twelve Democrats and twelve Whigs, and one independent. The independent was Samuel Turner. Turner was elected speaker of the senate. The Democrats, under Johnson's leadership, voted for the speaker's brother, H. L. Turner, for the United States senate, in order to get the speaker's vote. This gave the Democrats in the senate a majority of one in the senatorial contest. Realizing that the lower house would not support Turner in a way that would guarantee his election, the twelve Democrats, together with the speaker,

* *Andrew Johnson* was born in Raleigh, North Carolina, in 1808. His father was a very poor man and died when Andrew was ten years old. On the death of his father he was "bound out" by the court to a tailor in Raleigh. It was in this way that he learned the tailor's trade. When he was eighteen years old, he and his mother moved to Tennessee, and settled in Greeneville. Here he opened a tailor shop and worked at his trade. He never attended a school of any sort during his whole life. He could barely read when he was married. But his wife had had school advantages and she taught him. He studied as he worked in his tailor shop. When quite a young man, he was elected alderman of Greeneville. In 1835, he was elected to the legislature. On account of opposing the policy of internal improvement, he was defeated the next term, but was elected again in 1839. In 1841, he was elected to the state senate, and was the leader of the Democrats in that body.



PRESIDENT ANDREW JOHNSON

refused to meet with the lower house, as the constitution directs shall be done for the purpose of electing a United States senator. In this way they gained for themselves the name "The Immortal Thirteen." They succeeded in preventing a quorum by staying away from this joint meeting throughout the whole session. The result was that for two years Tennessee had but one representative in the United States senate.

The act of breaking a quorum or preventing a quorum is called a "filibuster." This was the first successful "filibuster" in the Tennessee legislature.

In 1843, Andrew Johnson was elected to Congress from the First Congressional District as a Democrat, and he continued to represent this district in Congress for ten years. He was elected governor in 1853, defeating the Whig candidate, Gustavus A. Henry,* and was reelected in 1855. He was the first Democrat for twenty years to be reelected governor, and no Whig governor after James C. Jones was ever reelected. In his second race Governor Johnson defeated M. P. Gentry,† the Whig candidate.

* *Gustavus A. Henry* was born in Kentucky in 1804. He moved to Clarksville, Tennessee, in 1833. He was a schoolmate of Jefferson Davis at Transylvania University and was a well educated man. He was the Whig nominee for governor in 1853, but was defeated by Andrew Johnson. He represented Tennessee in the senate of the Confederate States, and was a very prominent member of that body. He was a great speaker, and was known in his day as the "Eagle Orator."

† *Meredith P. Gentry*, whom Andrew Johnson defeated in his second race for governor, was born in Raleigh, North Carolina, in 1808. When he was four years old, his father moved to Williamson

As a member of the legislature, in Congress, and as a governor, Andrew Johnson was recognized as the friend of the working man. He was always quick to champion the cause of the poor, and perhaps too quick to criticise adversely those who had grown up in comfort and ease.

Governor Johnson was elected to the United States senate in 1857 and was a member of that body when the war opened in 1861. He sided with the Union and was appointed military governor of Tennessee in 1862. In 1864, he was elected vice-president of the United States, on the Republican ticket, and when President Lincoln was assassinated in April, 1865, Johnson became president of the United States. As president, he was impeached on account of antagonism growing out of his friendship for the South, but was not convicted. He was elected United States senator from Tennessee in 1875, but died soon after entering upon his duties.

Andrew Johnson was a man of great ability and as a debater he had no superior in his day in Tennessee. When the prejudices of the Civil War die, he will receive that recognition in history which he deserves, but which down to this day has been denied him.

County, Tennessee. He had poor advantages in education, but he had natural ability and developed it. He was elected to Congress in 1839, and was a representative in that body for several terms. Such was his reputation in Congress that he was pronounced by John Quincy Adams as "the greatest natural orator in Congress." He sided with the South in the Civil War, and represented Tennessee in the Confederate Congress.

THE KNOW-NOTHING PARTY

At the time Andrew Johnson made his second race for governor of Tennessee, a new political party had come into existence, and was a factor in the gubernatorial campaign at this time. The new political organization was first called the American party. It was a secret organization and its chief purpose was to make it as difficult as possible for foreigners to become citizens of the United States, and to prevent foreigners from holding any political office. When any member of the organization was questioned about the purpose of the organization he would answer in every case: "I know nothing about it." Hence, they were called the "Know-Nothing Party." This organization supported Gentry in his race against Johnson. However, it is not believed that Gentry was a member of the organization. Johnson made "Know-Nothingism" the chief issue of the campaign.

The Democrats nominated Isham G. Harris* for

* *Isham G. Harris* was born in Franklin County, Tennessee, in 1818. His father was a farmer. His educational opportunities were limited on account of the financial condition of his father. As a young man he left home and went to Paris, Tennessee, and was hired as a clerk in a store at one hundred dollars a year and his board and lodging. He rose rapidly in the mercantile business, and was a partner in a store in Mississippi for a while. He returned to Tennessee in 1841, and soon took up the practice of law. He was elected to the state senate in 1847; and was elected to Congress in 1849, and again in 1851. He declined the nomination in 1853 and went to Memphis to practice law. He was elected governor in 1857 and again in 1859. He was elected to the United States senate in 1876, and remained a member of this body until his death, in 1897.



GOVERNOR ISHAM G. HARRIS

governor in 1857, and the Whigs placed in nomination for this office Robert Hatton.*

In the presidential election in 1856, Tennessee for the first time in twenty-four years—since the second election of Andrew Jackson—cast its electoral vote for the Democratic nominee for president of the United States. Under the administration of Andrew Johnson as governor, the Democrats gained on the Whigs considerably, and at the close of his second term Tennessee was regarded as safely Democratic by several thousand majority.

The campaign between Harris and Hatton was a very exciting one. At Fayetteville, while engaged in a joint debate, Hatton was struck by Harris, and Hatton returned the blow, but they were separated by friends. Harris was elected by 11,000 majority. He was nominated for a second term as governor, and was elected over John Netherland,† the nominee of the Whigs.

* *Robert Hatton* was the son of a Methodist preacher. He was born in 1827, while his father was serving a charge in Youngstown, Ohio. In 1835, his father was sent to Nashville as pastor of a church. Young Hatton was graduated from Cumberland University, and began the practice of law in Lebanon. He was elected to Congress by the Whigs and Know-Nothings in 1859. He joined the Confederate army at the opening of the war, and served under both Lee and Jackson. He was first colonel of the Seventh Tennessee Regiment, and was promoted to brigadier general in 1862. He was killed at the Battle of Seven Pines leading a charge.

† *John Netherland* was born in Powhatan County, Virginia. His parents moved to Sullivan County, Tennessee, when he was a small boy. He served as a member of the state senate, in 1833, and represented Hawkins County in the lower house in 1851. He was considered the most successful young lawyer in East Tennessee.

CHAPTER XV

TENNESSEE AND SECESSION

The institution of slavery prepared the way for the Civil War, but slavery was not the direct cause of this great conflict.

In 1619, a small number of slaves—less than twenty-five—were brought into the South and sold to the Virginia colonists. This was the beginning of slavery in this section. From this time on for a number of years, certain traders from the New England states brought slaves from Africa to this country, and sold them to the Southern people. Hence the chief responsibility for slavery in this country, in the first instance, rests with the North rather than the South. The slaves were located in the South rather than in the North, not because the Northern people were more opposed to slavery in the early days than were the people of the South, but because the Southern climate and Southern agricultural conditions made slavery more profitable here. The New England traders sold the slaves in the South because they would bring more money in the South than they would in the North.

As the country developed, the sentiment against slavery grew both in the North and in the South. This sentiment was much stronger and more pronounced in the North because freeing the slaves would not directly affect the people of the North,

either in a financial, a political, or a social way, since they had no slaves. To the Southern man, whether he had any slaves or not, the freeing of the slaves was a very serious question. He didn't know what the effect would be, and naturally he was very slow to give his consent to a change which might bring any serious moral, social, political, and industrial problem to the community in which he lived.

In the slave states, in 1860, there were nearly four millions of slaves. In the same states the white population numbered about eight millions. So the free population was about twice that of the slave population. But only a small portion of the white population owned slaves. In all there were 383,050 slave owners in the South in 1860.

So the great majority of the white people of the South were in no way connected with slavery before the Civil War. The great majority of the voters in the South were non-slave holders, and the great majority of the Confederate soldiers were non-slave holders.

The struggle between the North and the South over the question of slavery had been going on for many years before the Civil War. In the Congress of the United States, the Northern people were trying to limit slavery as much as possible in the new territory beyond the Mississippi, and the Southern people were trying to extend the rights of the slave owners in the new field. In 1860, the people became much alarmed concerning the outcome of the question. The excitement in the South at this time was

very great. In 1859, a man by the name of John Brown, whose home was in Kansas, came into Virginia for the purpose of organizing the slaves and furnishing them with firearms to attack the white people. He was arrested and hanged, but this action did not quiet the people. They were already excited on the question, and this tended to drive them to extreme measures of precaution.

The state of the public mind was shown in the nomination made for president of the United States in 1860. The people, both North and South, were so hopelessly divided that they put four different presidential tickets in the field. The Republican party, which had been organized a few years before, nominated Abraham Lincoln of Illinois. John C. Breckinridge, of Kentucky, was nominated by the Southern Democrats. Stephen A. Douglas, of Illinois, was nominated by the Democrats of the North; and John Bell, of Tennessee, was nominated by those who selected as their platform "The Constitution, the Union, and the enforcement of law." In the national convention that nominated John Bell for the presidency, his only competitor for the nomination was another noted Tennessean, Sam Houston, then governor of the State of Texas. Mr. Lincoln was elected, receiving the majority of the electoral votes. But he did not receive a majority of the popular votes. He did not carry a single Southern state. Mr. Bell carried Tennessee, Kentucky, and Virginia and received three of New Jersey's electoral votes.

Lincoln's election by the Northern states alone, together with John Brown's raid the year before, was construed by many Southern men to mean that the North, through the new administration, was going to abolish slavery whatever danger or hardship it might bring to the South. The freeing of the slaves was not in Lincoln's platform, and he said after his election that he did not expect to abolish slavery, though he was opposed to it.

But some of the Southern states, feeling that their interests were no longer safe in the Federal government, decided to withdraw from the Union. This they claimed they had a right to do under the Constitution of the United States, since the states, when they went into the Union, reserved the right to withdraw at any time. The right of secession, or the right of a state to withdraw from the Union, was claimed in the North as well as in the South before the Civil War. The war of 1812 was not popular in New England, because at this time the New England states were engaged largely in commerce and this war interfered with their trade. In 1814, they sent delegates to Hartford to discuss the question of seceding from the Union on account of the fact that the war was injurious to business in their section. Ex-President John Quincy Adams, of Massachusetts, was opposed to the annexation of Texas, in 1843, and gave as his opinion that the annexation of Texas would justify the secession of other states from the Union. William Lloyd Garrison of Massachusetts, the great leader in the movement to free

the slaves, suggested that Massachusetts lead a secession movement.

Acting on her constitutional right, as Southerners construed it, South Carolina, on December 20th, 1860, withdrew from the Union. In the following month Florida, Alabama, Georgia, Mississippi, and Texas followed South Carolina out of the Union. The other Southern states, namely, Arkansas, Virginia, North Carolina, Kentucky, Missouri, and Tennessee, at this time refused to withdraw from the Union, although all of them asserted that they had the constitutional right to withdraw if they so desired. They felt that it would be much better for all if the slave problem could be solved without breaking the Union.*

Isham G. Harris was governor of Tennessee at the time, and he was strongly in favor of secession. He called an extra session of the legislature in December, 1860, just after Lincoln's election, for the purpose of considering the question of secession. The legislature met on January 7th, 1861, and arranged for the people of Tennessee to vote on the question of calling a convention to consider secession, and for electing delegates to this convention. The date of the election was fixed for February 9th, and on that date the election was held. The result was that Tennessee voted overwhelmingly against secession. The majority for the Union in this election was 64,914. Davidson County gave a majority of 2,548 against secession, and Shelby County, in West Ten-

* Brooks, *History of Georgia*.

nessee, gave a majority of 5,492 against secession. In Shelby County only 197 votes were cast for secession. Knox County cast more votes against the Union than did Shelby. The majority for the Union in this election in Middle Tennessee and West Tennessee was 38,582. So in February, 1861, after several Southern states had withdrawn from the Union, the great majority of the people of Tennessee were opposed to secession.

At this time there were some United States soldiers in charge of Fort Sumter in South Carolina. After South Carolina had withdrawn from the Union, she asked the Federal government to withdraw these soldiers from her borders. This the government refused to do. The result was that on April 12th, 1861, these United States soldiers were bombarded by some Confederates. On this day was fired the first gun of the Civil War. Three days later, on the 15th of April, President Lincoln called for 75,000 soldiers to put down all resistance to national authority, and to force back into the Union all the states that had seceded. Tennessee was called upon to furnish a portion of the troops asked for by the president.

When the proclamation of the president was issued, it caused a great change in sentiment in Tennessee and other Southern states which up to this time had refused to leave the Union. While they believed that South Carolina and the other seceding states made a mistake in withdrawing from the Union, they believed also that the Federal govern-

ment, under the constitution, had no right to force them to come back.

Immediately after the president's proclamation, another election was called in Tennessee to vote again on the question of secession. The election was held on June 8th, 1861. This time the vote for secession was 104,913; and the vote against secession was 47,238. In East Tennessee the vote was 34,023 against secession, and 14,829 for secession. In the election held in February of this year, there was not much difference in sentiment on the question of secession in East Tennessee, Middle Tennessee, and West Tennessee. But in June, Middle Tennessee and West Tennessee voted overwhelmingly for secession, and East Tennessee voted more than two to one for the Union.

CHAPTER XVI

EAST TENNESSEE AND THE CIVIL WAR

East Tennessee voted against secession by more than two to one, and then sent more than 30,000 soldiers into the Union army to take up arms against the Confederacy. The stand taken by East Tennessee in the Civil War has been very far-reaching in its effects; it produced serious problems of life and government in the state which are as yet largely unsolved. The unusual action of East Tennessee in this great conflict has been attributed to many causes, but perhaps has not been correctly explained by any. In part it was due to the peculiar economic condition of East Tennessee. There were not a great many slaves in this section in 1860. However, the economic conditions in East Tennessee and in southwest Virginia were very much the same, and southwest Virginia was loyal to the Confederacy. If Washington County, Tennessee, be compared with Washington County, Virginia, just across the Tennessee line, it will be seen that there was no particular difference in slave ownership and in other economic conditions in the two counties. This is true of southwest Virginia, as a whole, and of East Tennessee. Political conditions in East Tennessee up to the time of the Civil War were similar to the political conditions in Middle Tennessee and West Tennessee. There were two political parties in the

state then, as there are now, and these parties were nearly equally divided in strength. In 1853, the Whigs carried only twelve out of twenty-eight counties in East Tennessee. The total vote was: Whigs 19,444, Democrats 19,499. The vote in the whole state was: Whigs 61,163, Democrats 63,413. In 1857, the vote in East Tennessee was: Whigs 3,390, Democrats 22,121. Most of the counties in East Tennessee were Democratic; but the big Whig majorities in a few counties kept the vote close between Whigs and Democrats in state elections.

The idea that East Tennessee's attitude was due to Scotch-Irish influence can hardly be sustained, since virtually all of the towns of this section, with the exception of Knoxville, went with the Confederacy; and in these towns the Scotch-Irish were as strong, if not stronger, than anywhere else. While many East Tennesseans were opposed to slavery in principle, and the first abolitionist paper in this country was established in East Tennessee, these facts do not account for the attitude of this section in the Civil War. Many people in Middle Tennessee and West Tennessee also opposed slavery. Some, if not all, of the union leaders in East Tennessee were slave owners. Thomas A. R. Nelson, Judge Temple, and others, owned slaves.

Some have tried to show that East Tennessee had an inferior type of population from the beginning. This is totally without foundation. Perhaps no purer stock of the Anglo-Saxon is to be found anywhere in all the world than is found in East Ten-

nessee. Up to the time of the Civil War this section was in the forefront of the state's progress, and furnished its full proportion of the state's great men.

With reference to the size, muscular development, and brain power of the soldiers of Tennessee in the Union Army the subjoined table is interesting. Tennessee sent about 35,000 soldiers to the Union army. It is probable that a large majority of those from Tennessee and Kentucky measured were from East Tennessee.

COMPARATIVE SIZE OF SOUTHERN MEN*

	Number of Men Measured	Mean Height in Inches	Mean Weight in Pounds	Mean Cir- cumference in Chest Inspira- tion	Mean Size of Head in Inches Around
Kentucky and Tennessee.	30,334	68.605	149.85	37.83	22.32
Ohio and Indiana	220,796	68.169	145.37	37.53	22.11
New England	152,370	67.834	139.39	36.71	22.02
New York, New Jersey, and Pennsylvania	273,026	67.529	140.83	37.06	22.10
Michigan, Illinois, and Mis- souri	71,196	67.820	141.78	37.29	22.19
Free States West of Mis- sissippi River	3,811	67.419		37.53	21.97
Canada	31,698	67.086	141.35	37.14	22.11
England	3,037	66.741	137.61	36.91	22.16
Ireland	83,128	66.951	139.18	37.54	
Germany	80,021	66.620	140.36	37.20	22.09

It will be observed by inspection of the foregoing table that the Southern men in the Federal army

*"Report of the Sanitary Commission"—*East Tennessee and the Civil War*—Temple.

were greater in the size of chest and greater in the size of their heads than were the Americans of the Northern army or the troops in this army who were natives of Europe. Certainly their measurements do not indicate that the East Tennessean is an inferior man either mentally or physically!

The big majority for the Union in June, 1861, was in large measure due to the exciting campaign conducted in East Tennessee by Andrew Johnson, William Brownlow, and Thomas A. R. Nelson. The feeling was so bitter that Secessionists were not allowed to speak in the rural sections, and Union men were not allowed to speak in the towns. The result was that the rural sections went for the Union and the towns went for secession. "The differing results," says Judge Temple, one of the Union leaders in this campaign, "are easily accounted for. In all East Tennessee the Union leaders took the stump in January and kept it until the close of the second campaign in June. They took the start, kept the start and held secession in check, so that it never gained any ascendancy. The same thing might have been done in the other divisions of the state, if it is believed, but not with such marked success, if there had been bold leaders there."

"After the election on the 9th of June, 1861, and the state had gone for secession by a large majority, the Union men in East Tennessee," says Judge Temple, "began to resume their usual and peaceful vocations. Many of them were willing, if permitted to do so, to remain at home in peace." The great

majority of them, it would seem, had no idea of taking up arms against the South. Certainly very few of them would have joined the Union army if they had been left alone.

In November, 1861, certain Union men, led by William B. Carter of Elizabethton, acting under instructions from President Lincoln, planned to burn all of the railroad bridges between Bristol and Stevenson, Alabama. They succeeded in burning five of the bridges. This act greatly inflamed the state authorities, and it was decided to hunt down all who were connected with the destruction of the bridges, and hang them.

The policy followed by the state government in punishing these offenders was thus described by Colonel H. C. Young, a Confederate officer on the staff of General W. H. Carroll, who was sent to Knoxville to enlist East Tennesseans in the Confederate army. "The numbers engaged in these outrages (burning bridges) have, I know, been greatly overestimated, as facts have developed in the investigation that has been made by court-martial now in session at this place, which satisfy me beyond doubt, that there were not, at the time the bridges were burned, five hundred men in all East Tennessee who knew anything of it, or who contemplated any organized opposition to the government. Scouting parties were sent out in every direction who arrested hundreds suspected of disloyalty and incarcerated them in prison, until almost every jail in the eastern portion of the state was filled with poor,

ignorant, and for the most part, harmless men who had been guilty of no crime, save that of lending a too credulous ear to the corrupt demagogues whose counsels have led them astray. About four hundred of the poor victims of designing leaders have been sent to Tuscaloosa, Alabama, as prisoners of war, leaving in many instances their families in a helpless and destitute condition. The greatest distress prevails throughout the entire country in consequence of the various arrests that have been made, together with the fact that the horses and the other property of the parties that have been arrested have been seized by the soldiers and in many cases appropriated to personal uses or wantonly destroyed. Those best acquainted with affairs here are fully impressed with the belief that if the proper course were pursued all East Tennessee could be united in support of the Confederate Government."

The next move was to deprive all the Union men of their arms. Orders were issued to agents to search for and seize their arms.

It is difficult to state who was responsible for the outrages perpetrated on these men. The first arrests, it is said, were instigated by a few malicious, troublesome men in and around Knoxville. It was believed at the time that the general policy was due to the advice of three men in the Confederate Congress. At any rate the Confederate government was held responsible for every outrage, and it was against the Confederate government that these people felt revengeful.

Had the East Tennesseans been a weak and an inferior people, they would have been conquered and crushed by such vigorous measures. But being strong and brave and independent, they showed their resentment by marching over the mountains two hundred miles and joining the Union army. It was an ill-advised and mistaken policy on the part of the Confederate government more than anything else that sent 35,000 East Tennesseans into the Union army. But under the conditions of war, when everybody was excited, provoked, and angered by the outrages of certain Union men in burning the railroad bridges, the extreme policy of the Confederate government in this case, while unfortunate, was not unnatural, and at the time was thought to be justifiable.

John Bell, the Tennessean who made the race for president in 1860 on the Union ticket, was born in Nashville in 1797. He was a graduate of the University of Nashville and was admitted to the bar soon after graduation. He represented Williamson County in the state senate when he was twenty-one years old. He defeated Felix Grundy for Congress in 1827. In this race he was supported by Andrew Jackson. He continued to represent his district in Congress for fourteen years. In 1834, he defeated James K. Polk for speaker of the house of representatives in Congress. He was appointed secretary of war by President Harrison in 1841. He strongly supported White for president in 1836 against Van Buren. This attitude brought him the intense hos-

tility of President Jackson. After this Mr. Bell was identified with the Whigs, although he had supported nearly all of Jackson's policies. In 1847, he was elected to the United States senate.

John Bell was one of the great men of his day. His mind was large and thoroughly balanced, and in addition to this he was an honest man of blameless life. He was strongly opposed to secession, but after President Lincoln called for troops to force the seceding states back into the Union, he, together with Cave Johnson who had been attorney general in President Polk's cabinet, and others, issued the following statement:



JOHN BELL

"Tennessee is called upon by the president to furnish two regiments, and the state has through her executive refused to comply with this call. This refusal of our state we fully approve. Should a purpose be developed by the government of overruling and subjugating our brethren of the Seceded States, we say unequivocally that it will be the duty of the state to resist at all hazards, and at any cost, and by force of arms, any such purpose or attempt."

CHAPTER XVII

BATTLES IN TENNESSEE

Next to Virginia, Tennessee was the great battle ground of the Civil War. More than 400 battles and skirmishes were fought within her bounds. Tennessee furnished a larger number of soldiers in this great conflict in proportion to her population than did any other state in the Union. Tennessee soldiers were in many battles beyond the borders of the state, and to give an adequate account of Tennessee's part in the Civil War would require a complete history of the whole conflict. Here no attempt is made to give a history even of the battles in Tennessee. Only a small number of important engagements are mentioned.

FORT HENRY

The first battle of the Civil War fought on Tennessee soil was the battle of Fort Henry. Fort Henry was situated on the Tennessee River, near the Kentucky line. About 2,500 Confederates were stationed here at the beginning of the war in order to protect the navigation of the Tennessee River. On the 4th of February, 1862, General Grant with about 16,000 men and seven gunboats began an attack on the fort. Realizing that they could not hold their position against such a large army, the Confederate forces withdrew, on the 6th of Febru-

ary, leaving a small number of men to hold the attention of the enemy while they were withdrawing. The main body of the troops succeeded in getting away while the small number left surrendered. The troops from Fort Henry marched twelve miles to Fort Donelson, which was situated on the Cumberland River not far from Dover, Tennessee. Fort Donelson at the time was defended by about 4,000 men, and was soon strengthened by the arrival of the troops under General Buckner, General Pillow, and General Floyd. Altogether the Confederate forces here numbered about 15,000.

FORT DONELSON

On the 12th of February, General Grant, with an army estimated all the way from 27,300 to 40,000 men, together with a fleet of gunboats, began the siege of Fort Donelson. At first General Floyd was in command. In the beginning of the siege the Confederates gained some triumphant victories, but on the fourth day came to the conclusion that they could not longer successfully resist such overwhelming numbers. General Floyd and General Pillow withdrew, taking with them some of their troops. Their departure left General Buckner in command. General N. B. Forrest was a colonel at this time, and his regiment formed a part of the troops left with General Buckner. After General Floyd and General Pillow left, General Buckner announced to his officers that he was going to surrender. Colonel Forrest protested vigorously against a surrender,

stating that the army could escape that night. But failing to win General Buckner to his idea, Forrest withdrew in the darkness with his regiment, and escaped without seeming difficulty. The next day General Buckner surrendered.

The failure to hold Fort Henry and Fort Donelson meant that the Confederates would be compelled to give up Middle Tennessee and West Tennessee. For with the Cumberland and Tennessee rivers open to the enemy, the Confederates could hardly hope to hold any important point in these sections against the superior forces on the other side. Hence, the Confederates withdrew to the south.

THE BATTLE OF SHILOH OR PITTSBURG LANDING

When the Confederate forces withdrew from Middle Tennessee and West Tennessee, they gathered around Corinth, Mississippi, which is about twenty-five miles south of the Tennessee line. In the meantime the Federal troops gathered around Savannah, Tennessee. Pittsburg Landing is a few miles south of Savannah, and near Pittsburg Landing is a little place called Shiloh. Soon after General A. S. Johnston, who was in command of the Confederate forces, reached Corinth, he decided to march against and attack Grant at Pittsburg Landing before reinforcements, which were then on the way, could reach him. On April 6th, 1862, Johnston and Grant met at Shiloh. Johnston had, according to his own statement, an army of 40,000 men. Grant's army, on the first day, has been estimated from 32,000 to 41,153.

The Confederates gained a decided victory in the first day's fight. Grant's forces were driven back to the river. But about two o'clock in the afternoon of the battle, General Johnston was killed. This caused a great shock to the Confederates, and doubtless was the reason why they did not follow up the great victory by continuing the attack. General Beauregard, who succeeded General Johnston in command, waited till next morning to renew the attack. In the meantime Grant had been reinforced by about 28,000 fresh troops. Grant, now, with his reinforcements, forced Beauregard back to Corinth. The Confederate losses in this battle in killed, wounded, and missing, were about 10,000; the Federal losses were about 13,000.

THE BATTLE OF MURFREESBORO OR STONE'S RIVER

In December, 1862, the Confederate forces under General Bragg, were gathered at Murfreesboro; and large Federal forces were at the same time concentrated at Nashville in command of General Rosecrans. On the 31st of December, General Rosecrans met Bragg at Stone's River, just outside of Murfreesboro in a desperate battle which lasted for three days. General Bragg estimated his forces at the beginning of the battle at 37,712. According to General Rosecrans' estimate of the Federal troops engaged he had 46,940 men in the field, of whom 43,400 engaged in battle. General Bragg reported his total loss in this battle at 10,266, including killed, wounded, and missing. General Rosecrans reported

his loss at 13,249. General Bragg's report states that he captured 6,273 prisoners, thirty pieces of artillery, 6,000 stands of small arms, destroyed 800 wagons, and took much valuable property. Victory was claimed by both sides.

After the battle of Murfreesboro Bragg retreated to Shelbyville. In June, pursued by a large force under Rosecrans, Bragg left Middle Tennessee, and later gave up Chattanooga and fell back to LaFayette, Georgia.

THE BATTLE OF CHICKAMAUGA

The Battle of Chickamauga was fought on September 19th, 1863; and although it took place in Georgia it was part of a Tennessee campaign. In this battle the Federal troops numbered 64,392; and the Confederate forces 47,321. The Federal army was beaten and driven back to Chattanooga in great disorder; and had it not been for the great defense made by the troops under General Thomas, Rosecrans' army would have been destroyed. But Rosecrans was soon strengthened by large reinforcements at Chattanooga, and later General Grant came in and took command. The Federal forces were now too strong to be resisted successfully by General Bragg, and the result was that after the battles of Missionary Ridge and Lookout Mountain he was forced to withdraw to Georgia. General Bragg has been criticised adversely for his failure to follow up quickly the victory of Chickamauga by other fierce attacks. By delaying he allowed the

Federal troops to increase to such an extent that he could not resist them with his comparatively small force.

Although the Confederates withdrew from Middle Tennessee at the beginning of the war, they held East Tennessee around Knoxville till December, 1864, when, on account of the overwhelming forces sent against him, General Longstreet had to withdraw from Knoxville and East Tennessee.

THE BATTLES OF FRANKLIN AND NASHVILLE

During November, 1864, the Confederate army, under the command of General Hood, started from the south to make an attack on the Federal forces then holding Nashville. After driving them before him for many miles General Hood made an attack on the Federal forces at Franklin, Tennessee, on November 30th. The Federal forces were strongly fortified at Franklin, and were able to resist Hood's attack successfully. The Confederate losses at Franklin were very heavy. However, the Federal troops withdrew from Franklin on the night after the battle and joined the other Federal troops at Nashville. On the next day, General Hood moved his army to Nashville, and established his lines just outside the city limits. Two weeks later under the command of General Thomas the Federals made an attack on Hood, and were repulsed. But the attack on the following day was successful. Hood was repulsed by the overwhelming forces against him, and driven back south. This battle was really the

close of the war for most of the Tennessee troops. The body of troops, of which Forrest's cavalry formed a part, surrendered on May 9th, 1865.

The Confederate soldiers made a brilliant record on the field of battle. For the first two years of the war they were able to hold their own and gained many victories against an enemy superior in number. But after this their resources were greatly reduced and they had no source of supply. On the other hand, the Federals had an abundance of resources and as many men as they needed. In 1865, the Confederates found themselves outnumbered five to one, and without resources to continue the fight further. They surrendered with honor, and returned to their homes to build up the communities which had been laid waste by the ravages of war.

GENERAL NATHAN B. FORREST

One of the most brilliant fighters in the Civil War was General Nathan B. Forrest. General Forrest was born in Bedford County, Tennessee, in 1821. His father was a blacksmith. The family moved to Mississippi before young Forrest was grown. His father died while Nathan was a boy and being the oldest child the responsibilities of the family fell upon him in large measure. He had poor school advantages, and acquired little education. But he made a success in business, and when the war opened he was in good financial circumstances.

Forrest volunteered as a private at the beginning of the war. But at once was elected colonel. He

knew absolutely nothing about military tactics when he took charge of his regiment; hence his tactics were extremely original. Nevertheless from the very start he proved himself notably successful both as a fighter and as a strategist.

On July 13th, 1862, with about thirteen hundred mounted men, Forrest rode into Murfreesboro, Tennessee, which was at the time defended by seventeen or eighteen hundred troops under General Crittenden, and after a spirited fight captured the whole command, together with hundreds of horses and mules and large quantities of supplies. He then moved out very quickly, since a large army of Federal troops was trying to cut him off. He made his escape in safety.

In April, 1863, General Rosecrans, the Federal commander, decided to send a body of troops by a secret march through the mountains of Alabama into Georgia, that they might destroy the soil road between Chattanooga and Atlanta, and thus greatly cripple the Confederates. He selected Colonel A. D. Streight to perform this task. In a short while Colonel Streight, at the head of 2,000 men mounted on mules, was on the way.

Forrest soon learned of Streight's movements, and on April 29th he started from Courtland, Alabama, at the head of 1,000 mounted men to overtake and attack him. He started from Courtland at one o'clock in the morning, and after marching thirty-three miles came upon Streight that night at Day's Gap. But Streight moved out early next morning,

and aimed to get away from Forrest. Forrest followed him and on April 30th fought him in a chase all day and through a great portion of the night, reaching Blountville, seventy-six miles from his starting point, at ten o'clock on March 1st. His troops had been fifty-seven hours on the march, and had spent fifty-two of the fifty-seven in the saddle. He continued the pursuit to Gadsden and then to Lawrence, a distance of seventy-four miles farther, and at Lawrence on May 3rd Streight surrendered and his whole army was taken captive, with all his mules, etc. When Streight surrendered he had about 1,600 men, and Forrest had less than 600. Forrest had marched so fast that a large portion of his troops failed to keep up. The greater part of this march of 150 miles was through a mountainous region and over bad roads.

In October, 1864, Forrest made an attack on the Federal forces at Johnsonville, Tennessee. The Federals had gathered large supplies at Johnsonville, where the N. C. & St. L. Railway now crosses the Tennessee River, and Forrest's object in moving to this point was to destroy these supplies. In the report of his victory at Johnsonville he said: "I captured and destroyed four gunboats, fourteen transports, twenty barges, twenty-six pieces of artillery, and \$6,600,000 worth of property, and captured one hundred and fifty prisoners. My loss was two killed and nine wounded." This is probably the only battle in history in which cavalry captured gunboats.

In an address to his soldiers late in 1864 he said: "On the 24th day of December, 1863, there were 3,000 of you unorganized and undisciplined at Jackson, Tennessee, only four hundred of whom were armed. You were surrounded by 15,000 of the enemy, who were congratulating themselves on your certain capture. You started out with your artillery, wagon trains and a large number of cattle, which you succeeded in bringing through, since which time you have fought and won the following battles: Jack's Creek, Estinanla, Okolona, Union City, Paducah, Fort Pillow, Bolivar, Tishomingo Creek, Harrisburg, Hurrieon Creek, Memphis, Athens, Sulphur Springs, Pulaski, Carter's Creek, Columbia, and Johnsonville. To sum up in brief your triumphs during the past year, you have fought fifty battles, killed and captured 16,000 of the enemy, captured 2,000 horses and mules, sixty-seven pieces of artillery, four gunboats, fourteen transports, twenty barges, three hundred wagons, fifty ambulances, 10,000 stands of small arms, forty block houses, destroyed thirty-six railroad bridges, two hundred miles of railroad, six engines, one hundred cars, and fifteen millions of dollars' worth of property. In the accomplishment of this great work you were occasionally sustained by other troops who joined you in the fight, but your regular number never exceeded 5,000, two thousand of whom have been killed or wounded, while in prisoners you have lost only about 200."

SAM DAVIS

Sam Davis, a Confederate soldier, was arrested by the Union soldiers near Pulaski, Tennessee, and put in prison. They found in his possession certain papers which contained information with reference to the plans of the Union forces. The Union officer demanded of him the name of the man who gave him these papers. He refused to give it, and assigned as his reason the fact that he had pledged his word not to divulge the name of the man who gave him the papers. He was offered his liberty, if he would furnish them the information they desired. Upon his refusal he was told that he would be executed. His answer was "If I had a thousand lives, I would give them all before I would betray a friend." They did not wish to hang him, and begged him to change his mind, yet he steadfastly refused, and on November 27th, 1863, he walked upon the scaffold at Pulaski, Tennessee, and was hanged until dead. He was just twenty-one years old when he was executed. His home was in Rutherford County, near Smyrna. Such a life should be regarded as Tennessee's most priceless possession.

CHAPTER XVIII

THE DEVELOPMENT OF INTERNAL IMPROVEMENTS IN TENNESSEE BEFORE THE CIVIL WAR

Tennessee was decidedly progressive before 1860 in her policy with reference to building railroads and turnpikes, and improving navigable rivers.

The problem of developing Tennessee, and especially East Tennessee, was recognized as a difficult one from the beginning, and the peculiar surroundings of the eastern section of the state made its development dependent on legislation to an unusual degree. It must be remembered that early Tennessee history is East Tennessee history, since this was the part of the state first settled, and it continued to be the dominant leading section for a long time. However, there was practically no sectionalism in Tennessee before the Civil War. In legislation, and in every public policy, each section of the state received that recognition which it deserved.

Legislation may help or hinder the progress of any community, but it is not a factor of first importance in the development of some sections. Some communities are so situated that they will develop without any special help or encouragement from the government. The progress of other communities, especially at certain stages of their develop-

ment, is almost entirely dependent on wise legislation and governmental activity in general. Tennessee, especially the eastern section, is preëminently a community of this kind, and it was so recognized before the Civil War by the people of the state.

Before the Civil War the people of Tennessee to a very notable degree appreciated the real needs of their community, and applied wisely the machinery of government in attaining their ends. In their chief legislative policies, they had the point of view of the statesman, and looked to the future rather than to the immediate present. Their first object was to lay the foundation for a permanent progress, and virtually the whole period from the beginning of the state down to the Civil War was taken up in providing the necessary preliminaries for the real progress that was to come later. The Civil War arrested this development, and in large measure robbed Tennessee of the fruits that would have come as a result of the splendid work done before this period. But of course they did not foresee, and could not have foreseen, the Civil War.

Almost from the very beginning, the people recognized two prominent needs as the conditions of real progress and they began at an early date to employ the machinery of the government in a very efficient way in supplying these needs. They realized that they could never hope for any effective development of their rich material resources without greatly improved transportation facilities, such as turn-

pikes, railroads, and navigable streams. They also appreciated the fact that an efficient system of popular education was essential to any adequate and satisfactory progress of the state. Other problems with which the government had to deal were not neglected, but internal improvements and popular education were the centers of interest, and at all times held first place in the estimation of the leaders in the early days.

INTERNAL IMPROVEMENTS

For some years before Tennessee was made a territory, there was great activity on the part of the county governments in surveying and opening roads. The court records show that these pioneers fully appreciated the importance of internal improvements as a means of progress.

The attitude of the government toward internal improvements after Tennessee became a state, is well brought out in the various acts of the legislature, and in the resolutions, reports, etc., bearing on this subject.

That the doctrine of states' rights had its effect on their internal improvement policy, there is no question. Their position is clearly expressed in a report on the question of internal improvements by the senate committee for the session of the legislature of 1831. The chairman of this committee was from East Tennessee, and it would seem that he drew up the report. The committee reported in part as follows:

“The committee have had under consideration the bill to them referred providing for the establishment of three boards of internal improvements, and for placing the funds of the state set apart and appropriated by the eighteenth general assembly for the improvement of navigable rivers and other objects of improvement in this state, in the hands of said board, with directions for making surveys and estimates for railroads, etc., and beg leave to bring to the view of the senate in making their report that the great and growing interest felt by all classes of the community, that some efficient and practical system of internal improvements should be adopted by the legislature, urges your committee, in submitting their views, to enter more into detail than would be deemed necessary on ordinary subjects.

“The policy of improving the natural and opening artificial facilities to intercourse for the promotion of commerce and other objects of general welfare has at all times very justly been considered by civilized communities and enlightened statesmen of vital importance to free government, and as having a direct tendency to develop the latent resources of the state * * * . Each state, therefore, under the wise and wholesome checks and balances fixed in the Constitution of the Union, must look to its own resources for the means of effecting all such improvements as are of local or state character.”

It would seem from this report that there was on foot at this early date a strong movement to have the government begin at once an elaborate system

of internal improvements, including a system of railroads. Work on the first railroad built in America was begun in 1828, only three years or less before the time of the movement in Tennessee to have the state construct a system of roads. While the committee reported against the elaborate system proposed in the bill, and in favor of a more modest prosecution of this important work, it is clear that their only objection to the extensive system proposed was the lack of available funds to carry on the work. An appropriation of \$150,000 had been made only a short while before for cleaning out streams. A few years after this, the state did launch a system of internal improvements even more elaborate, perhaps, than was proposed at this time.

Two years later (1833) the senate committee on internal improvements brought in another report which was based on a memorial presented by citizens of Washington County praying for the establishment of a system of internal improvements in Tennessee. The committee in its report states that the prosperity of the different states of the Union was in proportion to the time at which they began to improve by turnpikes, canals, and railroads their natural means of conveyance. Reference is made in this connection to the progress of New York, Pennsylvania, Maryland, South Carolina, Virginia, and North Carolina. South Carolina was one of the very first states to begin the construction of railroads.

In a report from a select committee of the lower

house at the same session of the legislature, we find the following:

“But connected with her mines of coal and iron ore, East Tennessee possesses facilities for manufactories enjoyed by few countries * * *. The general anxiety which pervades that section of country for the commencement of a general system of internal improvements, and the wish expressed by many to enjoy in that section the facilities of banking accommodations, induce the committee to believe that public sentiment is becoming alive in that quarter to their natural advantages. It is therefore reasonable to calculate that in addition to the several manufacturing establishments now in successful operation in that section for the manufacture of iron, flour, paper, etc., capitalists will avail themselves in a short time of the facilities offered in that region, and will erect other and more extensive manufactories.”

This report shows that the people of East Tennessee were fully alive to the needs of their section as early as 1833, and were the prime movers in the elaborate system of internal improvements later adopted.

In 1847, ten counties of East Tennessee together with three counties in Virginia, sent representatives to a convention which met in Greeneville for the purpose of encouraging internal improvements. This convention remained in session three days, and appointed committees to wait on the legislatures of Tennessee and Virginia, and urge them to make

large appropriations for the construction of railroads, turnpikes, etc.

In response to the various demands from the people for internal improvements, the legislature, in 1836, passed an act which provided that the governor should subscribe on the part of the state for one-third of the stock, in any joint stock company that had been or that might thereafter be incorporated for the construction of railroads or macadamized turnpike roads within the limits of Tennessee. Under this act the sum of \$276,666.66 had been subscribed by the state to railroad and turnpike companies in the year 1837.

In 1838, this act was amended so that it became the duty of the state to subscribe to one-half the stock in all railroad and turnpike companies.

This tremendous interest on the part of the state in the construction of railroads is the more significant when it is remembered that the first railroad track in this country had been laid only a few years before.

The bill pledging the state to take one-half the stock in all railroad and turnpike companies was repealed a few years after its passage; but the state continued down to the Civil War the policy of encouraging transportation companies by state aid.

The report of the commissioner of roads for Tennessee in January, 1856, gives a splendid idea of railroad construction, up to this time, under the direction of the state government. This report shows the intelligence and comprehensiveness with

which the people were dealing with the problem of internal improvements at this time. They had finally reached the point just on the eve of the Civil War, at which the development of the rich resources of the state, especially the mineral resources of East Tennessee, became possible.

REPORT OF THE COMMISSIONER OF ROADS, JANUARY 28,
1856

“Passing to the eastern portion of our system of improvements, I remark that the Knoxville and Kentucky and the Knoxville and Charleston roads, when completed, will establish an important communication between Cincinnati and Charleston, and thus open up a highway between the Ohio Valley and the South Atlantic Seaboard. Cincinnati and Charleston (the Queen cities of their respective states) upon the completion of these projects, will have been for the first time locked in a lasting embrace—a consummation most devotedly to be wished. The line of roads from Knoxville designed to connect that place with Charleston is made up of four companies, to-wit: The Knoxville and Charleston Railroad Co., in Tennessee; the Tennessee River Railroad Company, in North Carolina; the Blue Ridge Railroad Company, in Georgia, and the Blue Ridge Railroad Company, in South Carolina. These four companies together have a capital of nearly \$5,000,000. The enterprise contemplates the construction of 200 miles of road from Knoxville to Anderson Court House in South Carolina, which if constructed will

place Knoxville 120 miles nearer Charleston than by the present railway route. About fifty miles of the road in South Carolina were graded in September last, and about 700 hands were engaged on that part of the line.

“The Cincinnati, Cumberland Gap and Charleston Railroad is the Tennessee link in a line of roads from Cincinnati to Charleston, which is designed to enter the state on the north at Cumberland Gap, and passing out of it into North Carolina by way of French Broad River, at Point Rock. To complete this line of road, there is yet to be finished (besides the Tennessee part) 128 miles from Lexington, Kentucky, to Cumberland Gap, and on the south about 100 miles from Point Rock to Spartanburg, South Carolina. The legislature of North Carolina has appropriated, as I believe, \$5,000,000 to extend her central road from Salisbury (the point at which it is completed) to Point Rock. The North Carolina Central is intended to form a part of the main trunk of said lines of roads. The termini of the North Carolina Central are Point Rock on the French Broad and Beaufort on the Atlantic, with a lateral to Spartanburg. This line of roads, if completed, will form nearly an air line through upper East Tennessee, from Cincinnati to Charleston.

“From Memphis to Alexandria, D. C., little is needed to perfect the line. The Memphis and Charleston Road will be finished early in 1857. The Orange and Alexandria is pressing its extension

TABULAR STATEMENT OF THE CONDITION OF RAILROADS IN TENNESSEE IN 1859

ROADS FINISHED

	<i>Cost of Road</i>	<i>Capital Stock</i>	<i>State Aid</i>	<i>Length in miles in Tennessee</i>
Memphis and Charleston.....	\$ 6,188,033.49	\$ 2,500,000.00	\$1,102,000.00	100.20
Mississippi and Tennessee.....	2,000,000.00	59,000.00	98,000.00	9.10
Mississippi Central and Tennessee.....	975,618.95	335,800.00	618,000.00	47.40
Nashville and Chattanooga.....	3,632,882.56	2,035,621.64	1,650,000.00	159.75
East Tennessee and Georgia.....	3,637,366.99		1,162,000.00	125.00
East Tennessee and Virginia.....	2,466,397.29	593,050.00	1,602,000.00	130.28
Winchester and Alabama.....	408,477.13	254,394.12	467,000.00	38.80
McMinnville and Winchester.....	590,623.66	152,036.77	372,000.00	34.20
Louisville and Nashville.....	5,994,092.24	3,578,800.00	550,000.00	45.00
Tennessee and Alabama.....	1,185,053.48	1,081,783.33	846,000.00	57.52
	<u>\$27,078,545.79</u>	<u>\$10,590,505.86</u>	<u>\$8,467,000.00</u>	<u>747.25</u>

ROADS IN COURSE OF CONSTRUCTION

Memphis and Ohio.....	\$ 2,300,411.59	\$1,039,000.00	\$1,506,000.00	130.60
Memphis C. and L.....	1,237,900.00	596,800.00	718,000.00	56.80
Mobile and Ohio.....	9,332,629.44	4,665,300.00	1,289,000.00	118.50
Edgefield and Kentucky.....	857,949.11	600,000.00	700,000.00	41.00
Central Southern.....	549,897.64	484,375.00	522,000.00	47.58
Rogersville and Jefferson.....		82,000.00	240,000.00	14.00
Nashville and Northwestern.....	367,166.44	1,157,000.00	1,875,000.00	167.50
	<u>\$14,645,954.22</u>	<u>\$8,624,475.00</u>	<u>\$6,850,000.00</u>	<u>575.98</u>

ROADS COMMENCED AND WORK SUSPENDED

Southwestern.....			\$ 800,000.00	60.00
Knoxville and Charleston.....			850,000.00	55.00
Knoxville and Kentucky.....			730,000.00	63.00
Cincinnati, Cumberland Gap, and Charleston.....			1,140,000.00	94.00
			<u>\$3,520,000.00</u>	<u>272.00</u>

from Gordonsville to Lynchburg, a distance of about seventy-five miles. The Virginia and Tennessee road is now nearly finished. The shortened distance from Chattanooga, it is hoped will soon be placed under contract, and the East Tennessee and Virginia Company, struggling under a thousand difficulties, unfelt by their more favored neighbors, are steadily and certainly pushing their works to completion. When these gaps shall have been filled up, East Tennessee will be relieved from her position of isolation, and for the first time, will have a chance to develop her immense agricultural and mineral resources."

RAILROADS IN THE UNITED STATES BEFORE THE CIVIL WAR

	<i>No. Miles, 1850</i>	<i>No. Miles, 1860</i>
Southern States.....	2,335.98	10,712.66
New England States...	2,506.48	3,669.39
The Remaining States..	3,746.33	16,210.90

PERCENTAGE INCREASE IN RAILROAD CONSTRUCTION FROM 1850 TO 1860

Southern States	358.0%
New England States	46.3%
Remaining States of Union.....	333.0%

The South had more railroad mileage in proportion to free population in 1860 than the rest of the country had.

CHAPTER XIX

BANKING

Banking facilities are essential to the industrial development of any community. The need of an efficient banking system as a means of developing the industrial life of Tennessee was early realized, and the government was not slow to lend a helping hand to this interest.

While doubtless private banking was carried on in Tennessee before the beginning of the nineteenth century, the first bank that can be called a state bank was chartered in 1811. This bank was located in Knoxville, and was allowed a capital not to exceed \$400,000.

In 1817, the Holston Tennessee Bank, located at Jonesboro, was allowed to increase its capital stock from two hundred thousand dollars to four hundred thousand dollars.

In 1820, the state established a bank at Nashville, with a branch in Knoxville. The capital stock of this bank was one million dollars. It was provided that agents of this bank should be established in every county in the state. The president and directors were elected by the legislature.

In 1831, the Bank of Tennessee was established at Nashville. The capital stock was limited to two million dollars. The bank had fifteen directors, ten being elected by the stockholders, and five by the legislature.

REPORT OF BANKS IN TENNESSEE—1841

	<i>Resources</i>	<i>Deposits</i>	<i>Capital Stock</i>
Bank of Tennessee and Branches..	\$5,792,956.71	\$410,248.68	\$3,115,605
Planters Bank and Branches.....	4,019,789.14	310,774.65	2,248,300
Union Bank and Branches.....	4,053,714.54	216,645.21	2,637,404
Bank of Memphis.....	1,357,031.85		588,336

After a number of experiments in a limited way to develop the banking interest of the state, Tennessee, in 1838, began banking on a large scale. At this time an act was passed by the legislature with the following comprehensive title: "*An Act to establish a State Bank to Raise a Fund for Internal Improvements and to Aid in the Establishment of a System of Education.*" A portion of the act was as follows: "A bank shall be and is hereby established in the name and for the benefit of the state to be known under the name and style of the 'Bank of Tennessee,' and the faith and credit of the state are hereby pledged for the support of the said bank * * * the capital shall be \$5,000,000." The capital was made up chiefly of the common school fund, and two millions and a half state bonds. These state bonds were to be used in the interest of the internal improvements, and the bank was to pay to the common schools annually one hundred thousand dollars or more. The bank had twelve directors who were appointed by the governor and confirmed by the state senate. This bank continued in business until the Civil War.

In the establishment of this bank, the early Ten-

nessee statesmen combined three great fundamental interests of the state: "Public Education," "Internal Improvements," and an "Efficient Banking System." Surely these were men of vision and of great boldness! This was less than twenty years after West Tennessee had been opened to settlers, and Tennessee was still a new state. It was this vision and boldness possessed by the early leaders of Tennessee that brought Tennessee to the front among the states of the Union, almost from the beginning of her history.

REPORT OF THE CONDITION OF BANKS IN TENNESSEE IN 1859

Bank of Tennessee and Seventeen other Banks:

Discounted notes	\$5,599,750.48
Capital stock	8,131,762.78
Deposits	3,819,024.55
Gold and silver	3,194,896.94

BANKING BEFORE THE CIVIL WAR—1860

	<i>Southern States</i>	<i>Northern and Western States, New York omitted</i>
Amount of capital invested in banking, per capita (free population)	\$15.40	\$10.80
Amount of loans, per capita (free population)	25.00	18.70
Amount of deposits, per capita (free population)	7.90	5.50

INCREASE IN BANKING BUSINESS, 1850 TO 1860

	<i>Southern States</i>	<i>Northern and Western States New York omitted</i>
Capital invested in banks.....	61%	63%
Loans	61%	58%
Deposits	100%	90%

Increase in banking business is better indicated by loans and deposits than by capital. New York is omitted because, in a banking sense, New York belongs to the whole country, the South as well as the West, and New England contributes to the banking business of New York.

CHAPTER XX

MANUFACTURING AND MINING

With no practicable way of getting their products to market, Tennessee could do but little in mining and manufacturing. But notwithstanding the tremendous barriers to transportation, Tennessee began to build up factories and to open mines at a very early date. Not only did it manufacture and mine its own ore, but it also sent considerable of its products beyond the borders of the state. The government was an efficient factor in the development of these industries from the beginning; and was ready at all times to give aid and encouragement and protection to every industry that was believed to be for the welfare of the community.

In 1801, the Tennessee legislature passed a pure food law in the interest of manufacturing. The purpose of the law was to prevent the transportation of unmerchanted commodities. The act begins thus: "Be it enacted that no pork, hog lard, butter, hemp, flour, or kiln-dried meat shall be exported from this state until they be inspected under the regulations herein mentioned." Inspectors were appointed to inspect and brand all of the commodities here mentioned which were to be shipped out of the state. On each barrel of flour the inspector was required to brand the quality of the flour, num-

ber of pounds, etc., and to mark all that was bad, "condemned." If the commodity were not shipped within sixty days after inspection, it was to be inspected again.

It would seem that Tennessee had paper mills as early as 1809. In a report of a legislative committee in 1833, it was estimated that Tennessee was exporting annually iron to the value of \$800,000. It was stated in this report that the estimate was really too small.

In a memorial on the subject of internal improvements, in 1847, we have the following: "And there are in Greene, Washington, Carter, Johnson, and Sullivan Counties, seven furnaces yielding 762 tons of pig metal annually; forty-six bloomeries yielding 461,519 tons of iron, which at market prices would amount to a million dollars annually; and but for the miserable uncertainty and expense of freight, and the thousand incidental draw-backs, this branch of business alone would have rendered those counties among the most prosperous and productive in the state."

In 1854, there were fourteen furnaces in East Tennessee, owned by ten different firms, which produced 40,306 tons of cast iron; in the same year, there were 48 forges in this section that produced 999 tons of bar iron.

In 1855, there were fourteen copper mines in Tennessee. Seven of these mines produced in September, 1855, 1,809,177 pounds of copper. The estimated value of this copper was \$800,000. This cop-

per was sold in Boston, New York, Baltimore, and London.

Tennessee had more than \$10,000,000 invested in manufacturing and mining in 1860, and employed in these establishments 9,622 hands. Among the things manufactured were steam engines, machinery, tobacco, carriages, wagons, carts, leather, flour, meal, sawed lumber, woolen goods, cotton goods, boots and shoes, men's clothing, wool cording, saddlery, harness, paper, printing, hats and caps, iron bloom, pig iron, bar iron, sheet iron, railroad iron, salt, hemp and manila cordage, hemp bagging, etc. Tennessee had at this time more than a million dollars capital invested in the manufactories of pig iron, and more than a quarter of a million dollars invested in the manufactories of bar, sheet, and railroad iron, and nearly seven hundred thousand dollars invested in coal mines.

The intelligent interest of the state in the development of mining and manufacturing is shown by the action of the state legislature in employing regularly a learned state geologist. In 1831, the legislature passed an act to appoint a geologist, mineralogist, and assayer. By this act Dr. Gerard Troost, Professor of Mineralogy, Geology, and Chemistry in the University of Nashville, was appointed to this position. He remained in this position for a number of years. The act appointing Dr. Troost provided that he should proceed to make a geological survey of the state of Tennessee with a view as far as practicable of developing the mineral resources

thereof. Dr. Troost seems to have carried on his work with great thoroughness and ability. His reports were made to the legislature and they take up considerable space in the public documents. So distinguished was Dr. Troost in his day that a study of his life and work has been made recently by Dr. L. C. Glenn, Professor of Geology in Vanderbilt University.

Considering the tremendous obstacles Tennessee had to contend with, the development of mining and manufacturing in this period was very creditable. There is every reason to believe that the state with its efficient system of railroads nearing completion was on the eve of great industrial progress. The people had planned wisely and had worked zealously and intelligently, and were now for the first time in their history in a position to begin the real development of their rich resources. The arm of the government was the most powerful factor in this great preparatory work. Of course the development of mining and manufacturing was wholly dependent on the development of the internal improvement system. The chief purpose of the government in its great activity in the interest of internal improvements was to make mining and manufacturing on a large scale possible. Without the generous support and the intelligent co-operation of the government, little could have been done in Tennessee before 1860 in developing internal improvements. That impulse given by the government has exerted a great influence ever since.

The amount of capital invested in manufacturing per capita free population, in 1860, in Southern and Western States:

Maryland	\$34.8	Tennessee	\$17.7
Michigan	30.4	Alabama	17.0
Ohio	24.4	Illinois	16.0
Virginia	24.3	North Carolina.....	14.6
Florida	23.8	Indiana	13.8
South Carolina.....	23.0	Minnesota	13.8
Kentucky	21.0	Mississippi	13.3
Wisconsin	20.4	Iowa	10.7
Louisiana	19.0	Texas	7.7
Missouri	18.7	Arkansas	4.0
Georgia	18.3		

The general economic conditions of the South and West were similar, since both sections devoted most of their energies to agriculture. This table shows that manufacturing in the South was developing very much as it was developing in the West. The theory that slavery prevented the development of manufacturing in the slave states is not sustained by the facts of history.

CHAPTER XXI

PROGRESS IN AGRICULTURE

Agriculture, of course, was the chief industry of Tennessee before the Civil War; and the state government from the beginning showed an intelligent interest in the development of the agricultural resources. The early "pure food laws" were passed largely in the interest of agriculture. "I observe," said Governor Roane in 1801, in his message to the legislature, "with pleasure that our domestic manufactories have considerably increased, and yet a large surplus of provisions and raw materials remain for exportation. If houses of inspection shall be early established under the proper regulation and conducted by persons suitably qualified for the task, the credit of those articles in foreign markets will be enhanced, a spring will be added to industry, and we shall soon become a wealthy people." The articles here referred to were doubtless largely the products of the farm, as flour, pork, lard, etc. The legislature in 1801 responded to the request of Governor Roane, and passed the law desired in the interest of the development of Tennessee resources.

It is interesting to read the opinions of Governor Roane in the light of the rigid inspections now required by the laws.

From a report of a select committee of the legislature, in 1853, we get the following:

ESTIMATED EXPORTS

Cotton—150,000 bales, at \$40.....	\$6,000,000
Tobacco—4,000 hogsheads, at \$30.....	120,000
Corn and live stock.....	1,020,000
Iron.....	800,000
Articles not enumerated.....	200,000
	\$8,140,000

In making this report the committee stated: "The committee are well satisfied the estimates are in every instance too small." This was before Tennessee had a single railroad, and, of course, the means of transportation were very poor.

In 1854, the legislature passed an act to establish a state agricultural bureau, with county and district societies subordinate thereto. The bureau was organized in 1854, and county societies had been chartered in seventeen counties in 1855. "Division Fairs," says Governor Johnson in his message to the legislature, "will this year (1855-6) be held in each division of the state, and the Biennial State Fair is now in progress near Nashville."

In 1856, the act referred to was amended, and the sum of \$200 was appropriated to each county for premiums, on condition that the county would raise \$300 as capital stock. By this act the sum of \$500 was appropriated for premiums at the State Fair, and the sum of \$1,000 was appropriated to each division of the state for purchasing movable fixtures for fairs. The state issued bonds for \$30,000 for the purpose of buying fair grounds at Nashville.

The Agricultural Bureau was to pay the interest on these bonds. The sum of \$10,000 was appropriated to each division of the state to buy fair grounds.

The report of fairs and county societies for 1854-5 is published in the Senate Journal for this year and it covers three hundred and forty-eight pages in this journal. A number of addresses on subjects pertaining to agriculture are printed in the reports of this time.

The very remarkable progress in agriculture in Tennessee is indicated by the great increase in the cash value of farms from 1850 to 1860. Other things being equal the increase in the value of farms for any short period is a good test of the development of agriculture for that period. In 1850, the cash valuation of farms in Tennessee was \$97,851,212. In 1860, the cash valuation of farms had increased to \$271,358,985. The cash valuation of farms of the six New England states in 1850 was \$372,458,543; in 1860, \$476,303,837. So the increase in the cash valuation of farms was much greater in Tennessee from 1850 to 1860 than it was in all six of the New England states combined, and the cash valuation of farms in Tennessee in 1860 was nearly two-thirds of the cash valuation of farms in all the six New England states combined. There were but five states in the Union that had a greater increase in the valuation of farms from 1850 to 1860 than Tennessee, and all of them had a larger population than Tennessee.

The increase in the cash valuation of farms was much greater in the South from 1850 to 1860 than in the rest of the country. The percentage increase in the different sections was as follows:

The Southern States.....	129%
New England States.....	27%
Remaining States of the Union.....	102%

Value of farm implements in 1860 in proportion to population, counting the slaves in the population of the South:

Southern States, per capita	\$8.50
Northern and Western States, per capita	7.40

The free population of the South in 1860 was several millions less than one-half of the population of the North and West, and yet the Southern states had in 1860, 44,038,478 head of live stock valued at \$512,008,364, while the North and West had 44,495,924 head of live stock valued at \$568,750,012. The South with its comparatively small population had at this time almost as many head of live stock as the North and West, and valued at almost as much as the live stock of these sections. Every obtainable fact indicates that Tennessee and the whole South were making great progress in agriculture from 1850 to 1860.

CHAPTER XXII

EDUCATION

From the beginning the people of Tennessee showed great interest in education. In 1785, a constitution was drafted and presented to the State of Franklin (East Tennessee) for adoption. Section thirty-two of this proposed constitution was much debated, and it was finally decided not to adopt it. But it seems to have had a large following, and from all the facts at hand, it is not at all sure that it did not represent the sentiment of a majority of the people of this section at this time. The section was as follows: "All kinds of useful learning shall be encouraged by this commonwealth, that is to say, the future legislature shall erect, before the year 1787, one university which shall be near the center of the state and not in a city or town; and for endowing the same there shall be appropriated such lands as may be judged necessary, one-fourth of all the monies arising from the surveys of land hereafter to be made, one-half penny upon every pound of inspected indigo, that shall be carried out of the state by land or water, three pence upon every barrel of flour, and one shilling on every hogshead of tobacco forwarded. And if the fund thence arising shall be found insufficient, the legislature shall provide for such addition as

shall be necessary." If this section had been adopted and carried out, and it certainly had a large following, this would have been the first state university established in America. Surely the sentiment for higher education must have been very intense when people wished to tax the necessities of life to support a university.

At the first session of the legislature of Franklin in 1785, an act was passed for the promotion of learning in Washington County. Under the provisions of this act, the foundation of Martin College or Martin Academy was laid. This school later became Washington College.

In 1794, two years before Tennessee became a state, charters were granted by the legislature to Blount College in Knox County; and in 1795, the legislature granted a charter to Washington College in Washington County. Washington College and Greeneville College were only a few miles apart; and Blount College was within a day's horseback ride of Greeneville.

Two of these schools, it would seem, were non-sectarian. In the charter of Blount College, we find the following: "And they (the board of trust) shall take effectual care that students of all denominations may and shall be admitted to the equal advantages of a liberal education and they shall receive alike fair, generous, and equal treatment during their residence there." A similar provision is found in the charter of Washington College.

All three of these colleges continued in operation

down to the Civil War. Blount College was later converted into the University of East Tennessee, and still later the name was changed to the University of Tennessee. This is the State University today. Washington College and Greeneville College have continued their work since the Civil War. That three colleges should have been put in successful operation in this little community is proof of the great interest these pioneers felt in education. In 1785, Davidson Academy, located in Nashville, was chartered. It was changed to Cumberland College in 1803; the name was changed again, in 1826, to University of Nashville. In 1875, it was combined with Peabody College and was then called University of Nashville and Peabody College. In 1806, by an act of the legislature, committees were appointed to establish academies in every county in the state. In the same year, an act was passed by the legislature giving authority to establish a female academy at Hilman in Overton County. A part of the act was as follows: "Be it enacted that an academy for the education of females exclusively shall be established at Hilman by the name of Fiske Female Academy." Moses Fiske and Samuel Williams, it is stated, were willing to contribute one thousand acres of land to endow this school. This was doubtless the first school for females chartered in Tennessee. In 1811, an academy for females was chartered at Knoxville and in 1813 a charter was given for an academy for females at Maryville.

In 1815, the legislature passed an act requiring

the counties to lay a tax "to educate and school those poor orphans who have no property to support and educate them, and whose fathers were killed or have died in the service of their country in the late war." The counties were required to make a contract with suitable persons and educate such children "as far as to attain the art of reading and writing and also arithmetic as far as the rule of three."

In 1823, provision was made by the legislature for raising a fund through the sale of public lands for the education of the poor children of the state. A part of the act is as follows: "The said Board of Commissioners shall appropriate all monies by them received to the education of the poor, either by establishing poor schools in their different counties or by paying the tuition of poor children in schools which are or may be established in their respective counties, as to them may seem best, and in the purchase of books for the use of such children."

This was before the days of public schools, but the people felt that every child should have an opportunity to get an education, and the foregoing was the temporary provision made.

In his message to the legislature in 1823, Governor Carroll, one of Tennessee's greatest governors, said: "The durability of our government will much depend upon the information of its citizens, which cannot be attained by all unless the means are brought within the reach of all. Then talents will be brought from obscurity. The son of the poorest

man in the community may be qualified by usefulness and ability to fill the highest office in the state. This subject demands your peculiar attention and its importance is its highest recommendation."

In his message to the legislature in 1835, Governor Cannon stated: "By the active energies and patriotic exertions and liberality of the citizens unaided by any public donation, we have seen rise into existence and great usefulness in rapid succession female academies, put into operation and sustained by the citizens of their respective neighborhood, dispensing the great blessings of literary attainments with all their useful as well as ornamental branches to thousands of the daughters of Tennessee." In his message to the legislature in 1837, Governor Cannon took up the question of female education again: "And believing that the importance of this subject (female education) cannot be too earnestly pressed upon your consideration, I would respectfully recommend that the female institutions of learning now in existence in this state or that may hereafter be put into existence be made participants for their encouragement to an equal degree with the academies and other male schools." It would seem that the female academies were in a flourishing condition at this time.

In 1847, Governor A. V. Brown said in his message to the legislature: "We should never relax our exertions on this subject (common schools), until we could send gratifying intelligence abroad that not one native born son or daughter of Tennessee could be

found who could not read the scriptures of divine revelation, and likewise the laws and constitution of the country."

Tennessee began to accumulate a common school fund for the state in 1826. This fund was made up from the entry of lands, from the taxes on banks, insurance companies, and from some other sources.

In 1830, the following act was passed: "An Act to Establish a System of Common Schools and to Appropriate the School Funds of the State." Under the provisions of this act, trustees were to be appointed, and an election of school trustees was to be held in each district. The school fund was to be divided in proportion to the number of children between the ages of five and fifteen years, and the trustees were to employ teachers. Each county could spend as much as twenty dollars each year to buy books, papers, etc., for the children whose parents were too poor to buy them. It was also provided that no distinction should be made between rich children and poor children; that the schools should be open and free to all alike. This was the beginning of the state free school system in Tennessee.

In 1837, the state school fund reached the amount of \$869,168.73. In 1838, the school fund was turned over to the state bank, and an agreement was made with this bank, by which the bank paid into the state treasury annually for public schools one hundred thousand dollars. This, together with other funds devoted to school purposes, made up the an-

annual appropriation for the public school system, and was as follows:

AMOUNT RECEIVED INTO THE STATE TREASURY FOR
COMMON SCHOOLS AND ACADEMIES

<i>Year</i>	<i>Common Schools</i>	<i>Academics</i>
1839.....	\$115,551.46	\$18,000
1840.....	114,590.46	18,000
1841.....	129,452.06	18,000
1842.....	119,750.00	18,000
1843.....	116,750.00	18,000
1844.....	117,523.97	18,000
1845.....	117,346.47	18,000
1846.....	117,931.77	18,000
1847.....	117,283.00	18,000
1848.....	114,227.18	18,000
1849.....	114,223.42	18,000
1850.....	114,718.50	18,000
1851.....	114,468.31	18,000

Under the administration of Andrew Johnson as governor, Tennessee took a great step forward in public education. In Governor Johnson's message to the legislature in 1853, he said: "There is one way, if no other, that the children of the state can be educated, which is obvious to all, and that is to levy and collect a tax from the people of the whole state, or to authorize the county courts separately to do so in their respective counties in such manner as may be deemed by them most acceptable to the people." The governor urged the legislature strongly to make ample provision for the common schools, and deplored the fact that Tennessee was

spending so much for a new state capitol and so little relatively for common schools. He, then, who had never been to school a day in his life, paid the following tribute to education, quoting another: "Education is a companion which no misfortune can suppress—no clime destroy—no enemy alienate—no despotism enslave. At home a friend; abroad an introduction; in solitude a solace; in society an ornament. It lessens vice, it guards virtue, it gives at once a grace and government to genius. Without it what is man? A splendid slave! A reasoning savage vacillating between the dignity of an intelligence derived from God and the degradation of brutal passion."

The legislature of this year levied a poll tax and a tax on all the property in the state for school purposes and made provision for a system of wealth taxation to supplement this amount. The result of this legislation was greatly to increase the school fund, and to place the public school system on a permanent and progressive basis.

The amount appropriated for schools from the state fund in 1858 was \$220,294.00. The school population then was not half as large as it is today. Of course the negroes received no part of this fund.

The author found a book in the court house of Grainger County which gave a very exact history of the public schools in that county before the Civil War. The amounts this county received from the state fund for public schools for a number of years before 1860 are here given:

<i>Year</i>	<i>Amount</i>	<i>Year</i>	<i>Amount</i>
1843.....	\$1,699.52	1852.....	\$1,830.12
1844.....	1,717.41	1853.....	1,713.26
1845.....	1,743.28	1854.....	1,772.40
1846.....	1,722.24	1855.....	2,886.03
1847.....	1,723.06	1856.....	2,638.30
1848.....	1,720.20	1857.....	2,730.00
1849.....	1,770.18	1858.....	2,790.00
1850.....	1,771.56	1859.....	2,992.00
1851.....	1,764.09		

The amount received per capita scholastic population from the state school fund was forty cents in 1854, and eighty cents in 1859. The effect of the law of 1853 is not seen till 1855. Of course, every county in the state received some proportion.

A common school convention was held at Knoxville on the 19th day of April, 1847. The delegates to this convention were from the following counties: Greene, Cocke, Hawkins, Claiborne, Jefferson, Blount, Knox, Roane, and Marion. This convention passed certain resolutions which show that the people of this section were remarkably progressive on the question of public education for that day. Some of these resolutions are here given:

I. "Resolved by this convention that it be recommended to the legislature at its next session to appoint a superintendent of public instruction." Up to this time or for several years the state treasurer had been acting as state superintendent of schools.

II. The second resolution dealt with the duties of the superintendent. One of his duties was to visit every county in the state at least once a year and lecture on the educational interests of the state.

III. "Resolved, that this convention recommend to the next legislature to provide for the appointment of the board of education for each county to be composed of three gentlemen of known literary acquirement whose duty it shall be to examine applicants for the office of teachers in our common schools, and that no teacher shall be employed by the district trustees without a certificate of recommendation from said board, and that said board shall have power to recall on just grounds such certificate."

V. "Resolved, that this convention recommend to the legislature the publication of a monthly state journal devoted exclusively to the cause of education throughout the state."

VI. In the sixth resolution the legislature was asked to provide for a system of local taxation for school purposes, by which the school fund could be doubled.

The public school movement in Tennessee before the Civil War compared favorably with that of other states North and South. The state public free school movement was in the experimental stage in all parts of our country during the first half of last century. In some states in the North and in the South the movement was comparatively successful, and in others it made very slow progress. The first state in the Union to establish a state public free school system was South Carolina. This was in 1811. While New England had public schools from

a very early day, these public schools, as a rule, were not free. Tuition was charged. They were public only in the sense that they were controlled by the government. Massachusetts did not establish her state public school system till 1837; and New York did not establish a state public free school system till after the Civil War.

The best public school system in the North in 1860 was that in Massachusetts under the leadership of Horace Mann. The best system in the South was that of North Carolina under the leadership of Calvin Wylie Henderson. North Carolina, as well as Massachusetts, made great progress in the period from 1840 to 1860.

Tennessee established a state fund for education before such a fund was established by Massachusetts; and Tennessee's fund was larger than that of Massachusetts in 1854 in proportion to population. However, Massachusetts was raising considerably more than Tennessee by local taxation. But the Tennessee legislature made provision for increasing the school fund greatly by local taxation in 1854, and doubtless this would have been done in a short while if the people had been left to work out their system by this plan.

In Massachusetts, a report on the public school system for 1851-2 shows that the system was only a partial success at this time. The report states that 334 schools had more than 70 pupils under one teacher and 188 had more than 120 pupils under one teacher.

In 1855, the report from the superintendent of schools for Connecticut states: "A majority of the districts have made little or no progress for many years; the majority of the schoolhouses are utterly unfit for school purposes; a majority of the teachers are incompetent." The superintendent stated in this report that the rate bill was a great hardship on the poorer people, and was a serious handicap to the progress of the schools. This rate bill was really tuition. The Connecticut public schools were not free at this time.

The state superintendent of Rhode Island stated in his report of 1850 the following: "The rate bill (tuition) is one great obstacle in the way of a more general attendance on the school. The present school system is but a feeble commencement and an approximation."

In Vermont, seventy per cent of the public school teachers were women in 1850, and these received five dollars and sixty-two cents a month with board.

These facts are given not to disparage the public school movement in New England at this time, but to show that Tennessee was grappling with this new problem with a relative degree of success.

As was the case with internal improvements, the public schools had just reached the point of efficiency when the war came; and with the war the whole system was destroyed. The public school system of Tennessee must be judged by what it promised rather than by what it actually accomplished.

Amount spent annually for each 100 free population for public schools, academies, etc., not including colleges :*

Louisiana	\$246.06	New Hampshire	\$105.00
Mississippi	198.02	Pennsylvania	104.04
Massachusetts	165.03	Delaware	104.93
South Carolina	161.09	Kentucky	101.03
New York	152.02	North Carolina	99.02
Illinois	141.03	Missouri	98.05
Connecticut	140.08	Iowa	96.06
Alabama	134.01	Virginia	94.03
Texas	131.09	Vermont	93.04
California	129.09	Wisconsin	90.06
Rhode Island	122.01	Maine	86.05
Florida	121.03	Maryland	72.09
Tennessee	118.00	Indiana	59.02
New Jersey	117.00	Minnesota	58.09
Ohio	116.00	Arkansas	58.02
Georgia	113.09	Kansas	37.09
Oregon	112.05		

* *U. S. Census*, 1860.

CHAPTER XXIII

RELIGION—MORAL REFORM—CHARITY

Tennesseans have been a religious people since the beginning of Tennessee history. When the pioneers from the Watauga Settlement gathered in 1780 to start on their long and perilous march to King's Mountain, their officers called them to prayer before beginning the march. The prayer was led by Reverend Samuel Doak, one of the earliest pioneer preachers. When the convention met in 1796 to convert Tennessee into a state, on the first day of the convention it was moved and carried that the next day's meeting should begin with prayer, and a sermon by Reverend Mr. Carrick.

The Presbyterian was the first denomination to be established in Tennessee. The Presbyterian preacher came first as both preacher and teacher, but it was not long before the Methodist circuit rider found his way into the Watauga country. In 1783, the first Methodist preacher came to the Holston Circuit. This circuit embraced territory in both Tennessee and Virginia. In 1787, Reverend Benjamin Ogden was sent to the Nashville Circuit. In 1818, Tennessee had thirty traveling Methodist preachers!

On account of a difference of opinion with reference to church doctrine, there was a split in the

Presbyterian Church in Tennessee at the beginning of the nineteenth century. The result of this split was the formation of the Cumberland Presbyterian Church in 1810.

The Methodists and those Presbyterians who later joined the Cumberlands held revivals in the early days which probably stirred the people with religious fervor, and contributed much to the growth of these two denominations in Tennessee.

The hardships of the "Circuit Rider" in the early days of Tennessee have been thus described: "It is not a figure of speech to say that his path was beset with death, and that for months at a time the penances of a Trappist monastery were but as luxuries compared to the daily trials of hunger and thirst and sleeplessness which fell to his lot. He would ride for days at a time, through any inclemency of weather, through any degree of heat or cold, to keep an appointment to preach the word to those who hungered for the Lord. The last rain perhaps had swept a bridge away. A tribe of hostile Indians were prowling through the forests which he would have to penetrate. A heavy fall of snow had obscured the trail that led through the intricacies of a swamp. It was doubtful if he could procure food for man or beast for days, and it was vain to try to carry a sufficient supply. It was impossible to procure a guide across 'The Forks' of some range of hills thickly covered with ravines and with dangerous defiles. Starvation and all the forms of battle lay thickly around and before him. The stoutest

heart might have quailed, the most unflinching son of duty might have wavered; all of these gave him not a moment's pause. Herein was manifested the grandeur of the Circuit Rider's character."

After the Presbyterians and Methodists came the Baptists and other denominations. The early preachers were powerful factors in moulding and shaping Tennessee's character, and no other class of men has contributed more to Tennessee life and Tennessee citizenship than they.

The high moral ideals of the citizenship at a very early date began to express themselves in legislation.

In 1801, the legislature passed an act "to prevent the evil practice of dueling," as it was expressed. Under this act the penalty for attempting to fight a duel was a fine of fifty dollars and a term of sixty days in jail. Any person who carried a challenge was also fined fifty dollars and put in jail for thirty days. If a person accepted a challenge he was fined fifty dollars and was deprived of the rights of citizenship for one year. If a duel were fought and one party killed, the act provided that the other party should suffer the death penalty "without benefit of clergy."

In 1809, it was enacted by the legislature that no man should ever hold office in Tennessee or be allowed to give testimony in court who after this time should challenge anyone to fight a duel. In 1829, a law was passed which provided that "if any person within the state shall fight a duel, or shall delib-

erately and maliciously challenge anyone to fight a duel, such person shall be sentenced to imprisonment and hard labor in the penitentiary for not less than three nor more than ten years."

Gambling was prohibited as early as 1799.

In 1827, the following was passed by the legislature: "An act to more effectively suppress the 'Odious Bill of Gambling.' Be it enacted that if any person shall be guilty of dealing at a game commonly called polo, or exhibiting the game called 'thimble,' or exhibiting with cards the 'grand moctier trick' for money or other valuable thing, any such person or persons so offending shall be prosecuted by indictment or presentment, and on conviction shall be punished by fine not less than \$20.00, and imprisonment for a term not less than one month, nor more than one year, shall stand in the pillory two hours, and shall be rendered infamous as guilty of grand larceny."

Hunting, fishing, playing games, and working on the Sabbath day were prohibited by a law passed in 1803.

INTEMPERANCE

The fight against intemperance began very early in Tennessee.

In 1823, the legislature passed the following act, which seems to have limited the sale of liquor to hotels: "No county court in this state shall hereafter grant a license to any person whatever to keep a public inn or house of entertainment unless the

person applying for such license shall first prove in open court by the testimony of creditable witnesses that the person applying has a good moral character, and that he, she, or they are provided with bedding, stableage and house room for the accommodation of travelers and lodgers, and in no case shall such license be granted if the court should be of the opinion that the retailing of spirituous liquors is the principal object in obtaining such license."

It is probable that Governor Carroll was expressing a sentiment that was strong at the time when he gave utterance to the following expressions in his message to the legislature in 1831: "It is a source of melancholy regret that three-fourths of the unhappy inmates of prisons acknowledge that the too frequent use of ardent spirits was the leading source of the commission of crimes for which they were convicted. Nor is it less the subject of regret that nine-tenths of the pauperism arise from intemperance. Is there no remedy for this alarming evil which cuts off so many citizens in early life, and brings so much sorrow and misery on innocent families? I answer then that there is. Pass a law prohibiting the county courts from granting to anyone a license to retail spirituous liquors unless he be a man of known character, for honesty, whose business is that of an innkeeper with suitable accommodations for travelers, and punish with severity those who violate the law. Little hesitancy should be felt in adopting this course, especially as

it is well known that drunkenness, theft, robbery, gambling, and murder generally have their origin in the grog shops of our towns and villages. When we see the wise and virtuous everywhere uniting their influence for the suppression of intemperance and its destructive effect upon the peace and morals of society, it is surely our duty to aid in counteracting the influence."

It would seem from this message that the law passed some years before was not sufficiently rigid. Governor Carroll at this time was serving his fifth term as governor, and was reëlected for a sixth term. He is looked upon as one of Tennessee's great governors.

In response to the growing sentiment against the saloon or grog shop, the legislature in 1838 passed an act which prohibited the sale of liquors in less quantities than one quart anywhere in the state, and prohibited the sale of larger quantities than a quart if the liquor was to be drunk at the place where it was sold. In substance this law prohibited drinking saloons anywhere in the state, and prohibited the sale of liquor in any form in quantities less than one quart.

This was the first state-wide prohibition law. However, its provisions were limited to the small retail business, and to drinking places. This law remained on the statute books for eight years.

In 1846, a law was passed allowing tippling houses to reopen, but they were placed under very stringent restrictions. By this act the retailer of liquors was

required to take an oath that he would not sell liquor to slaves without permission of the owner or overseer; also that he would not allow gambling on his premises; that he would give information to the grand jury if people gambled on his premises. Every agent employed by the retailer was required to take the same oath that the proprietor was required to take. A violation of this oath was to be prosecuted as perjury.

THE TREATMENT OF CRIMINALS

In the early days of Tennessee, there were few prisoners and no penitentiary. However, Governor Carroll who was first elected governor in 1821, began the agitation for a penitentiary; and in 1829 an act was passed by the legislature, while Carroll was governor, establishing a penitentiary. The penitentiary was built and opened in 1831. There were only thirty-six convicts sent to prison from the whole state in 1831; and in 1832 there were sixty-one convicts in the penitentiary; in 1845 there were 189 convicts in the penitentiary; and in 1855 the number was 240.

The intelligence with which Governor Carroll grasped the subject of prison reform is very remarkable. For this was before the "day" of prison reform in this country. The ideas expressed by him in his message to the legislature in 1826 are thoroughly modern, and, as yet, have not been adopted in some of our prisons. In this message, he said: "Experience has proved that the prisoners must be

classed; that no communication must be permitted between the old and hardened villain and the young and pliant offender; that the confinement of each individual in a separate cell at night prevents the opportunity of forming dangerous combinations, and leads to reflections on the improprieties of an ill-spent life, which in numerous instances has produced reformation of the most sincere and permanent character."

Under the provisions of the act as passed in 1829, each convict was to be kept in a separate cell; the convicts were not allowed to talk; they were to be punished for misbehavior by solitary confinement, or put upon a diet of bread and water; each convict was furnished with a Bible; each prisoner was given the sum of ten dollars on his dismissal from prison.

Governor A. V. Brown in his message to the legislature in 1845 said: "One of the subjects of settled policy in this state, I consider to be the almost entire abolition of the punishment of death. In all cases authorized by law and justified by their circumstances, I shall, with the greatest pleasure, commute the punishment from death to imprisonment for life in the penitentiary."

THE INSANE

An asylum for the insane was established by the legislature in 1832. But it was not open to patients till 1840. It was first built about one mile from Nashville, but was later moved out on the Murfreesboro Pike, several miles from that city. The state

now has two other asylums for the insane, one at Bolivar in West Tennessee and the other at Knoxville.

THE DEAF AND DUMB

The Asylum for the Deaf and Dumb at Knoxville, it seems, was established in 1845. A report was made to the legislature in 1847. At this time, there were twenty-five pupils in this institution, which was begun by private donations. The site of the building, which was valued at \$2,000, was donated by Colonel Calvin Morgan. The institution received liberal donations from the legislature.

CHAPTER XXIV

RECONSTRUCTION IN TENNESSEE

Tennessee, unlike some other Southern states, never had a "carpet bag" government. From the beginning of the state down to the present time, in war and in peace, Tennessee has always been ruled by Tennesseans.

Tennessee was the last Southern state to secede from the Union, and was the first to fall into the hands of the enemy after the war began. When Fort Henry, on the Tennessee River, and Fort Donelson on the Cumberland River, fell at the beginning of the war, the way was opened for the Federal forces to take possession of the state. Of course the Confederate forces could have offered powerful resistance at this time, but they did not consider it the best policy.

Soon after the fall of Fort Donelson, Governor Harris moved the state government to Memphis. But on March 20th, 1862, the legislature in Memphis adjourned sine die, and followed Governor Harris into Mississippi. In 1863, Robert L. Canthers was elected governor of Tennessee to succeed Isham G. Harris, but he was never inaugurated.

On March 2nd, 1862, President Lincoln appointed Andrew Johnson, military governor of Tennessee, and he at once came to Nashville and began the work of establishing a military government. He

remained in this position until his inauguration as vice-president of the United States on March 4th, 1865.

On November 4th, 1864, the Union Committee of East Tennessee issued a call for a state convention to meet in Nashville to prepare for a constitutional convention which should come later. The convention met on the 9th of January, 1865. The basis of representation decided upon for this convention was that each county should have one vote, and one additional vote for every 150 votes cast against secession when the state voted to secede from the Union. This gave East Tennessee absolute control of the convention, since East Tennessee cast 33,000 votes against secession while Middle Tennessee and West Tennessee cast only 14,000 votes for the Union.

While this convention was called for the purpose of making preparation for a constitutional convention which was to come later, after they assembled, the delegates decided to convert the meeting into a constitutional convention and to give up the idea of holding a second meeting. This convention adopted an amendment to the constitution, abolishing slavery, and adopted other amendments which repealed most of the acts passed by the Harris legislature in 1861. The convention also provided for the election of a governor and a legislature. The date fixed for the first election, at which the people were to vote on the adoption of the amendments to the constitution, was February 22nd, 1865. Following this election, another was held on March

4th for the purpose of electing a governor and a legislature.

Since practically only Union men were allowed to vote in these elections, the amendments to the constitution were adopted by a vote of 26,865 to 67; and William G. Brownlow was elected governor, together with the entire legislative ticket which had been agreed upon by the convention, by a vote of 23,352 to 35. Candidates for the legislature were all put on one ticket, and all were voted for throughout the state.



GOVERNOR WILLIAM G. BROWNLOW

Only one county in West Tennessee sent in any returns in this election, and many counties in Middle Tennessee and East Tennessee failed to hold any election. This failure to hold election in a number of counties was doubtless due, in large measure, to lack of sympathy with the movement and also to the feeling that the full Brownlow ticket would be elected beyond question whatever might be done.

Andrew Johnson was inaugurated vice-president of the United States on March 4th, 1865; and William G. Brownlow was inaugurated governor of Ten-

nessee on April 8th, of the same year. So, for one month, Tennessee did not have a governor.

When the legislature met, it at once passed three very extreme laws, which in substance were as follows:

1. All who had been in the Confederate army or who had been in sympathy with the Confederacy were prohibited from voting for a period of fifteen years.

2. The sheriff of each county in the state was authorized to summon twenty-five Union men to assist him in patrolling the county, and to summon as many as he pleased to capture or crush all opposing elements.

3. All who should be guilty of uttering seditious words or making seditious speeches, spreading false news or writing or dispensing scurrilous libels against the state or federal governments were to be punished by fine and imprisonment at the discretion of the court.

This legislature also passed a resolution offering a reward of five thousand dollars for the arrest of Governor Isham G. Harris, who was then beyond the bounds of the state. It was claimed, and doubtless believed at this time, that Governor Harris had taken with him a large amount of funds belonging to the state. It was on this theory that the large reward was offered. Of course the charge against Governor Harris was discredited by all when the passions of war waned.

The first election held under the Brownlow franchise law, was the August election in 1865. Governor Brownlow asserted that considerable fraud had been practiced in this election; and at the next meeting of the legislature a still more stringent

election law was passed. This law gave the governor the power to remove election commissioners and appoint commissioners of registration in each county. The law really put the whole election machinery of the state under the control of the governor.

During the month of May, 1866, a serious riot occurred in Memphis between the white people and the negroes; it lasted two days, and many people were killed or injured. As a result of this riot, and soon after it occurred, the legislature passed the "Metropolitan Police Bill," which provided that the police regulations of Memphis should be under the control of three commissioners appointed by the governor. This law was later applied to Nashville and to Chattanooga. This law has been much criticized, but it was thoroughly sound in principle, and it seems that it accomplished much good at the time. The principles of this law are recognized as sound today, and are incorporated in the laws of some of our progressive states at the present time.

From the beginning of their rule the Union men in Tennessee were divided into two factions, namely: the Conservatives and the Radicals. From the first William G. Brownlow was the leader of the Radicals, and the extreme legislation of his administration was perhaps largely due to his uncompromising and extreme attitude toward all non-Union men. But within the ranks of the Union men, a strong Conservative sentiment began to develop at an early date, and it grew stronger as the months passed.

The Conservatives stood for a recognition of the rights of those who had been in sympathy with the Confederacy and believed in opening the way through which they might take their places as citizens of Tennessee again. So strong was the opposition in the legislature to Brownlow's franchise bill, which it was said disfranchised some Union men, as well as all non-Union men, that twenty-one members of the legislature resigned in order to break the quorum. But an election was ordered, their places were filled, and the bill was passed.

Governor Brownlow was a candidate for reëlection in 1867. So strong was the opposition to him within his own ranks, that the Conservatives nominated Emerson Ethridge for governor. Ethridge had been a prominent Whig and was a Union man during the war. He was clerk of the United States house of representatives from 1861 to 1863. The contest between Brownlow and Ethridge was a very bitter one. But when it was seen that Brownlow was going to carry out his franchise rigidly, Ethridge withdrew from the race, and Brownlow was elected by a large majority. In enforcing his franchise law, Brownlow gave orders to the head of the state mobilities known as the "State Guards," to send troops to the localities that he regarded as "rebellious" that he might enforce the election law. It was this action more than anything else, perhaps, that caused Ethridge to withdraw from the gubernatorial race. Brownlow's strength proved also his weakness.

THE UNION LEAGUES AND THE KU KLUX KLAN

At the close of the Civil War, certain Union white men, who, for one reason or another, desired to use the negro vote, organized the negroes into "Union Leagues" for the purpose of teaching them how to vote and for what candidate to vote. These Union Leagues were organized in Tennessee and in other Southern states. In some instances, these leagues took the form of military companies, and the negroes were supplied with guns and uniforms. The organizing and drilling of negroes in military companies at such a time, of course tended to excite and alarm the white people, and to arouse them to anger both against the negroes and the white people who were directing them. However, the Union Leagues did not originate in the Brownlow administration and this administration was not responsible for them. The reports as to the purpose and plans of these Union Leagues were doubtless greatly exaggerated. But, at best, they were a serious menace to the peace and order of the communities in which they were found.

When the Union Leagues came to be regarded as a menace, the "Ku Klux Klan" was utilized as a means of breaking them up and defeating the purposes for which they were organized. The Ku Klux Klan had its origin at Pulaski, Tennessee, and in the beginning of its history had no serious purpose in view. It was organized for their own amusement by a number of young men soon after coming home

from the Civil War. They selected as their meeting place an old deserted house, which the negroes believed to be haunted. They wore long, white robes, and high pointed caps which gave them the appearance of being very tall. They wore masks over their faces. They always moved on horseback, with their horses disguised and, when seen by outsiders, they were always so completely disguised that it was impossible for any one to recognize them.

The following incident is related as having taken place early in the history of the organization which gives an idea of the methods used by them in dealing with the negroes:

“An old negro living near Pulaski was accused of petty offenses. The Klan visited his house at night, and summoning him to the door, one of the disguised visitors requested a drink of water. A gourd was presented him, which the visitor declined, stating that he was very thirsty and desired the bucket. When this was handed to him, he drained it to the bottom, appearing to drink, but really pouring the water into a false mouth hidden under his mask, and connected with a large bag concealed about his person. After emptying several buckets, he remarked that it was his first good drink since he was killed at Murfreesboro. After other similar feats, the Grand Cyclops whistled, and one of the visitors desired to shake hands before leaving. The old negro extended his hand and grasped, in return, a skeleton hand. Thoroughly alarmed, he drew back in terror. The Grand Cyclops then recounted to

him a list of his offenses, and warned him as to his conduct, promising to visit him again on his return from the cemetery at Franklin."

The possibilities of this organization as a means of breaking up the Union Leagues and otherwise controlling the negroes, soon dawned on those connected with it, as well as upon others who had heard of its character. The result was that the organization spread rapidly in Tennessee and throughout the South.

Such an organization at such a time and under such conditions, of course, greatly abused its powers. Many innocent negroes were, doubtless, made to suffer, and guilty ones were punished for what they had been directed to do by white men whom they supposed to be their friends. But the men who composed the Ku Klux Klan organization justified their work on the ground that it was necessary, under the conditions that confronted them, since it was the only means by which they could protect themselves and their homes.

The Ku Klux Klan was looked upon with great disfavor by Union officials in all the Southern states, and they fought it bitterly. Governor Brownlow was very active in his efforts to suppress it. But all efforts to suppress the organization or to materially interfere with its work, failed. It continued its operations until it had accomplished what it started out to do, early in its history, namely, the defeat of the purposes of the Union League. Subsequent efforts to revive it were unsuccessful.

THE STATE DEBT

At the beginning of the Civil War, the state debt of Tennessee was \$20,363,406. This debt had accumulated largely through state aid to public improvements. It was the policy of Tennessee before the Civil War to encourage, in every way possible, the building of railroads and turnpikes throughout the state; and following out this policy, the state bought stock in a number of new roads, and issued state bonds to pay for the stock. In this way, chiefly, the state debt was formed. But a part of the debt was due to bonds issued to pay for the building of the capitol.

Now, when the Brownlow administration came into power at the close of the war, acting chiefly under laws passed in 1852 and 1854, it continued the policy of state aid to railroads and turnpikes, and in following this policy, it undoubtedly went to great extremes. During the Brownlow administration, the state debt was increased by about \$21,000,000.

Bonds to the amount of about \$14,000,000 were issued to aid railroads and turnpikes, and the remainder of the indebtedness was due to bonds issued to pay the interest on the state indebtedness, which had accumulated and had not been paid during the Civil War, and to pay for past due coupons.

The act of 1852 was the law under which the large part of the debt under the Brownlow administration was incurred. In substance this law was that when any railroad had raised funds sufficient to grade the

roadbed and build the bridges, then it could receive from the state bonds to the amount of \$8,000 per mile for the purpose of laying the track and completing the road. This amount was not a gift to the railroad; it was a loan made by the state to the road; and to secure the state for the loan the railroad was required to give the state first mortgage on the road.

A debt contracted in this way is very different in principle from a debt which is the result of bonds issued to construct a public building or for other similar purposes. The theory of the debt contracted through aid to railroads and turnpikes was that the railroads and turnpikes would pay back the loans and cancel the debts. Debts incurred for the erection of public buildings, schools, etc., must be paid through taxation.

It was charged that the Brownlow administration issued more bonds to railroads than they were entitled to under the law.

When these state bonds were issued in such large quantities, they found poor sale on the market, and were sold at a very low rate. Some of the railroads bought up many of these bonds at this low rate, paying as low as forty-five cents on the dollar in some instances, and were allowed by acts of the legislature in 1869 and 1870 to count these bonds as worth one hundred cents on the dollar in paying off their indebtedness to the state with them. In this way, the railroads paid off a large amount of their indebtedness which had been contracted before the

Civil War. It was in this way that the state debt was reduced from more than forty millions of dollars to about twenty millions of dollars.

In justice to the Brownlow administration, note that the act of 1870, under which the railroads were given the largest liberty to pay off their just debts to the state with these cheap bonds, was passed by Democrats after they came in power in 1870. It was this act that, it was charged, was passed through the corrupt influence of the railroads; and it was on the ground of this alleged corrupt influence of the railroads, that many people wished to repudiate a part of the state debt.

THE PUBLIC SCHOOL SYSTEM

In March, the Brownlow administration passed an act reëstablishing the state public school system on a very progressive basis. The state school fund provided by this law was as follows:

The income from the state school fund.

A tax of two mills per dollar on all taxable property in the state.

Twenty-five cents poll tax.

The railroad tax, which was as follows:

“Every railroad company shall collect and pay into the treasury of the state quarterly one-fourth of one cent per mile upon each and every paying passenger transported by said companies on their respective roads.” With a rate of three cents per mile, this tax meant that one-twelfth of the entire amount collected by the railroads for passenger service should go into the school fund.

Provision was made in the law for local taxation to supplement the state school fund.

This law provided for the election of the state superintendent of schools by the people, and gave to the state superintendent the power to appoint county superintendents. It provided for a board of education in each civil district and prohibited any one from teaching in a public school without a teacher's certificate. The act provided for the purchase of books for poor children.

Governor Brownlow was elected to the United States senate in February, 1869. On his election to the senate, Governor Brownlow sent in his resignation as governor. The Hon. D. W. C. Senter was speaker of the state senate at this time, and hence became governor for the unexpired term of Governor Brownlow.

Governor Senter was born in McMinn County in 1834. He represented Grainger County in the legislature from 1857 to 1861. He opposed secession, and was held as a prisoner by the Confederates for a while during the Civil War, but was later paroled. He was elected to the state senate in 1865, and reelected in 1867. He was elected speaker at this session of the legislature.

As chief executive, Governor Senter at once adopted a very liberal policy towards those who had taken sides with the Confederacy during the war. He became the leader of the conservative Union men, many of whom had strongly opposed Governor Brownlow's extreme measures.

He sought the nomination of the Republican party for governor in 1869. So liberal had been his policy that the Radical Union men were anxious to defeat him. The result was that the Republican convention failed to agree and there was a split. The Conservative Union men nominated Senter and the Radicals nominated Colonel W. B. Stokes. The election was held in August, 1869, and the vote was as follows: Senter, 120,333; Stokes, 55,036. This was the largest majority ever received by any candidate for governor in Tennessee.

In this election, Governor Senter used the large power put into the hands of the governor by the Brownlow administration with reference to the control of elections in a way that was not anticipated by those who gave the governor this power. Governor Senter, as leader of the Conservatives, extended the right of suffrage to practically all citizens of Tennessee in this election regardless of their attitude on the issues of the Civil War. The result was that a Democratic legislature was elected, and the state was turned over to the control of the Democrats.

While it was an East Tennessee Union man at the head of the Radical Republicans who disfranchised the ex-Confederates, it was also an East Tennessee Union man at the head of the Conservative Republicans who restored the right of suffrage to the ex-Confederates and turned over the state to their control.

The extreme measures of the Radical wing of the

Brownlow administration must be interpreted in the light of the times, and in the light of the conditions under which this administration came into power. The Brownlow administration came into power before the Civil War closed, hence passion rather than reason was in control. East Tennesseans felt that many of their citizens had been grossly mistreated by certain Confederate officials, and in this feeling they were right. Governor Brownlow himself had been put in prison by order of Confederate officials. Now that they had gotten in power, a majority of them, under the leadership of Brownlow, had adopted a vindictive policy and had gone to extremes in their treatment of those who had cast their lot with the Confederacy. But from the beginning, Brownlow met strong opposition within his own ranks by such a policy, and as the passion engendered by the war died down, the opposition grew stronger.

The Brownlow policy of retaliation was unwise but was perfectly natural in the circumstances. In time of war, people, as a rule, resort to extreme measures in dealing with their enemies, and the nearer the enemies are to each other, the more extreme the hostility and the passion. Just as it was natural but unwise for the Confederates to be extreme in their treatment of the East Tennesseans at the beginning of the war, it was likewise natural but equally unwise for the East Tennesseans to adopt a similar course at the close of the war. It would be very unjust to either side to conclude that

what they did in the heat of passion, engendered by war, at all represents their sentiments in times of peace, and at times when the conditions under which they lived were normal.

William G. Brownlow was a Virginian by birth. He was born in Wythe County, Virginia, in 1805. He was left an orphan when twelve years old. When eighteen years old he became an apprentice to a carpenter at Abingdon, Virginia, but later became a minister in the Methodist Church and was a regular itinerant preacher for some time. When twenty-three years old, he moved to Tennessee, and at Jonesboro in 1839 started a newspaper called the Whig. Later he moved his paper to Knoxville. His paper had a very large circulation and was an important factor in the Whig party. He was an author of several books, and was a speaker of wide reputation. He and Andrew Johnson and Thomas A. R. Nelson were the three leaders in the fight for the Union in East Tennessee. He was elected governor in 1865, and reëlected to this office in 1867. In 1869, he was elected to the United States senate, and remained a member of that body till 1875. He died in 1877.

CHAPTER XXV

THE DEMOCRATS IN CONTROL—THE CONSTITUTIONAL CONVENTION

In the legislature elected with Governor Senter in 1869, the Democrats had a majority in both houses. The legislature met in October of this year. An act was passed authorizing the call of a constitutional convention. The people voted for a convention by a large majority and the convention met on the 10th of January, 1870. John C. Brown was elected president of the convention. A number of acts passed by the Brownlow administration were annulled, and among them was the act establishing a state educational system. The whole educational system was turned back to the counties by this act and the office of state superintendent of schools was abolished.

The convention adopted such amendments to the state constitution with reference to slavery and the rights of the negro as would make it conform to the constitution of the United States. The other important changes in the constitution were those which had reference to that which the convention considered abuses of power under the Brownlow administration. They were as follows:

1. Brownlow had disfranchised the great majority of Tennesseans because they had taken up arms against the United States government; this conven-

tion so amended the constitution that disfranchisement on such grounds is prohibited.

2. Brownlow used the militia to enforce the law throughout the state whenever he considered it advisable; this convention practically took from the governor all power to call out the militia to suppress lawlessness.

3. The Brownlow administration had issued bonds for public improvements in large amounts; this convention so amended the constitution that the state cannot now lend its credit nor take stock in any railroad, turnpike, bank, or other similar enterprise. This was a complete reversal of what had been the policy of the state from the very beginning.

THE STATE DEBT

For fifteen years after the Democrats came in control in 1870, the settlement of the state debt was not only the chief issue but almost the only issue of importance in state politics.

GOVERNORS, 1870-1885

In 1870, John C. Brown, the Democratic nominee, defeated W. H. Wisener, the nominee of the Republican Party, by a majority of nearly forty thousand. Governor Brown was reelected in 1872 over the Republican nominee, Alfred A. Freeman. In 1874, James D. Porter was the Democratic nominee for governor, and defeated Horace Maynard who had been nominated by the Republicans. Governor Porter was reelected in 1876. Albert S. Marks de-

feated the Republican nominee, Emerson Ethridge, in 1878. On account of a division in the Democratic Party over the question of the settlement of the state debt, Governor Marks declined to be a candidate for reelection.

The state Democratic convention met at Nashville in June, 1880, for the purpose of nominating a candi-



GOVERNOR JOHN C. BROWN

date for governor, but the delegates found themselves so hopelessly divided on the state debt question that they could not agree on a candidate. The result was that there was a split in the Democratic Party, and two Democrats were nominated for governor. One faction of the party which was called the "State Credit" faction nominated John V. Wright. The other faction known as the "Law Tax" faction nominated Judge S. F. Wilson. The Republicans nominated at this time Alvin Hawkins. With the Democrats thus divided Hawkins was elected. Governor Hawkins was a candidate for reelection, but was defeated by the nominee of the Democratic Party, General W. B. Bate. General Bate was reelected in 1884 over

Frank T. Reid of Nashville, the nominee of the Republican Party.

Soon after Governor Brown's election in 1870, the state debt question came to the front as a leading issue. Governor Brown urged the legislature to fund the debt and levy a sufficient tax to pay the interest on the bonds. In his second administration the legislature passed an act which provided that the state should pay one hundred cents on the dollar of her indebtedness. The state at once began the payment of the interest and this action tended to put the credit of the state on a higher plane.

The first legislature under Governor Porter's administration repealed the act passed two years before, funding the state debt. The people now became



GOVERNOR ALVIN HAWKINS

much divided on the state debt question. The difference of opinion arose over the question of the amount of the debt that should be paid, and the manner of paying it. Some contended that the whole debt should be paid together with all the interest due, except the interest during the Civil

War. Others held that the state should pay sixty cents on the dollar; a third faction held that the state should settle with the bond holders on a basis of fifty cents on the dollar; and a fourth faction contended that the state should pay one hundred cents on the dollar on that part of the debt about which there was no question and fifty cents on the dollar on the part of the debt which some believed was in part fraudulent, or was incurred without adequate authority.

Governor Brown advocated paying the whole debt, dollar for dollar. But the people would not agree to this settlement; and hence the funding act passed under his administration was repealed. Governor Porter appointed a commission of five to go to New York and confer with those who held the Tennessee bonds to determine what kind of a settlement would be satisfactory to them, and at the same time meet the demands of public sentiment in Tennessee. After conferring with the bond holders this commission recommended that the debt be settled on a basis of sixty cents on the dollar and six per cent interest. Governor Porter now called an extra session of the legislature in December, 1877, to take up the consideration of the report from the commission. But the legislature could reach no agreement, and hence no settlement was made. Governor Porter urged the next legislature to settle the debt on the basis recommended by the commission, but nothing was done.

In the Democratic platform of 1878 on which Gov-

ernor Marks was elected, a declaration was made against the repudiation of the just indebtedness of the state. The Republican platform declared against "repudiation of any kind or by any means," and in favor of settling the debt on terms agreeable to the bond holders. The legislature during Governor Marks' administration passed an act settling the state debt on the basis of fifty cents on the dollar with four per cent interest. Some of the bond holders were willing to accept this settlement but when the proposition was submitted to the people, it was defeated by a large majority. The Democrats had promised in their platform to submit whatever settlement they made to the people for acceptance or rejection.

The legislature during Governor Hawkins' administration passed an act settling the state debt on the basis of one hundred cents on the dollar with three per cent interest. But this law was declared unconstitutional by the supreme court. Governor Hawkins then called an extra session of the legislature to take up the subject again. After three extra sessions called for this one purpose, the legislature passed an act "to settle and fund the state debt into bonds at sixty cents on the dollar with graded interest at three per cent for two years, four per cent for the next two years, five per cent for the next two years, and six per cent thereafter." This settlement was not satisfactory to a large number of the bond holders, and the people refused to endorse it.

The next Democratic platform, the one on which General Bate was elected, declared that the state debt should be paid in full, and the remainder settled on a fifty per cent basis with interest at three per cent. Some of the Democrats would not agree to this, and after General Bate was nominated, they met and nominated Joseph H. Fussell for governor. This faction advocated the settlement of the debt on the plan advocated by the Republicans. But General Bate was elected and when he came into office, he strongly urged the legislature to settle the debt according to the declaration in the Democratic platform. After an exciting struggle the legislature reached an agreement and passed an act which finally brought a permanent settlement of this vexed question.

This law provided that that part of the debt about which there was no question of legality or regularity should be paid in full with the rate of interest agreed on when the debt was incurred, except the interest during the Civil War. This portion of the debt amounted to \$2,118,000. The act provided that the remainder of the debt amounting to \$18,905,000 should be settled at fifty cents on the dollar with three per cent interest. About one-half of this part was contracted before the Civil War, and the other half after the war.

PUBLIC SCHOOL SYSTEM

The legislature of 1870 abolished the public school system established by Brownlow's administration,

and for three years the state was without any system of public schools except such systems as the counties provided for themselves. But on recommendation of Governor Brown, in 1873, the legislature passed an act reëstablishing the state public school system. This act met with much opposition, and during the following administration an act was passed abolishing county superintendents of schools, but it was vetoed by Governor Porter. The state board of education was established while Governor Porter was chief executive, and it was during his administration that the Peabody School for teachers began its work in Tennessee.

During Governor Brown's administration, the Bureau of Agriculture and the Bureau of Immigration were established. It was at this time that the office of state geologist and the office of superintendent of prisons were created. As a result of the prevalence of yellow fever in Tennessee during the year 1878, the State Board of Health was created. This board has continued its work down to the present day.

During Governor Bate's first term of office the State Railroad Commission was established, and the following were appointed members of the commission: Colonel John H. Savage, J. A. Turley, and General George W. Gordon. But at the next meeting of the legislature this law was repealed.

CHAPTER XXVI

ANDREW JOHNSON RE-ENTERS TENNESSEE POLITICS

UNITED STATES SENATOR AFTER THE CIVIL WAR

According to the census of 1870, the population of Tennessee had so increased that the state was entitled to an additional congressman. This was not known till after the legislature of 1871 had adjourned, hence no district was arranged for this additional congressman before the election in the fall of 1872. So it became necessary for the additional congressman to be elected by the voters of the whole state. The office was called "Congressman at Large." Andrew Johnson announced himself a candidate for this office. The Democrats nominated General B. F. Cheatham, and the Republicans nominated Horace Maynard. The Democratic vote was divided between Johnson and Cheatham, and Maynard was elected.

Ex-President Johnson had been a candidate for United States senator in 1870, but was defeated by Henry Cooper. He became a candidate for the United States senate again in 1875, and was elected over his opponent, ex-Governor John C. Brown.

David T. Patterson and Joseph S. Fowler were elected to the United States senate in 1865 by the Brownlow legislature. Patterson was a son-in-law

of Andrew Johnson. Governor Brownlow was elected to succeed Patterson in 1869; and Henry Cooper was elected to succeed Fowler in 1871. Andrew Johnson was elected in 1875, but died soon after taking his seat. David M. Key was appointed by Governor Porter in Senator Johnson's place, and served until the next meeting of the legislature, which convened in 1877. At the meeting of the legislature, James E. Bailey was elected to fill out the unexpired term of Andrew Johnson. Senator Bailey was a candidate for reelection in 1881, but was defeated by Howell E. Jackson. At the expiration of Senator Cooper's term in 1877, Isham G. Harris was elected and remained in the senate until his death in 1897. In April, 1886, Senator Jackson resigned his seat in the United States senate in order to accept an appointment as judge of the United States circuit court. In 1893, he was appointed judge of the Supreme Court of the United States. W. C. Whitthorne was appointed by Governor Bate to fill out the unexpired term of Senator Jackson. In 1887, Governor Bate was elected to the United States senate, and remained a member of that body until his death, which occurred in 1905. He was succeeded by James B. Frazier who served till 1911. The legislature of 1911 elected Luke Lea to succeed Senator Frazier.

On the death of Senator Harris in 1897, Governor Taylor appointed Thomas B. Turley in his place. Senator Turley was elected by the next legislature to fill out the unexpired term of Senator Harris.

At the expiration of Senator Turley's term Edward Ward Carmack was elected to the United States senate for a full term. He was a candidate for reelection but was opposed by ex-Governor Robert L. Taylor. A Democratic primary was held to nominate the candidate, and both candidates canvassed the state. Carmack challenged Taylor to a joint debate, but Taylor declined. Carmack had made a brilliant reputation in the United States senate, but Taylor's personal popularity and a feeling on the part of many Democrats that the party was under special obligation to Taylor for services rendered at critical periods, gave him the nomination. Senator Taylor died in 1912. Newell Sanders was appointed by Governor Hooper to serve in his place till the next meeting of the legislature. When the legislature met in 1913, W. R. Webb was elected to fill out the unexpired term of Senator Taylor, and Judge John K. Shields was elected for the full term to succeed Senator Webb.

General William B. Bate was born in Sumner County, Tennessee, in 1826. He was in the Mexican War and served as a private. He studied law at the Lebanon, Tennessee, Law School, and was graduated from that institution in 1852. However, he had been a member of the legislature three years before. He was elected attorney general of the Nashville district in 1854. He entered the Confederate army as a private, but was rapidly promoted, and at the close of the war was major general. He was in many battles, among them Bull Run, Shiloh,

Chickamauga, and Missionary Ridge. He was severely wounded three times. He came back to Nashville after the close of the war and began the practice of law. He was elected governor in 1882, and was reëlected in 1884. He was elected to the United States senate in 1887, and continued to be a member of this body until his death in 1905. General Bate was a brave, patriotic soldier, and an honest, faithful, capable public servant.



GOVERNOR ROBERT L. TAYLOR

CHAPTER XXVII

GOVERNORS FROM TAYLOR TO PATTERSON

In 1886, the Democratic nominee for governor was Robert L. Taylor, and the Republican nominee was his brother, Alfred A. Taylor. They canvassed the state in joint debate, traveling together from one appointment to another. Enormous crowds gathered wherever they spoke. Robert L. Taylor was elected. Governor Taylor was reëlected in 1888.

The Democratic state convention in 1890, after a long contest, nominated John P. Buchanan for governor. Mr. Buchanan was at that time the president of the Farmers' Alliance of the state. He was elected by a large majority. Governor Buchanan was a candidate for reëlection, but was so bitterly opposed by a large number of Democrats on account of his attitude towards certain labor troubles which occurred during his administration and for other reasons, that he did not allow his name to go before the Democratic convention. He made the race for governor as an independent Democrat. The Democrats nominated Judge Peter Turney; the Republicans nominated G. W. Winstead, and the Prohibitionists nominated Judge E. H. East. Judge Turney was elected. Governor Turney was nominated by the Democrats for reëlection. The Republican nominee was H. Clay Evans. The People's Party nominated A. S. Mims. The vote of the state ac-

ording to the election returns, was as follows: Evans, 105,104; Turney, 104,356; Mims, 23,088. Evans was elected on the face of the returns, but Turney contested the election, and the legislature declared that Turney was elected.



GOVERNOR BENTON McMILLIN

In 1896, Robert L. Taylor was nominated for a third term as governor. The Republicans nominated George N. Tillman. Taylor was the successful candidate.

Benton McMillin was the Democratic nominee for governor in 1898, and was elected over his Republican opponent. Governor McMillin was reelected in 1900, defeating the nominee of the Republican party.

James B. Frazier was nominated and elected governor by the Democrats in 1902. His Republican opponent was Judge Tyler Campbell. Frazier was reelected over Jesse Littleton the nominee of the Republican party in 1904. In a few days after Governor Frazier's second inauguration, United States Senator W. B. Bate died. Governor Frazier was immediately elected to the senate to fill the vacancy.

On his election to the senate, Governor Frazier sent in his resignation as governor. By virtue of his office as speaker of the state senate, John Isaac Cox then became governor. Governor Cox was a candidate for the Democratic nomination for governor in 1906, but was defeated by M. R. Patterson. The Republican nominee this year was H. Clay Evans. Patterson was elected and was opposed for a second nomination for governor by ex-United States Senator Carmack. They canvassed the state in joint debate. Patterson received the nomination and was opposed in the November election by George N. Tillman, the nominee of the Republican Party. Patterson was elected for a second term.

CHAPTER XXVIII

THE FOUR MILE LAW—THE INDEPENDENT MOVEMENT—GOVERNOR HOOPER

In 1887, the legislature passed the "Four Mile Law." This prohibited the sale of intoxicating liquors within four miles of an incorporated institution of learning, unless such sale should take place in an incorporated town. This was the first law passed by the Tennessee legislature after the Civil War to restrict the sale of liquors in the state. The prime movers in having this law passed were those in charge of the University of the South at Sewanee. Their purpose was to have the sale of liquors prohibited within four miles of Sewanee.

In 1887, an amendment to the constitution, prohibiting the sale of liquors in the state, was voted on by the people of Tennessee. The result was as follows:

For Prohibition	117,504
Against Prohibition.....	145,197

It is thus seen that even at this early date in the national movement there was a strong sentiment for prohibition in Tennessee.

The legislature of 1899 passed an act which allowed all incorporated towns in the state with a population of two thousand or less, to surrender their charters, and receive new charters which pro-

hibited the sale of liquors within their borders. In 1903, this law was amended so that it was made to apply to towns of 5,000 population or less; and in 1907, the law was extended to all the cities and towns of the state. This act is known as the Pendleton Law, taking its name from Senator I. L. Pendleton, who introduced the measure in the senate and led the fight for its passage. Acting under this law, all the towns in the state, with the exception of four which had not surrendered their charters under previous laws, gave up their charters and re-incorporated as "dry" towns. The four places in which the sale of liquors continued were Memphis, Nashville, Chattanooga, and La-follette.



GOVERNOR M. R. PATTERSON

Governor Patterson opposed very vigorously the Pendleton Act, but he was not able to prevent its passage.

Governor Patterson was a candidate for reëlection in 1908. A state Democratic primary was arranged for nominating a candidate for governor. Governor Patterson and ex-Senator Carmack were

candidates before this primary for the Democratic nomination for governor. The leading issue in the primary campaign was the question of state-wide prohibition, Senator Carmack standing for state-wide prohibition and Governor Patterson against it. Governor Patterson received the nomination.



SENATOR E. W. CARMACK

Soon after this primary, Senator Carmack became the editor of the *Nashville Tennessean*. He with many others asserted that the people had a right to take any position they desired on the liquor question, when they came together in their state convention to adopt a platform for the Democratic Party; that the primary did not settle anything except the question of the nominee of the Democratic Party

for governor. When the state convention assembled to adopt a platform, the state committee acting in the interest of Governor Patterson, unseated one hundred and fifty-one delegates sent to the convention by the people, and appointed others in their places. This was done to prevent the convention from adopting state-wide prohibition as a plank in

its platform. The Patterson followers declared that when Governor Patterson was nominated in the primary, that action committed the Democratic Party against state-wide prohibition because Governor Patterson was against state-wide prohibition.

Senator Carmack, as editor of the *Tennessean*, said that this committee had no right to unseat the people's delegates and substitute its own appointees in their places, and he refused to be bound by the platform of such a convention which he asserted did not represent the views of the majority of the people. He supported the nominee of the party, but repudiated the platform, and urged the people to elect a legislature that would pass a state-wide prohibition law.

When the returns came in after the November election, it seemed that in both the senate and the lower house a majority who were in accord with Senator Carmack's views had been elected. Within one week after this election, Senator Carmack was killed on the streets of Nashville by Duncan B. Cooper and his son, Robin Cooper. Colonel Duncan B. Cooper had been a strong supporter of Governor Patterson, and perhaps his chief adviser in the campaign.

In a few days after this election, a messenger came from Colonel Cooper to Senator Carmack, stating that Colonel Cooper had said that if his (Cooper's) name occurred again in Senator Carmack's paper, he would kill Carmack. The *Tennessean* on the next morning, contained Colonel Cooper's name in

a short editorial written by Senator Carmack. On the afternoon of the same day, November 9, 1908, Senator Carmack was killed.

The legislature met in the following January and passed the state-wide prohibition law. This law was fought in every possible way by Governor Patterson, but it was passed by a large majority in both houses over the governor's veto.

Duncan B. Cooper and his son were denied bail, and were kept in jail until their trial. They were convicted by the jury and were given a sentence of twenty years in the penitentiary. The case was appealed to the supreme court. The supreme court affirmed the sentence of Duncan B. Cooper, but granted a new trial to Robin Cooper. Governor Patterson granted a full pardon to Duncan B. Cooper, within a few minutes after the supreme court had affirmed the sentence of the lower court.

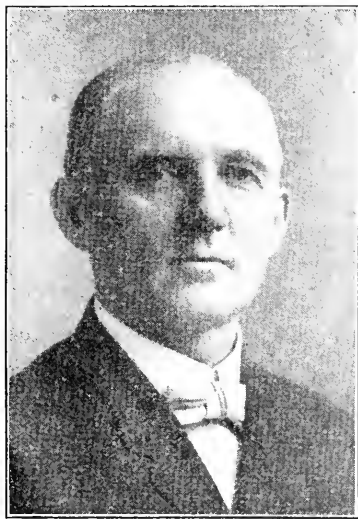
A new judge and a new attorney-general had now come into office in Davidson County, the judge by appointment of Governor Patterson, and the attorney-general by election. These officials had the case against Robin Cooper dismissed without allowing it to come to trial a second time.

THE INDEPENDENT MOVEMENT

The independent movement in Tennessee politics had its beginning in 1908, when Senator Carmack as editor of the Nashville Tennessean led the fight against the liquor plank in the Democratic platform.

In 1910, three of the five judges of the supreme

court and two of the judges of the court of civil appeals, all of whom were candidates for reelection at the time, refused to enter the primary ordered by the regular Democratic state committee. This committee was alleged to be under the complete domination of M. R. Patterson, who was governor at the time, and Governor Patterson had made an attempt, as these judges construed it, to intimidate the supreme court with reference to a favorable decision from them in the Cooper case. As a result of this bold move by these candidates for the judiciary, a great mass meeting was called to meet in Nashville. This meeting was perhaps the largest political convention ever held in the state. This convention organized the Independent Democratic Party in Tennessee, and placed in nomination the five judges who had refused to enter the Patterson primary together with five other candidates for the judiciary, making a complete ticket.



SENATOR NEWELL SANDERS

With the Democratic Party thus hopelessly split, some Republicans thought that it was the opportune

time for the Republican Party to elect a full state judiciary. But led by Newell Sanders, the Republican Party refused to nominate a single candidate for the judiciary, and gave their full endorsement and support to the candidates of the Independent Democratic Party. The independent judiciary was elected by a majority of more than forty thousand.



GOVERNOR BEN. W. HOOPER

The defeat of the Regular Democratic organization was so sweeping that Governor Patterson who had been nominated for a third time, withdrew from the race, the regular Democratic committee resigned, and a state convention was called to reorganize the party on a basis that would be satisfactory to Independent Democrats. This convention met and elected a new state committee with the former chairman of

the Independent Democratic Committee as the new chairman, and nominated Senator Robert L. Taylor for governor. This convention said nothing at all on the liquor question in its platform. But the rank and file of the Independent Democrats refused to be harmonized. They met in state con-

vention and endorsed the candidacy of Ben. W. Hooper, the Republican nominee. The platform on which Governor Hooper made his race, took an uncompromising position against the manufacture and sale of intoxicating liquors, and for rigid law enforcement. Hooper defeated Taylor by more than twelve thousand majority.

After Governor Hooper's election, Senator Luke Lea, who had been elected to the United States senate by a fusion of Democrats and Republicans, started and led a second movement for harmony in the Democratic Party. He finally succeeded in getting a majority of the members of the State Executive Committee of the Independent Democratic Party to agree to a harmony plan, and the announcement was sent forth that the Democratic Party was reunited again. But the rank and file of the Independent Democrats met and reorganized the party, and again endorsed Governor Hooper, who had been nominated for a second term as governor. The nominee of the Regular Democrats for governor at this time was Benton McMillin who had spent twenty years in Congress and had been governor of Tennessee for two terms.

Governor Hooper made his race for a second time on a platform declaring strongly for state-wide prohibition and rigid law enforcement. The platform on which ex-Governor McMillin made his race declared against state-wide prohibition and said nothing concerning the nullification of the prohibition laws in the large cities of Tennessee at that time.

Governor Hooper entered the campaign for reelection with a combination of circumstances and conditions against him which seemed to many impossible to overcome. The Republican Party was about equally divided between Taft and Roosevelt, and Hooper was a supporter of Taft. The Roose-



SENATOR J. K. SHIELDS

velt followers nominated a candidate for governor, and Mr. Roosevelt came into the state and waged a bitter campaign against the reelection of Governor Hooper. Besides, this was recognized everywhere as "Democratic year," and there was a powerful sentiment favorable to Democratic harmony. The Independent Democrats had been the original supporters of Wilson, and were his most ardent

supporters. But the Independent Democrats gave their strong support to Hooper, and he received a majority of the votes of the state over both of his opponents and was elected by a plurality of over 8,000. The result of this election demonstrates the fact that no man could be elected governor of Tennessee on any sort of anti-temperance platform.

Early in 1912, Senator Robert L. Taylor died. Governor Hooper appointed Newell Sanders of Chattanooga to fill his unexpired term, until the next meeting of the legislature. The legislature in January, 1913, elected W. R. Webb of Bellbuckle to fill the remainder of Senator Taylor's term. This legislature elected Chief Justice John K. Shields to succeed Senator James B. Frazier in the United States senate.

Edward Ward Carmack was born in Sumner County, Tennessee, in 1858. His father died when he was a small boy, and his mother was left without means. As a boy, Senator Carmack worked as an employee on the farm and at a brick yard, and thus helped in the support of the family. Later he attended the Webb School, at Bellbuckle. After leaving the Webb School, he began the study of law, and was later admitted to the bar. But he soon gave up the practice of law to enter the newspaper field. First he was editor of the Nashville American, and later editor of the Memphis Commercial Appeal. In 1896, he resigned his place as editor of the Commercial Appeal, and became a candidate for Congress. He was elected to Congress, and held his position in the lower house until he was elected to the United States senate.

On his return from the United States senate, Senator Carmack was offered a very large salary by a newspaper outside the state, but this offer he declined, as he declined other large salaries offered him at the time. After his race for governor, he

accepted the position of editor of the Nashville Tennessean. This position gave him an opportunity to continue his fight for the destruction of the liquor traffic in Tennessee. He had been in this position only a few months when he was killed.

Senator Carmack was declared by one of his colleagues to be the most brilliant man in the United States senate. After Senator Carmack's death, Senator W. R. Webb, who had been his teacher, in a public address said:

"Carmack was no meteor, he was a great and steady light. I saw it dawning in his boyhood; I saw its radiance as it reached the confines of his own country; I saw its glow reach the limits of a congressional district; I saw it shine from the mountains on the east to the great river on the west; I saw its steady glow in noonday splendor as it attracted the eyes of the nation, a light that shineth more and more unto the perfect day."

Robert Love Taylor was born at Happy Valley, Carter County, Tennessee, in 1850. He attended school at Pennington Seminary, New Jersey, and at Buffalo Institute, Tennessee. He studied law and was admitted to the bar. In 1878, he was nominated by the Democrats of the first congressional district for congress, and was elected over his Republican competitor, Major A. H. Pettibone, although this district was largely Republican. He was appointed pension agent for East Tennessee in 1885. In 1886, he was elected governor and was reelected in 1888. After finishing his second term

as governor, he went on the lecture platform, and made a great success as a lecturer. He was elected governor for a third term in 1896 and was elected to the United States senate in 1907. He died while a member of the senate in 1912.

When in his prime, Senator Taylor was the most popular man in Tennessee. No other man could draw such crowds, and no other man had the genius to hold and entertain an audience which he possessed. He was one of the most attractive orators in America, and was in great demand everywhere as a speaker.

CONFEDERATE PENSIONS

The Confederate Pension Law was strongly recommended by Governor Buchanan and was passed during his administration in 1891. By this act the sum of \$60,000 per annum was appropriated for Confederate pensions. The amount was increased to \$100,000 in 1899. The amount has been increased from time to time. The legislature of 1911 made an appropriation of \$730,000 for pensions and the legislature of 1913 increased the amount to \$800,000. The Confederate Soldiers' Home was established by an act of the legislature passed in 1889.

THE PUBLIC SCHOOL SYSTEM

The present public school system was established in 1873. By an act of the legislature of that year, six per cent interest on \$2,512,500 was fixed as the

annual appropriation for public schools from the state funds. This was supplemented by a tax of one mill on all taxable property and a poll tax of one dollar levied by the state. Counties were given the power to supplement the amount received from the state fund by local taxation. This law provided for a state superintendent of public instruction and for county superintendents of schools. The amount appropriated for public schools has been increased from time to time. The legislature of 1913 passed an act appropriating one-third of all the state taxes to the public schools.

In 1909, the state established four state normal schools for training teachers. Three of these are for white teachers and one for colored teachers. The normal schools for white teachers are located in Memphis, Murfreesboro, and Johnson City, respectively, and the normal school for colored teachers is located in Nashville. The function of these normal schools is to train teachers for the elementary schools. All of them have had large enrollments from the beginning, and they promise much for the future in the educational work of the state. In 1915, the legislature established the Polytechnic Institute at Cookeville. This school has had a large attendance from its first opening.

Progress in the development of the public school system has been very rapid within the past ten years. Additional local appropriations as well as much larger appropriations from the state fund have been the means of great improvement in the

rural schools. County high schools as well as town high schools are being established throughout the state, and the general interest in education is increasing everywhere.

The Tennessee Industrial School, located near Nashville, was established by Colonel E. W. Cole. It was turned over to the state by Colonel Cole in 1888, and since that time has been maintained by the state. It has now nearly one thousand students. The work of this school has been successful to a marked degree.

The University of Tennessee at Knoxville stands at the head of the public school system of the state. The university has received liberal appropriations from the state in recent years, and its influence and usefulness have been greatly increased. The agricultural department of the university has been a powerful factor in the development of scientific agriculture in Tennessee, not only through its students, but also through its very efficient university extension work throughout the state. The work of the professors of this institution in the farmers' institutes of the state has contributed much to more intelligent farming and stock raising.

For a number of years the State University has been conducting a summer school for teachers. The attendance at this summer school has been very large, and its work has been far-reaching in its effect on the public school system.

OTHER SCHOOLS

The Peabody Normal School was established in Nashville in 1875, and was supported chiefly by the Peabody Educational Board of New York. However, the state made liberal appropriations to this institution, and in a sense it was a state institution. In 1910, it was decided to merge this school into the George Peabody College for Teachers, which has been established in close proximity to Vanderbilt University. This school has been largely endowed by the Peabody Board of Education, by the State of Tennessee, by the City of Nashville, and by other friends of the institution. The first session of this great institution opened in June, 1914.

Vanderbilt University was established in Nashville in 1873. This institution now has seven departments, and a student body of more than one thousand. The endowment of Vanderbilt is about \$2,500,000.

The University of the South was opened at Sewanee in 1868. This school is owned and controlled by the Episcopal Church, and has been a prominent factor in the educational work of the state.

Tennessee has a large number of denominational colleges and private schools which are taking a large part in the educational work of the state. No other state in the Union, perhaps, has a better system of private preparatory schools than Tennessee.

Men who have filled the position of state superintendent of public instruction since the Civil War:

John Eaton.....	1867-1869
A. J. Tipton.....	1869
John M. Fleming.....	1873-1875
Leonidas Trousdale	1875-1881
W. S. Doak (died in office).....	1881-1882
G. S. W. Crawford.....	1882-1883
Thomas H. Paine.....	1883-1887
Frank M. Smith.....	1887-1891
W. R. Garrett.....	1891-1893
Frank M. Smith.....	1893-1895
S. G. Gilbreath.....	1895-1897
Price Thomas.....	1897-1899
Morgan C. Fitzpatrick.....	1899-1903
S. A. Mynders.....	1903-1907
R. L. Jones.....	1907-1911
J. W. Brister.....	1911-1913
S. H. Thompson.....	1913-1915
S. W. Sherrill	1915-1919
Albert S. Williams, Jr.....	1919-

THE CONVICT SYSTEM

For some years after the Civil War Tennessee followed the policy of leasing the convicts to private corporations. Many of the convicts were thus leased to coal mining companies to be used in mining coal. This policy of the state aroused opposition from the free laborers working in the coal mines. They did not believe that the state should allow the convicts to come in competition with free labor in this way.

In 1891, a coal mining company at Briceville had some trouble with its employes, and as a result,

leased a number of convicts, and put them to work in place of free labor. The miners in an organized body went to the mines and forced the authorities to take the convicts out. The state militia was called into service by Governor Buchanan. In October of that year a body of miners forced the guards at Briceville, Obion Springs, and Coal Creek, to release the convicts under their charge. After the convicts were released, the miners burnt the temporary prisons in which they were confined. Miners then made attack on the guards at other mines, forcing them to remove the convicts. In August, 1892, the state troops marched to Coal Creek, and after a sharp conflict with the miners, in which several on both sides were killed, the insurrection was crushed. Several of the miners were tried and sent to the penitentiary.

After this trouble with the miners, the state abolished the lease system. In 1894, the state purchased a large tract of coal land at Brushy Mountain, and erected at this place a branch prison. The state now works a large proportion of the convicts in these state mines.

The convicts in the main prison at Nashville were removed in 1898 to the new prison in West Nashville, which was completed during that year. The state owns several thousand acres of farm land adjoining the main prison, and many of the convicts are worked on the state farm.

The legislature of 1909 passed an act which provided for the establishment of a reformatory for

boys under eighteen years of age. This reformatory was located on a farm purchased by the state about seven miles from Nashville. The reformatory has two departments, one for white boys and one for negroes.

The institution is filled to its capacity, having about four hundred inmates. The boys in the reformatory are required to give a portion of their time to work on the farm, and a portion to study in the schools that are maintained in the institution.

Several reforms were introduced by Governor Hooper with reference to the treatment of prisoners. Night schools were established for the convicts, a library of five thousand volumes was established at the main prison, and the stripes were removed from the convicts. Convicts are required to put on stripes when they enter the prison, but if they conduct themselves properly, the stripes are taken off in a short time.

A limited parole system was put in operation by Governor Hooper, during his first term of office, under an old law passed many years ago. This law was very incomplete, and the legislature of 1913 passed a more adequate parole law.

MATERIAL DEVELOPMENT

No other state in the Union, with the exception of Virginia, was so much injured by the Civil War as was Tennessee. Tennessee served as a battle ground and as a camping ground of both armies, throughout the four years of the war. This occu-

pancy resulted in tremendous destruction of property.

In 1860, Tennessee was well in the forefront of American progress. With the near completion of her great railway system built at an enormous cost to the state, she was just entering a new era of progress when her development was arrested. The war destroyed almost everything that had been accomplished as a basis of a larger material civilization, except the railroads, and it greatly crippled them. But great as was the loss of wealth to Tennessee, on account of the war, this was not the chief loss to the state. The economic strength of any community depends more on its working force than on its accumulated wealth. With a strong working force, destroyed wealth can be readily replaced. But with the working force greatly weakened a community is seriously crippled. The greatest loss to Tennessee, even from a material point of view, occasioned by the Civil War, was the loss of a large proportion of her strongest and most capable men.

At the close of the war it was necessary to begin anew the work of laying the foundation for modern material progress, and this had to be done without money, without credit, and with a depleted and greatly crippled working force.

When the many difficulties that confronted the Tennesseans on their return from the war are considered, the material progress of the state within the last half century has been most remarkable.

In 1860, Tennessee had only two cities with a pop-

ulation of more than eight thousand, and the combined population of these two cities was only about twenty-five thousand. Today Tennessee has one-half million people living in cities. With the rapid growth of cities, mining and manufacturing and great industrial enterprises in general have developed and are developing at a very rapid rate.

In 1911, 22,027 hands were employed in the mining industries of the state, and received as wages \$9,170,150. The following products came from Tennessee mines during the year 1911: barytes, bauxite, brick, tile, cement, clay, coal, coke, copper, gas, gas-coke, tar, ammonia, gold, iron ore, pig iron, lime, limestone, marble, mineral paints, mineral waters, phosphate rock, pottery, quartz, sand, gravel, sandstone, silver, sulphuric acid, zinc. Tennessee has the largest sulphuric acid plant in the world. This plant is located at Copper Hill in Polk County. The value of the sulphuric acid produced at this plant in 1911 was \$1,621,414.

The rapid growth of cities in Tennessee since the Civil War has in a sense retarded agricultural development. The increase in the city population has come largely from the farms, and this has greatly diminished the supply of labor in the country. The Northern states and the Western states have had a continuous stream of immigration to meet the growing demands of the farming industry, and hence the rural sections of the states have not suffered so much for want of labor. The South has had but few immigrants for a century, and hence

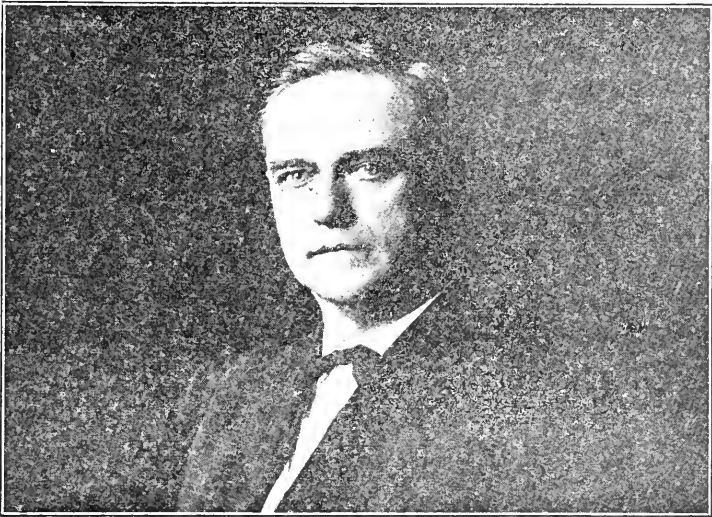
nearly all the development of the South has come from native population.

But notwithstanding the many difficulties, agriculture has developed rapidly in Tennessee and has never been in a more prosperous condition than it is today. The agricultural department of the state is very active, and the farmers of Tennessee are now giving serious attention and study to the most modern scientific principles of agriculture.

CHAPTER XXIX

GOVERNORS RYE AND ROBERTS

In 1914, Governor Hooper was nominated for a third time as governor. The regular Democrats, in convention in the same year, nominated Tom C. Rye



GOVERNOR TOM C. RYE

to oppose Governor Hooper. The regular Democrats in this convention adopted a strong prohibition and law-enforcement platform, taking the same position on the liquor question as that held by the Independent Democrats and the Republicans.

Many Independent Democrats took the position that the liquor question, which had separated the party, had been settled and gave their support to Mr. Rye. Other Independent Democrats doubting the sincerity of the Regular Democrats on the liquor question, supported Governor Hooper for the third term. Rye was elected by a majority of over 20,000.



SENATOR K. D. MCKELLAR

As chief executive, Governor Rye allied himself with the prohibition law-enforcement people, and used his influence to drive the illegal liquor traffic from the state. During his first administration, the Ouster Law was passed. Under this law, officials who fail to do their duty may be taken out of office very quickly by circuit judges or criminal judges or by judges of the chancery court.

Governor Rye's strong stand for prohibition and law-enforcement, welded the breach between Independent and Regular Democrats, and reunited the Democratic Party in Tennessee.

Governor Rye was reelected in 1916 over John W. Overall, the Republican nominee, by over 27,000

majority. In the Democratic senatorial primary of the same year, K. D. McKellar won the nomination over Senator Luke Lea and ex-Governor Patterson, and defeated ex-Governor Hooper for the United States senate by a majority of over 24,000.

In 1918, a Democratic primary was held to nominate candidates for governor and United States senator. Judge A. H. Roberts was nominated for governor and Senator John K. Shields was again nominated for United States senator over Governor Tom C. Rye. The Republicans in this year nominated Judge H. B. Lindsey, of Knoxville, for governor and Colonel H. Clay Evans, of Chattanooga, for United States senator. Judge Roberts and Senator Shields were elected by majorities of over 28,000.

In his campaign for the office of governor, Judge Roberts made tax reform and economy in conducting the business of the state his chief issues. When he came into office, he found the financial condition of the state in a bad way and growing worse day by day. This unfortunate condition of affairs had been brought about chiefly by a failure on the part of the legislatures in the past to provide sufficient revenue to meet the growing expenses of the state. The result was that the state had been forced to go deeper in debt each year in order to get money to pay expenses. For a decade before Governor Roberts' administration, the expenses of the state each year had been greater than the income from taxes and other sources. For the years 1915, 1916,



GOVERNOR A. H. ROBERTS

1917, 1918, the deficit amounted to nearly \$2,000,000. This means that the state had been adding to its debt \$500,000 a year for four years, in order to meet current expenses. The following extract from Governor Roberts' message to the legislature indicates his strong grasp of the situation and promises a new and better day for capable, efficient government in Tennessee:

"It is conceived that it is the first and paramount duty of this Legislature to place the state upon a firm financial basis. This cannot be done until the disbursements are brought within the revenues. For many years the annual deficit in the treasury, of constantly increasing proportions, has appeared with painful regularity. No good business man would allow any private enterprise to fall into such a condition if it could possibly be prevented.

"Heretofore the practice has been to make heavy appropriations of public funds without providing a method of securing the revenue to meet them. Let me urge upon you with much earnestness that this process should be reversed at the present session. We must determine what amount of money is needed to carry on an efficient state government, economically administered in every department according to strict business methods. Having ascertained the amount actually needed, we must then provide the means of raising this revenue and appropriate only such funds as are in sight. In other words, the state must live within its income. In my judgment it is essential to a proper understanding of our state

finances that every dollar collected for the state or for any arm or institution of the state, supported by appropriations from the public treasury, either by an official or agent of the state or of such institution or department, be paid into the treasury of the state and a record made of such payment; and, on the other hand, that every dollar disbursed by the state or by any one acting for it in the handling of its funds or of funds in which it is interested, directly or indirectly, be paid out on warrant of the comptroller, supported by proper vouchers therefor. It is not a sufficient argument against the plan just proposed to urge that an unnecessary burden would be imposed upon the office force in the treasury department and in the comptroller's office; neither can it be successfully urged that any mere inconvenience to those who handle the funds would outweigh the advantages which would flow to the public from having a full accounting of all public funds with the information easily accessible to the people and to their representatives. When any official or subordinate is permitted to make collections and disbursements and only convey into the treasury any balance left in his hands he is constantly invited and tempted to commit frauds of one kind and another. The records of the State Treasurer and of every financial transaction affecting it should be as perfect and complete as are those of any well-regulated banking institution.

“An investigation of the various departments of the state government discloses the fact that in many

instances there is an overlapping of effort and expense that is wholly unjustifiable. In some instances persons on the payroll of the state are not working half time. I believe that every employee of the state, whatever his station may be, should be given as much work as he would be expected to do if he were employed by a good business man in some private enterprise. Only so many officers and assistants should be employed as are actually necessary to carry on the state government when all are working full time and giving their best energies to the service of the state alone. It is my purpose to ask the Legislature to begin the use of the pruning knife and the simplification and unification of effort in the Governor's office. Bills will be submitted to the Legislature requiring the private secretary to the Governor, who now receives \$2,500.00 per annum, in addition to the duties now required of him, to discharge such duties as are now performed by three other officials who are on the payroll of the state, which three officials together receive \$5,700.00. A portion of this work would ultimately fall upon the Governor, but he, too, should work, as well as other officials. I may say that where the constitution and law casts upon me as your Chief Executive responsible duties, I shall not at any time shirk their performance or attempt to shift them upon other shoulders. This is only one small item, but it illustrates the point I am attempting to make.

“This process of reducing expenses by elimination and consolidation will be carried through every de-

partment of the state government and will be worked out honestly and fearlessly, with sole reference to the public welfare. It is confidently hoped that no member of this Legislature will permit himself to be swerved a hair's breadth from his duty because perchance some intimate friend may be affected by this wholesome reduction of expenditures. However, in reducing expenses, we must never for one moment permit ourselves to impair the efficiency of any essential function of state government."

CHAPTER XXX

TENNESSEE AND THE GREAT WORLD WAR

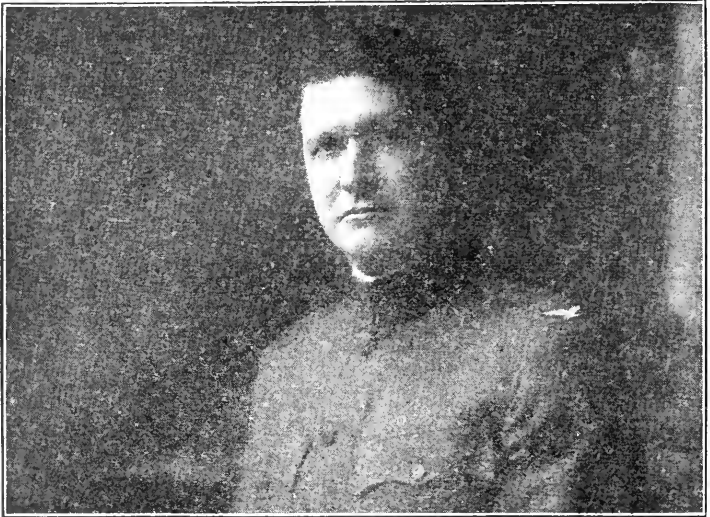
When war was declared against Germany by the United States government, every member of congress from Tennessee supported the measure with enthusiasm. They at once lined up behind the president and gave him their hearty support in carrying through all the measures necessary to put a great American army across the seas at the earliest moment possible. There was practically no pro-German sentiment in Tennessee, after it was made clear that the United States would enter the war.

Tennessee responded to the call to arms with that enthusiasm which has characterized Tennessee from the very beginning of our history. In the past, no other state in the Union has played a more conspicuous part, or performed more valiant service in the wars this nation has waged, than has Tennessee. Tennesseans of the present generation showed that they were worthy descendants of a great ancestry.

When the news came over the wires from Washington that war had been declared, thousands of Tennesseans did not wait for their call through the selected draft, but volunteered at once and began training for battle. Others, equally patriotic, had to wait for the specific call through the selected draft. But when the call came, they were ready, gave up all, and started for the camps, burning with

enthusiasm and patriotism. The chief thing that worried them was that they could not cross the sea at once.

The men, women, and children, who were denied the great privilege of going to France, showed by



EX-SENATOR LUKE LEA
Colonel 144th Field Artillery

their loyal service to the government at home that they had the same sort of patriotism as that possessed by the soldiers who went to the front. Those who remained at home were ready at all times to perform any service or to make any sacrifice requested by the government. Men and women, all over the state, laid aside their ordinary duties and

gave their time and money liberally in support of the army at the front. Tennessee over-subscribed her allotment in every Liberty Loan call by large sums and contributed millions more than she was asked to contribute to the Red Cross, to the Young Men's Christian Association, and to other organizations.

At the beginning of the war, the most difficult, as well as the most dangerous task that confronted our government, was the transportation of troops across the sea. At this time Germany was sinking numbers of boats every day, through her deadly submarines. Up to this time, the Allies had not been able to cope with this serious menace in a way that even promised success in the future. Perhaps the chief reason why Germany forced us into the war, was that she did not believe that it was possible for America to transport a large number of troops to France in time to help the Allies win the war. It was difficult for her to believe that our government would risk the lives of great numbers on a sea swarming with submarines. The man chosen by our government to direct the transportation of American troops to France was Rear Admiral Gleaves, a native Tennessean. So great was his genius in directing the large fleets of transports, that nearly 2,000,000 American soldiers were placed on French soil during the first year of the war, with a loss of only about 300 lives. This marvelous feat will doubtless go down in history as one of the greatest achievements in warfare the world has ever known.

When the American army was called upon to

take its place side by side with the British and the French armies on the firing line, Tennessee troops were among the first to be sent to the front. So brilliant and courageous was the great fight they made, and so important were the victories they won, that they received the praise of the British and the



REAR ADMIRAL ALBERT GLEAVES

French commanders, as well as the congratulations of the officers under whom they served. Through their heroic deeds Tennessee is known and honored throughout the civilized world today.

To a Tennessean is credited the honor of performing what has been pronounced the "most remarkable individual feat of the War." Sergeant Alvin C.



SERGEANT ALVIN C. YORK, OF THE 328TH INFANTRY, 82D DIVISION (A A),
AND HIS MOTHER'S PICTURE

York, of Pall Mall, Tennessee, in the Argonne drive in October, 1918, at the head of a detachment of seven men, killed twenty Germans, took 132 prisoners, including a major and three lieutenants, and put thirty-six enemy machine guns out of operation.

For this remarkable feat Sergeant York has been awarded the Congressional Medal of Honor and the Croix de Guerre with Palm.

The spirit of this brave man is manifest in his own words: "I feel much stronger spiritually,—no man could pass through what I have without feeling that way. It was the hand of God that guided us and brought about the victory. * * * I don't approve of taking life but when I considered it necessary for the peace of the world and for humanity, I determined to fight." York belongs to that honest type of man who is self-confident and fearless in time of danger, yet tender in his devotion to his mother and steadfast in his religious convictions.

To those who lost their lives in defense of the inalienable rights of life, liberty, and the pursuit of happiness, we bow our heads in deep reverence, with inexpressible gratitude in our hearts for the great service they performed for Christian civilization. They fought a good fight, they kept the faith, they showed themselves worthy of the sacred trust that the civilization of the past had committed to their hands. Their memories we shall always hold among our most priceless possessions.

APPENDIX

CONSTITUTION OF TENNESSEE, 1870

This constitution was framed by a convention which assembled at Nashville, January 10, 1870, and adjourned February 23, 1870; was adopted by a vote of the people of 98,128 for to 33,872 against, on the twenty-sixth day of March, 1870.

PREAMBLE AND DECLARATION

Whereas, The people of the territory of the United States south of the River Ohio, having the right of admission into the General Government as a member State thereof, consistent with the Constitution of the United States, and the act of cession of the State of North Carolina, recognizing the ordinance for the government of the territory of the United States north-west of the Ohio River, by their delegates and representatives in convention assembled, did, on the sixth day of February, in the year of our Lord one thousand seven hundred and ninety-six, ordain and establish a Constitution or form of government, and mutually agreed with each other to form themselves into a free and independent State, by the name of the State of Tennessee; and,

Whereas, The General Assembly of the said State of Tennessee (pursuant to the third section of the tenth article of the Constitution), by an act passed on the twenty-seventh day of November, in the year of our Lord one thousand eight hundred and thirty-three, entitled "An act to provide for the calling of a convention," passed in obedience to the declared will of the voters of this State, as expressed at the general election of August, in the year of our Lord one thousand eight hundred and thirty-three, did authorize and provide for the election, by the people, of delegates and representatives, to meet at Nashville, in Davidson County, on the third Monday in May, in the year of our Lord, one thousand eight hundred and thirty-four, for the purpose of revising and amending or changing the Constitution; and said convention did accordingly meet and form a Constitution, which was submitted to the people, and was ratified by them, on the first Friday in March, in the year of our Lord one thousand eight hundred and thirty-five; and,

Whereas, The General Assembly of said State of Tennessee, under and in virtue of the first section of the first article of the Declaration of Rights, contained in and forming a part of the existing Constitution of the State, by an act passed on the fifteenth day of November, in the year of our Lord one thousand eight hundred and sixty-nine, did provide for the calling of a convention by the people of the State, to meet at Nashville on the second Monday in January, in the year of our Lord one thousand eight hundred and seventy, and for the election of delegates for the purpose of amending or revising the present Constitution, or forming and making a new Constitution; and,

Whereas, The people of the State, in the mode provided by said act, have called said convention and elected delegates to represent them therein; now, therefore,

We, the delegates and representatives of the people of the State of Tennessee, duly elected, and in convention assembled, in pursuance of said act of Assembly, have ordained and established the following Constitution and form of government for this State, which we recommend to the people of Tennessee for their ratification; that is to say:

ARTICLE I

DECLARATION OF RIGHTS

SECTION 1. That all power is inherent in the people, and all free governments are founded on their authority and instituted for their peace, safety, and happiness; for the advancement of those ends they have, at all times, an inalienable and indefeasible right to alter, reform, or abolish the government in such manner as they may think proper.

SEC. 2. That government being instituted for common benefit, the doctrine of non-resistance against arbitrary power and oppression is absurd, slavish, and destructive of the good and happiness of mankind.

SEC. 3. That all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience; that no man can or right be compelled to attend, erect, or support any place of worship, or to maintain any minister against his consent; that no human authority can, in any case whatever, control or interfere with the rights of conscience; and that no preference shall ever be given by law to any religious establishment or mode of worship.

SEC. 4. That no political or religious test, other than an oath to support the Constitution of the United States and of this State, shall ever be required as a qualification to any office or public trust under this State.

SEC. 5. That elections shall be free and equal; and the right of suffrage, as hereinafter declared, shall never be denied to any person entitled thereto, except upon conviction by a jury of some infamous crime, previously ascertained and declared by law, and judgment thereon by a court of competent jurisdiction.

SEC. 6. That the right of trial by jury shall remain inviolate, and no religious or political test shall ever be required as a qualification for jurors.

SEC. 7. That the people shall be secure in their persons, houses, papers, and possessions from unreasonable searches and seizures; and that general warrants, whereby an officer may be commanded to search suspected places, without evidence of the fact committed, or to seize any person or persons not named, whose offenses are not particularly described and supported by evidence, are dangerous to liberty, and ought not to be granted.

SEC. 8. That no man shall be taken or imprisoned or disseized of his freehold, liberties, or privileges, or outlawed, or exiled, or in any

manner destroyed or deprived of his life, liberty, or property, but by the judgment of his peers or the law of the land.

SEC. 9. That in all criminal prosecutions the accused hath the right to be heard by himself and his counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face; to have compulsory process for obtaining witnesses in his favor; and in prosecutions by indictment or presentment, a speedy public trial by an impartial jury of the county in which the crime shall have been committed, and shall not be compelled to give evidence against himself.

SEC. 10. That no person shall, for the same offense, be twice put in jeopardy of life or limb.

SEC. 11. That laws made for the punishment of acts committed previous to the existence of such laws, and by them only declared criminal, are contrary to the principles of a free government; wherefore no *ex post facto* law shall be made.

SEC. 12. That no conviction shall work corruption of blood or forfeiture of estate. The estate of such persons as shall destroy their own lives shall descend or vest as in case of natural death. If any person be killed by casualty, there shall be no forfeiture in consequence thereof.

SEC. 13. That no person arrested and confined in jail shall be treated with unnecessary rigor.

SEC. 14. That no person shall be put to answer any criminal charge but by presentment, indictment, or impeachment.

SEC. 15. That all prisoners shall be bailable by sufficient sureties, unless for capital offenses, when the proof is evident or the presumption great; and the privileges of the writ of *habeas corpus* shall not be suspended unless when, in case of rebellion or invasion, the General Assembly shall declare the public safety requires it.

SEC. 16. That excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

SEC. 17. That all courts shall be open, and every man, for an injury done him in his lands, goods, person, or reputation, shall have remedy by due course of law, and right and justice administered without sale, denial, or delay. Suits may be brought against the State in such manner and in such courts as the Legislature may by law direct.

SEC. 18. The Legislature shall pass no law authorizing imprisonment for debt in civil cases.

SEC. 19. That the printing presses shall be free to every person to examine the proceedings of the Legislature, or of any branch or officer of the Government; and no law shall ever be made to restrain the right thereof. The free communication of thoughts and opinions is one of the invaluable rights of man, and every citizen may freely speak, write, and print on any subject, being responsible for the abuse of that liberty. But in prosecutions for the publication of papers investigating the official conduct of officers or men in public capacity, the truth thereof may be given in evidence; and in all indictments for libel the jury shall have a right to determine the law and the facts, under the direction of the court, as in other criminal cases.

SEC. 20. That no retrospective law, or law impairing the obligations of contracts, shall be made.

SEC. 21. That no man's particular services shall be demanded, or property taken or applied to public use, without the consent of his representatives, or without just compensation being made therefor.

SEC. 22. That perpetuities and monopolies are contrary to the genius of a free State, and shall not be allowed.

SEC. 23. That the citizens have a right, in a peaceable manner, to assemble together for their common good, to instruct their representatives, and apply to those invested with the powers of government for redress of grievances, or other proper purposes, by address or remonstrance.

SEC. 24. That the sure and certain defense of a free people is a well-regulated militia; and, as standing armies in time of peace are dangerous to freedom, they ought to be avoided as far as the circumstances and safety of the community will admit; and that in all cases the military shall be kept in strict subordination to the civil authority.

SEC. 25. That no citizen of this State, except such as are employed in the army of the United States or militia in actual service, shall be subjected to punishment under the martial or military law. That martial law, in the sense of the unrestricted power of military officers or others to dispose of the persons, liberties, or property of the citizen, is inconsistent with the principles of free government, and is not confided to any department of the government of this State.

SEC. 26. That the citizens of this State have a right to keep and to bear arms for their common defense; but the Legislature shall have power, by law, to regulate the wearing of arms with a view to prevent crime.

SEC. 27. That no soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner prescribed by law.

SEC. 28. That no citizen of this State shall be compelled to bear arms, provided he will pay an equivalent, to be ascertained by law.

SEC. 29. That an equal participation in the free navigation of the Mississippi is one of the inherent rights of the citizens of this State; it cannot, therefore, be conceded to any prince, potentate, power, person or persons whatever.

SEC. 30. That no hereditary emoluments, privileges, or honors, shall be granted or conferred in this State.

SEC. 31. That the limits and boundaries of this State being ascertained, it is declared they are as hereafter mentioned—that is to say: Beginning on the extreme height of the Stone Mountain, at the place where the line of Virginia intersects it, in latitude thirty-six degrees and thirty minutes north; running thence along the extreme height of the said mountain to the place where the Watauga River breaks through it; thence a direct course to the top of the Yellow Mountain, where Bright's road crosses the same; thence along the ridge of said mountain, between the waters of Doe River and the waters of Rock Creek, to the place where the road crosses the Iron Mountain; from thence along the extreme height of said mountain to the place where

Nolichucky River runs through the same; thence to the top of the Bald Mountain; thence along the extreme height of said mountain to the Painted Rock, on French Broad River; thence along the highest ridge of said mountain to the place where it is called the Great Iron or Smoky Mountain; thence along the extreme height of said mountain to the place where it is called the Unicoi or Unaka Mountain, between the Indian towns of Cowee and Old Chota; thence along the main ridge of the said mountain to the southern boundary of this State, as described in the act of cession of North Carolina to the United States of America; and that all the territory, lands, and waters lying west of the said line, as before mentioned, and contained within the chartered limits of the State of North Carolina, are within the boundaries and limits of this State, over which the people have the right of exercising sovereignty, and the right of soil, so far as is consistent with the Constitution of the United States, recognizing the Articles of Confederation, the Bill of Rights, and Constitution of North Carolina, the cession act of the said State, and the ordinance of Congress for the government of the territory north-west of the Ohio; *Provided*, Nothing herein contained shall extend to affect the claim or claims of individuals to any part of the soil which is recognized to them by the aforesaid cession act; *And provided also*, That the limits and jurisdiction of this State shall extend to any other land and territory now acquired, or that may hereafter be acquired, by compact or agreement with other States or otherwise, although such land and territory are not included within the boundaries hereinbefore designated.

SEC. 32. That the erection of safe and comfortable prisons, and inspection of prisons, and the humane treatment of prisoners shall be provided for.

SEC. 33. That slavery and involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, are forever prohibited in this State.

SEC. 34. The General Assembly shall make no law recognizing the right of property in man.

ARTICLE II

DISTRIBUTION OF POWERS

SECTION 1. The powers of the Government shall be divided into three distinct departments: the legislative, executive, and judicial.

SEC. 2. No person or persons belonging to one of these departments shall exercise any of the powers properly belonging to either of the others, except in the cases herein directed or permitted.

THE LEGISLATIVE DEPARTMENT

SEC. 3. The legislative authority of this State shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives, both dependent on the people, who shall hold their offices for two years from the day of the general election.

SEC. 4. An enumeration of the qualified voters and an apportionment of the Representatives in the General Assembly shall be made

in the year one thousand eight hundred and seventy-one, and within every subsequent term of ten years.

SEC. 5. The number of Representatives shall, at the several periods of making the enumeration, be apportioned among the several counties or districts, according to the number of qualified voters in each, and shall not exceed seventy-five until the population of the State shall be one million and a half, and shall never exceed ninety-nine; *Provided*, That any county having two-thirds of the ratio shall be entitled to one member.

SEC. 6. The number of Senators shall, at the several periods of making the enumeration, be apportioned among the several counties or districts, according to the number of qualified electors in each, and shall not exceed one-third the number of Representatives. In apportioning the Senators among the different counties the fraction that may be lost by any county or counties in apportionment of members to the House of Representatives shall be made up to such county or counties in the Senate as near as may be practicable. When a district is composed of two or more counties they shall be adjoining, and no counties shall be divided in forming a district.

SEC. 7. The first election for Senators and Representatives shall be held on the second Tuesday in November, one thousand eight hundred and seventy; and forever thereafter elections for members of the General Assembly shall be held once in two years, on the first Tuesday after the first Monday in November. Said elections shall terminate the same day.

SEC. 8. The first session of the General Assembly shall commence on the first Monday in October, 1871, at which time the term of service of the members shall commence, and expire on the first Tuesday of November, 1872, at which session the Governor elected on the second Tuesday in November, 1870, shall be inaugurated; and forever thereafter the General Assembly shall meet on the first Monday in January next ensuing the election, at which session thereof the Governor shall be inaugurated.

SEC. 9. No person shall be a Representative unless he shall be a citizen of the United States, of the age of twenty-one years, and shall have been a citizen of this State for three years and a resident in the county he represents one year immediately preceding the election.

SEC. 10. No person shall be a Senator unless he shall be a citizen of the United States, of the age of thirty years, and shall have resided three years in this State and one year in the county or district immediately preceding the election. No Senator or Representative shall, during the time for which he was elected, be eligible to any office or place of trust, the appointment to which is vested in the Executive or General Assembly, except to the office of trustee of a literary institution.

SEC. 11. The Senate and House of Representatives, when assembled, shall each choose a Speaker and its other officers; be judges of the qualifications and election of its members, and sit upon its own adjournments from day to day. Not less than two-thirds of all the members to which each House shall be entitled shall constitute a

quorum to do business; but a smaller number may adjourn from day to day, and may be authorized by law to compel the attendance of absent members.

SEC. 12. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member, but not a second time for the same offense; and shall have all other powers necessary for a branch of the Legislature of a free State.

SEC. 13. Senators and Representatives shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest during the session of the General Assembly, and in going to and returning from the same; and for any speech or debate in either House they shall not be questioned in any other place.

SEC. 14. Each House may punish by imprisonment, during its session, any person not a member, who shall be guilty of disrespect to the House by any disorderly or contemptuous behavior in its presence.

SEC. 15. When vacancies happen in either House the Governor for the time being shall issue writs of election to fill such vacancies.

SEC. 16. Neither House shall, during its session, adjourn without the consent of the other for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SEC. 17. Bills may originate in either House, but may be amended, altered, or rejected by the other. No bill shall become a law which embraces more than one subject, that subject to be expressed in the title. All acts which repeal, revive, or amend former laws, shall recite in their caption, or otherwise, the title or substance of the law repealed, revived, or amended.

SEC. 18. Every bill shall be read once on three different days, and be passed each time in the House where it originated before transmission to the other. No bill shall become a law until it shall have been read and passed, on three different days, in each House, and shall have received on its final passage, in each House, the assent of a majority of all the members to which that House shall be entitled under the Constitution; and shall have been signed by the respective Speakers in open session—the fact of such signing to be noted on the journal; and shall have received the approval of the Governor, or shall have been otherwise passed under the provisions of this Constitution.

SEC. 19. After a bill has been rejected, no bill containing the same substance shall be passed into a law during the same session.

SEC. 20. The style of the laws of the State shall be: "*Be it enacted by the General Assembly of the State of Tennessee.*" No law of a general nature shall take effect until forty days after its passage, unless the same or the caption thereof shall state that the public welfare requires that it should take effect sooner.

SEC. 21. Each House shall keep a journal of its proceedings, and publish it, except such parts as the welfare of the State may require to be kept secret; the ayes and noes shall be taken in each House upon the final passage of every bill of a general character, and bills making appropriations of public moneys; and the ayes and noes of the mem-

bers on any question shall, at the request of five of them, be entered on the journal.

SEC. 22. The doors of each House and of committees of the whole shall be kept open, unless when the business shall be such as ought to be kept secret.

SEC. 23. The sum of four dollars per day, and four dollars for every twenty-five miles traveling to and from the seat of government, shall be allowed to each member of the General Assembly elected after the ratification of this Constitution, as a compensation for their services. But no member shall be paid for more than seventy-five days of a regular session, or for more than twenty days of an extra or called session; or for any day when absent from his seat in his Legislature, unless physically unable to attend. The Senators, when sitting as a court of impeachment, shall each receive four dollars per day of actual attendance.

SEC. 24. No money shall be drawn from the treasury but in consequence of appropriations made by law; and an accurate statement of the receipts and expenditures of the public money shall be attached to and published with the laws at the close of each stated session of the General Assembly.

SEC. 25. No person who heretofore hath been, or may hereafter be, a collector or holder of public moneys, shall have a seat in either House of the General Assembly, or hold any other office under the State government, until such person shall have accounted for and paid into the treasury all sums for which he may be accountable or liable.

SEC. 26. No Judge of any court of law or equity, Secretary of State, Attorney-general, Register, Clerk of any court of record, or person holding any office under the authority of the United States, shall have a seat in the General Assembly, nor shall any person in this State hold more than one lucrative office at the same time; *Provided*, that no appointment in the militia, or to the office of Justice of the Peace, shall be considered a lucrative office, or operative as a disqualification to a seat in either House of the General Assembly.

SEC. 27. Any member of either House of the General Assembly shall have liberty to dissent from and protest against any act or resolve which he may think injurious to the public or to any individual, and to have the reason for his dissent entered on the journals.

SEC. 28. All property, real, personal, or mixed, shall be taxed, but the Legislature may except such as may be held by the State, by counties, cities, or towns, and used exclusively for public or corporation purposes, and such as may be held and used for purposes purely religious, charitable, scientific, literary, or educational, and shall except one thousand dollars' worth of personal property in the hands of each tax-payer, and the direct product of the soil in the hands of the producer and his immediate vendee. All property shall be taxed according to its value, that value to be ascertained in such manner as the Legislature shall direct, so that taxes shall be equal and uniform throughout the State. No one species of property from which a tax may be collected shall be taxed higher than any other species of property of the same value. But the Legislature shall have power to tax

merchants, peddlers, and privileges in such manner as they may from time to time direct. The portion of a merchant's capital used in the purchase of merchandise sold by him to non-residents and sent beyond the State, shall not be taxed at a rate higher than the *ad valorem* tax on property. The legislature shall have the power to levy a tax upon incomes derived from stocks and bonds that are not taxed *ad valorem*. All male citizens of this State over the age of twenty-one years, except such persons as may be exempted by law on account of age or other infirmity, shall be liable to a poll-tax of not less than fifty cents nor more than one dollar per annum. Nor shall any county or corporation levy a poll-tax exceeding the amount levied by the State.

SEC. 29. The General Assembly shall have power to authorize the several counties and incorporated towns in this State to impose taxes for county and corporation purposes respectively, in such manner as shall be prescribed by law; and all property shall be taxed according to its value, upon the principles established in regard to State taxation. But the credit of no county, city, or town shall be given or loaned to or in aid of any person, company, association, or corporation, except upon an election to be first held by the qualified voters of such county, city, or town, and the assent of three-fourths of the votes cast at said election. Nor shall any county, city, or town become a stockholder with others in any company, association, or corporation, except upon a like election, and the assent of a like majority. But the counties of Grainger, Hawkins, Hancock, Union, Campbell, Scott, Morgan, Grundy, Sumner, Smith, Fentress, Van Buren, and the new county herein authorized to be established out of fractions of Sumner, Macon, and Smith Counties; White, Putnam, Overton, Jackson, Cumberland, Anderson, Henderson, Wayne, Coker, Coffee, Macon, Marshall, and Roane shall be exempted out of the provisions of this section, so far that the assent of a majority of the qualified voters of either of said counties voting on the question shall be sufficient, when the credit of such county is given or loaned to any person, association, or corporation; *Provided*, That the exception of the counties above named shall not be in force beyond the year one thousand eight hundred and eighty, and after that period they shall be subject to the three-fourths majority applicable to the other counties of the State.

SEC. 30. No article manufactured of the produce of this State shall be taxed otherwise than to pay inspection fees.

SEC. 31. The credit of this State shall not be hereafter loaned or given to or in aid of any person, association, company, corporation, or municipality; nor shall the State become the owner, in whole or in part, of any bank, or a stockholder with others in any association, company, corporation, or municipality.

SEC. 32. No convention or General Assembly of this State shall act upon any amendment of the Constitution of the United States proposed by Congress to the several States, unless such convention or General Assembly shall have been elected after such amendment is submitted.

SEC. 33. No bonds of the State shall be issued to any railroad company which at the time of its application for the same shall be in

default in paying the interest upon the State bonds previously loaned to it, or that shall hereafter and before such application, sell or absolutely dispose of any State bonds loaned to it for less than par.

ARTICLE III

EXECUTIVE DEPARTMENT

SECTION 1. The supreme executive power of this State shall be vested in a Governor.

SEC. 2. The Governor shall be chosen by the electors of the members of the General Assembly at the time and places where they shall respectively vote for the members thereof. The returns of every election for Governor shall be sealed up and transmitted to the seat of government by the returning officers, directed to the Speaker of the Senate, who shall open and publish them in the presence of a majority of the members of each House of the General Assembly. The person having the highest number of votes shall be Governor; but if two or more shall be equal and highest in votes, one of them shall be chosen Governor by joint vote of both Houses of the General Assembly. Contested elections for Governor shall be determined by both houses of the General Assembly, in such manner as shall be prescribed by law.

SEC. 3. He shall be at least thirty years of age, shall be a citizen of the United States, and shall have been a citizen of this State seven years next before his election.

SEC. 4. The Governor shall hold his office for two years, and until his successor shall be elected and qualified. He shall not be eligible more than six years in any term of eight.

SEC. 5. He shall be commander-in-chief of the army and navy of the State, and of the militia, except when they shall be called into the service of the United States; but the militia shall not be called into service except in case of rebellion or invasion, and then only when the General Assembly shall declare by law that the public safety requires it.

SEC. 6. He shall have power to grant reprieves and pardons, after conviction, except in cases of impeachment.

SEC. 7. He shall, at stated times, receive a compensation for his services, which shall not be increased or diminished during the period for which he shall have been elected.

SEC. 8. He may require information, in writing, from the officers in the executive department upon any subject relating to the duties of their respective offices.

SEC. 9. He may, on extraordinary occasions, convene the General Assembly by proclamation, in which he shall state specifically the purposes for which they are to convene; but they shall enter on no legislative business except that for which they were specifically called together.

SEC. 10. He shall take care that the laws be faithfully executed.

SEC. 11. He shall, from time to time, give to the General Assembly information of the state of the government, and recommend for their consideration such measures as he shall judge expedient.

SEC. 12. In case of the removal of the Governor from office, or of his death or resignation, the powers and duties of the office shall devolve on the Speaker of the Senate; and in case of the death, removal from office, or resignation of the Speaker of the Senate, the powers and duties of the office shall devolve on the Speaker of the House of Representatives.

SEC. 13. No member of Congress, or person holding any office under the United States, or this State, shall execute the office of Governor.

SEC. 14. When any officer, the right of whose appointment is by this Constitution vested in the General Assembly, shall, during the recess, die, or the office, by the expiration of the term, or by other means, become vacant, the Governor shall have the power to fill such vacancy by granting a temporary commission, which shall expire at the end of the next session of the Legislature.

SEC. 15. There shall be a seal of this State, which shall be kept by the Governor and used by him officially, and shall be called the Great Seal of the State of Tennessee.

SEC. 16. All grants and commissions shall be in the name and by the authority of the State of Tennessee, be sealed with the State seal, and signed by the Governor.

SEC. 17. A Secretary of State shall be appointed by joint vote of the General Assembly, and commissioned during the term of four years. He shall keep a fair register of all the official acts and proceedings of the Governor, and shall, when required, lay the same, and all papers, minutes, and vouchers relative thereto, before the General Assembly; and shall perform such other duties as shall be enjoined by law.

SEC. 18. Every bill which may pass both Houses of the General Assembly shall, before it becomes a law, be presented to the Governor for his signature. If he approve, he shall sign it, and the same shall become a law; but if he refuse to sign it, he shall return it, with his objections thereto in writing, to the House in which it originated, and said House shall cause said objections to be entered at large upon its journals, and proceed to reconsider the bill. If, after such reconsideration, a majority of all the members elected to that House shall agree to pass the bill notwithstanding the objections of the Executive, it shall be sent, with said objections, to the other House, by which it shall be likewise reconsidered. If approved by a majority of the whole number elected to that House, it shall become a law. The votes of both Houses shall be determined by yeas and nays, and the names of all the members voting for or against the bill shall be entered upon the journals of their respective Houses. If the Governor shall fail to return any bill with his objections, within five days (Sunday excepted) after it shall have been presented to him, the same shall become a law without his signature, unless the General Assembly, by its adjournment, prevents its return, in which case it shall not become a law. Every joint resolution or order, except on questions of adjournment, shall likewise be presented to the Governor for his signature, and before it shall take effect shall receive his signature, and on being

disapproved by him, shall in like manner be returned with his objections; and the same, before it shall take effect, shall be repassed by a majority of all the members elected to both Houses, in the manner and according to the rules prescribed in case of a bill.

ARTICLE IV

ELECTIONS

SECTION 1. Every male person of the age of twenty-one years, being a citizen of the United States, and a resident of this State for twelve months, and of the county wherein he may offer his vote for six months next preceding the day of election, shall be entitled to vote for members of the General Assembly and other civil officers for the county or district in which he resides; and there shall be no qualification attached to the right of suffrage except that each voter shall give the judges of election where he offers to vote satisfactory evidence that he has paid the poll-taxes assessed against him for such preceding period as the Legislature shall prescribe, and at such time as may be prescribed by law, without which his vote cannot be received. And all male citizens of the State shall be subject to the payment of poll-taxes and the performance of military duty within such ages as may be prescribed by law. The General Assembly shall have power to enact laws requiring voters to vote in the election precincts in which they may reside, and laws to secure the freedom of elections and the purity of the ballot-box.

SEC. 2. Laws may be passed excluding from the right of suffrage persons who may be convicted of infamous crimes.

SEC. 3. Electors shall, in all cases except treason, felony, or breach of the peace, be privileged from arrest or summons during their attendance at elections, and in going to and returning from them.

SEC. 4. In all elections to be made by the General Assembly the members thereof shall vote *viva voce*, and their votes shall be entered on the journal. All other elections shall be by ballot.

ARTICLE V

IMPEACHMENT

SECTION 1. The House of Representatives shall have the sole power of impeachment.

SEC. 2. All impeachments shall be tried by the Senate. When sitting for that purpose the Senators shall be upon oath or affirmation, and the Chief Justice of the Supreme Court, or, if he be on trial, the senior Associate Judge, shall preside over them. No person shall be convicted without the concurrence of two-thirds of the Senators sworn to try the officer impeached.

SEC. 3. The House of Representatives shall elect from their own body three members whose duty it shall be to prosecute impeachments. No impeachment shall be tried until the Legislature shall have adjourned *sine die*, when the Senate shall proceed to try such impeachment.

SEC. 4. The Governor, Judges of the Supreme Court, Judges of the inferior courts, Chancellors, Attorneys for the State, Treasurer, Comptroller, and Secretary of State shall be liable to impeachment whenever they may, in the opinion of the House of Representatives, commit any crime in their official capacity which may require disqualification; but judgment shall only extend to removal from office and disqualification to fill any office thereafter. The party shall, nevertheless, be liable to indictment, trial, judgment, and punishment according to law. The Legislature now has, and shall continue to have, power to relieve from the penalties imposed any person disqualified from holding office by the judgment of a court of impeachment.

SEC. 5. Justices of the Peace, and other civil officers not hereinbefore mentioned, for crimes or misdemeanors in office, shall be liable to indictment in such courts as the Legislature may direct; and, upon conviction, shall be removed from office by said court as if found guilty on impeachment, and shall be subject to such other punishment as may be prescribed by law.

ARTICLE VI

JUDICIAL DEPARTMENT

SECTION 1. The judicial power of this State shall be vested in one Supreme Court and in such circuit, chancery, and other inferior courts as the Legislature shall from time to time ordain and establish in the Judges thereof and in Justices of the Peace. The Legislature may also vest such jurisdiction in corporation courts as may be deemed necessary. Courts to be holden by Justices of the Peace may also be established.

SEC. 2. The Supreme Court shall consist of five Judges, of whom not more than two shall reside in any one of the grand divisions of the State. The Judges shall designate one of their own number who shall preside as Chief Justice. The concurrence of three of the Judges shall, in every case, be necessary to a decision. The jurisdiction of this court shall be appellate only, under such restrictions and regulations as may from time to time be prescribed by law; but it may possess such other jurisdiction as is now conferred by law on the present Supreme Court. Said court shall be held at Knoxville, Nashville, and Jackson.

SEC. 3. The Judges of the Supreme Court shall be elected by the qualified voters of the State. The Legislature shall have power to prescribe such rules as may be necessary to carry out the provisions of Section 2 of this Article. Every Judge of the Supreme Court shall be thirty-five years of age, and shall, before the election, have been a resident of the State for five years. His term of service shall be eight years.

SEC. 4. The Judges of the Circuit and Chancery Courts, and of other inferior courts, shall be elected by the qualified voters of the district or circuit to which they are to be assigned. Every Judge of such courts shall be thirty years of age, and shall, before his election,

have been a resident of the State five years, and of the circuit or district one year. His term of service shall be eight years.

SEC. 5. An Attorney-general and Reporter for the State shall be appointed by the Judges of the Supreme Court, and shall hold his office for a term of eight years. An Attorney for the State for any circuit or district for which a Judge having criminal jurisdiction shall be provided by law shall be elected by the qualified voters of such circuit or district, and shall hold his office for a term of eight years, and shall have been a resident of the State five years, and of the circuit or district one year. In all cases where the Attorney for any district fails or refuses to attend and prosecute according to law, the court shall have power to appoint an Attorney *pro tempore*.

SEC. 6. Judges and Attorneys for the State may be removed from office by a concurrent vote of both Houses of the General Assembly, each House voting separately; but two-thirds of the members to which each House may be entitled must concur in such vote. The vote shall be determined by ayes and noes, and the names of the members voting for or against the Judge or Attorney for the State, together with the cause or causes of removal, shall be entered on the journal of each House respectively. The Judge or Attorney for the State against whom the Legislature may be about to proceed, shall receive notice thereof, accompanied with a copy of the causes alleged for his removal, at least ten days before the day on which either House of the General Assembly shall act thereupon.

SEC. 7. The Judges of the supreme or inferior courts shall, at stated times, receive a compensation for their services, to be ascertained by law, which shall not be increased or diminished during the time for which they are elected. They shall not be allowed any fees or perquisites of office, nor hold any office of trust or profit under this State or the United States.

SEC. 8. The jurisdiction of the circuit, chancery, and other inferior courts shall be as now established by law until changed by the Legislature.

SEC. 9. Judges shall not charge juries with respect to matters of fact, but may state the testimony and declare the law.

SEC. 10. Judges or justices of the inferior courts of law and equity shall have power in all civil cases to issue writs of *certiorari* to remove any cause, or the transcript of the record thereof, from any inferior jurisdiction into such court of law, on sufficient cause, supported by oath or affirmation.

SEC. 11. No Judge of the supreme or inferior courts shall preside on the trial of any cause in the event of which he may be interested, or where either of the parties shall be connected with him by affinity or consanguinity, within such degrees as may be prescribed by law, or in which he may have been of counsel, or in which he may have presided in any inferior court, except by consent of all the parties. In case all or any of the Judges of the Supreme Court shall thus be disqualified from presiding on the trial of any cause or causes, the court, or the Judges thereof, shall certify the same to the Governor of the State, and he shall forthwith specially commission the requisite num-

ber of men of law knowledge for the trial and determination thereof. The Legislature may, by general laws, make provision that special Judges may be appointed to hold any court the Judge of which shall be unable or fail to attend or sit, or to hear any cause in which the Judge may be incompetent.

SEC. 12. All writs and other process shall run in the name of the State of Tennessee, and bear test and be signed by the respective Clerks. Indictment shall conclude: "*Against the peace and dignity of the State.*"

SEC. 13. Judges of the Supreme Court shall appoint their Clerks, who shall hold their offices for six years. Chancellors shall appoint their Clerk and Masters, who shall hold their offices for six years. Clerks of the inferior courts, holden in the respective counties or districts, shall be elected by the qualified voters thereof, for the term of four years. Any Clerk may be removed from office for malfeasance, incompetency, or neglect of duty, in such manner as may be prescribed by law.

SEC. 14. No fine shall be laid on any citizen of this State that shall exceed fifty dollars, unless it shall be assessed by a jury of his peers, who shall assess the fine at the time they find the fact, if they think the fine should be more than fifty dollars.

SEC. 15. The different counties of this State shall be laid off, as the General Assembly may direct, into districts of convenient size, so that the whole number in each county shall not be more than twenty-five, or four for every one hundred square miles. There shall be two Justices of the Peace and one Constable elected in each district by the qualified voters therein, except districts including county towns, which shall elect three Justices and two Constables. The jurisdiction of said officers shall be co-extensive with the county. Justices of the Peace shall be elected for the term of six and Constables for the term of two years. Upon the removal of either of said officers from the district in which he was elected his office shall become vacant from the time of such removal. Justices of the Peace shall be commissioned by the Governor. The Legislature shall have power to provide for the appointment of an additional number of Justices of the Peace in incorporated towns.

ARTICLE VII

STATE AND COUNTY OFFICERS

SECTION 1. There shall be elected in each county, by the qualified voters therein, one Sheriff, one Trustee, one Register—the Sheriff and Trustee for two years and the Register for four years; but no person shall be eligible to the office of Sheriff more than six years in any term of eight years. There shall be elected for each county, by the Justices of the Peace, one Coroner, and one Ranger, who shall hold their offices for two years. Said officers shall be removed for malfeasance or neglect of duty, in such manner as may be prescribed by law.

SEC. 2. Should a vacancy occur subsequent to an election in the office of Sheriff, Trustee, or Register, it shall be filled by the Justices;

if in that of the Clerk to be elected by the people, it shall be filled by the courts; and the person so appointed shall continue in office until his successor shall be elected and qualified; and such office shall be filled by the qualified voters at the first election for any of the county officers.

SEC. 3. There shall be a Treasurer or Treasurers and a Comptroller of the Treasury, appointed for the State by the joint vote of both Houses of the General Assembly, who shall hold their offices for two years.

SEC. 4. The election of all officers and the filling of all vacancies not otherwise directed or provided by this Constitution shall be made in such manner as the Legislature shall direct.

SEC. 5. Elections for judicial and other civil officers shall be held on the first Thursday in August, one thousand eight hundred and seventy, and forever thereafter on the first Thursday in August next preceding the expiration of their respective terms of service. The term of each officer so elected shall be computed from the first day of September next succeeding his election. The term of office of the Governor and other executive officers shall be computed from the fifteenth of January next after the election of the Governor. No appointment or election to fill a vacancy shall be made for a period extending beyond the unexpired term. Every officer shall hold his office until his successor is elected or appointed and qualified. No special election shall be held to fill a vacancy in the office of Judge or District Attorney but at the time herein fixed for the biennial term of civil officers; and such vacancy shall be filled at the next biennial election recurring more than thirty days after the vacancy occurs.

ARTICLE VIII

MILITIA

SECTION 1. All militia officers shall be elected by persons subject to military duty within the bounds of their several companies, battalions, regiments, brigades, and divisions, under such rules and regulations as the Legislature may, from time to time, direct and establish.

SEC. 2. The Governor shall appoint the Adjutant-general and his other staff officers; the Majors-general, Brigadiers-general, and commanding officers of regiments, shall respectively appoint their staff officers.

SEC. 3. The Legislature shall pass laws exempting citizens belonging to any sect or denomination of religion, the tenets of which are known to be opposed to the bearing of arms, from attending private and general musters.

ARTICLE IX

DISQUALIFICATIONS

SECTION 1. Whereas, ministers of the gospel are, by their profession, dedicated to God and the care of souls, and ought not to be diverted from the great duties of their functions: therefore, no min-

ister of the gospel, or priest of any denomination whatever, shall be eligible to a seat in either House of the Legislature.

SEC. 2. No person who denies the being of God, or a future state of rewards and punishments, shall hold any office in the civil department of this State.

SEC. 3. Any person who shall, after the adoption of this Constitution, fight a duel, or knowingly be the bearer of a challenge to fight a duel, or send or accept a challenge for that purpose, or be an aider or abettor in fighting a duel, shall be deprived of the right to hold any office of honor or profit in this State, and shall be punished otherwise, in such manner as the Legislature may prescribe.

ARTICLE X

OATHS—BRIBERY OF ELECTORS—NEW COUNTIES

SECTION 1. Every person who shall be chosen or appointed to any office of trust or profit under this Constitution, or any law made in pursuance thereof, shall, before entering upon the duties thereof, take an oath to support the Constitution of this State and of the United States, and an oath of office.

SEC. 2. Each member of the Senate and House of Representatives shall, before they proceed to business, take an oath or affirmation to support the Constitution of this State and of the United States, and also the following oath: "I, —, do solemnly swear (or affirm) that, as a member of this General Assembly, I will, in all appointments, vote without favor, affection, partiality, or prejudice; and that I will not propose or assent to any bill, vote, or resolution which shall appear to me injurious to the people, or consent to any act or thing whatever that shall have a tendency to lessen or abridge their rights and privileges as declared by the Constitution of this State."

SEC. 3. Any elector who shall receive any gift or reward for his vote, in meat, drink, money, or otherwise, shall suffer such punishment as the laws shall direct; and any person who shall, directly or indirectly, give, promise, or bestow any such reward to be elected, shall thereby be rendered incapable for six years to serve in the office for which he was elected, and be subject to such further punishment as the Legislature shall direct.

SEC. 4. New counties may be established by the Legislature, to consist of not less than two hundred and seventy-five square miles, and which shall contain a population of seven hundred qualified voters. No line of such county shall approach the court-house of any old county from which it may be taken nearer than eleven miles, nor shall such old county be reduced to less than five hundred square miles; but the following exceptions are made to the foregoing provisions, viz.: New counties may be established by the present or any succeeding Legislature out of the following territory, to wit: Out of that portion of Obion County which lies west of the low-water mark of Reelfoot Lake; out of fractions of Sumner, Macon, and Smith Counties, but no

line of such new county shall approach the court-house of Sumner and Smith Counties nearer than ten miles, nor include any part of Macon County lying within nine and a half miles of the court-house of said county, nor shall more than twenty square miles of Macon County, nor any part of Sumner County lying due west of the western boundary of Macon County, be taken in the formation of said new county; out of fractions of Grainger and Jefferson Counties, but no line of such new county shall include any part of Grainger County north of the Holston River, nor shall any line thereof approach the court-house of Jefferson County nearer than eleven miles (such new county may include any other territory which is not excluded by any general provision of this Constitution); out of fractions of Jackson and Overton Counties, but no line of such new county shall approach the court-house of Jackson or Overton Counties nearer than ten miles, nor shall such county contain less than four hundred qualified voters, nor shall the area of either of the old counties be reduced below four hundred and fifty square miles; out of fractions of Roane, Monroe, and Blount Counties, around the town of Loudon, but no line of such new county shall ever approach the towns of Maryville, Kingston, or Madisonville nearer than eleven miles, except that on the south side of the Tennessee River said lines may approach as near as ten miles to the court-house of Roane County. The counties of Lewis, Cheatham, and Sequatchie, as now established by legislative enactments, are hereby declared to be constitutional counties. No part of Bledsoe County shall be taken to form a new county, or a part thereof, or be attached to any adjoining county. That portion of Marion County included within the following boundaries: Beginning on the Grundy and Marion County line at the Nick-a-jack Trace, and running about six hundred yards west of Ben. Posey's to where the Tennessee Coal Railroad crosses the line; running thence south-east through the Pocket, near William Summers', crossing the Battle Creek Gulf at the corner of Thomas Wooten's field; thence running across the Little Gizzard Gulf to Raven Point; thence in a direct line to the bridge crossing the Big Fiery Gizzard; thence in a direct line to the mouth of Holy Water Creek; thence up said creek to the Grundy County line, and thence with said line to the beginning, is hereby detached from Marion County and attached to the County of Grundy. No part of a county shall be taken off to form a new county, or a part thereof, without the consent of two-thirds of the qualified voters in such part taken off; and where an old county is reduced for the purpose of forming a new one, the seat of justice in said county shall not be removed without the concurrence of two-thirds of both branches of the Legislature; nor shall the seat of justice of any county be removed without the concurrence of two-thirds of the qualified voters of the county. But the foregoing provision requiring a two-thirds majority of the voters of a county to remove its county seat, shall not apply to the counties of Obion and Coeke. The fractions taken from old counties to form new counties, or taken from one county and added to another, shall continue liable for their *pro rata* of all debts contracted by their respective counties prior to the

separation, and be entitled to their proportion of any stocks or credits belonging to such old counties.

SEC. 5. The citizens who may be included in any new county shall vote with the county or counties from which they have been stricken off for members of Congress, for Governor, and for members of the General Assembly, until the next apportionment of members of the General Assembly after the establishment of such new county.

ARTICLE XI

MISCELLANEOUS PROVISIONS

SECTION 1. All laws and ordinances now in force and use in this State, not inconsistent with this Constitution, shall continue in force and use until they shall expire, or be altered or repealed by the Legislature. But ordinances contained in any former Constitution or schedule thereto are hereby abrogated.

SEC. 2. Nothing contained in this Constitution shall impair the validity of any debts or contracts, or affect any rights of property, or any suits, actions, rights of action, or other proceedings in courts of justice.

SEC. 3. Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives; and if the same shall be agreed to by a majority of all the members elected to each of the two Houses, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays thereon, and referred to the General Assembly then next to be chosen, and shall be published six months previous to the time of making such choice; and if, in the General Assembly then next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by two-thirds of all the members elected to each House, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the people in such manner and at such times as the General Assembly shall prescribe. And if the people shall approve and ratify such amendment or amendments by a majority of all the citizens of the State voting for Representatives voting in their favor, such amendment or amendments shall become a part of this Constitution. When any amendment or amendments to the Constitution shall be proposed in pursuance of the foregoing provisions, the same shall, at each of the said sessions, be read three times on three several days in each House. The Legislature shall not propose amendments to the Constitution oftener than once in six years. The Legislature shall have the right, at any time, by law, to submit to the people the question of calling a convention to alter, reform, or abolish this Constitution; and when, upon such submission, a majority of all the votes cast shall be in favor of said proposition, then delegates shall be chosen, and the convention shall assemble in such mode and manner as shall be prescribed.

SEC. 4. The Legislature shall have no power to grant divorces, but may authorize the courts of justice to grant them for such causes as

may be specified by law; but such laws shall be general and uniform in their operation throughout the State.

SEC. 5. The Legislature shall have no power to authorize lotteries for any purpose, and shall pass laws to prohibit the sale of lottery tickets in this State.

SEC. 6. The Legislature shall have no power to change the names of persons, or to pass acts adopting or legitimatizing persons, but shall, by general laws, confer this power on the courts.

SEC. 7. The Legislature shall fix the rate of interest, and the rate so established shall be equal and uniform throughout the State; but the Legislature may provide for a convenient rate of interest, not to exceed ten per cent. per annum.

SEC. 8. The Legislature shall have no power to suspend any general law for the benefit of any particular individuals, nor to pass any law for the benefit of individuals inconsistent with the general laws of the land; nor to pass any law granting to any individual or individuals rights, privileges, immunities, or exemptions other than such as may be by the same law extended to any member of the community who may be able to bring himself within the provisions of such law. No corporation shall be created, or its powers increased or diminished by special laws, but the General Assembly shall provide by general laws for the organization of all corporations hereafter created, which laws may at any time be altered or repealed; and no such alteration or repeal shall interfere with or divest rights which have become vested.

SEC. 9. The Legislature shall have the right to vest such powers in the courts of justice, with regard to private and local affairs, as may be expedient.

SEC. 10. A well-regulated system of internal improvement is calculated to develop the resources of the State and promote the happiness and prosperity of her citizens; therefore it ought to be encouraged by the General Assembly.

SEC. 11. A homestead in the possession of each head of a family, and the improvements thereon to the value, in all, of one thousand dollars shall be exempt from sale under legal process during the life of such head of a family, to inure to the benefit of the widow, and shall be exempt during the minority of their children occupying the same. Nor shall said property be alienated without the joint consent of the husband and wife when that relation exists. This exemption shall not operate against public taxes, nor debts contracted for the purchase-money of such homestead or improvements thereon.

SEC. 12. Knowledge, learning, and virtue being essential to the preservation of republican institutions, and the diffusion of the opportunities and advantages of education throughout the different portions of the State being highly conducive to the promotion of this end, it shall be the duty of the General Assembly in all future periods of this Government, to cherish literature and science. And the fund called the common school fund, and all the lands and proceeds thereof, dividends, stocks, and other property of every description whatever, here-

tofore by law appropriated by the General Assembly of this State for the use of common schools, and all such as shall hereafter be appropriated, shall remain a perpetual fund, the principal of which shall never be diminished by legislative appropriation; and the interest thereof shall be inviolably appropriated to the support and encouragement of common schools throughout the State, and for the equal benefit of all the people thereof; and no law shall be made authorizing said fund, or any part thereof, to be diverted to any other use than the support and encouragement of common schools. The State taxes derived hereafter from polls shall be appropriated to educational purposes, in such manner as the General Assembly shall, from time to time, direct by law. No school established or aided under this section shall allow white and negro children to be received as scholars together in the same school. The above provisions shall not prevent the Legislature from carrying into effect any laws that have been passed in favor of the colleges, universities, or academies, or from authorizing heirs and distributees to receive and enjoy escheated property under such laws as may be passed from time to time.

SEC. 13. The General Assembly shall have power to enact laws for the protection and preservation of game and fish within the State, and such laws may be enacted for and applied and enforced in particular counties or geographical districts designated by the General Assembly.

SEC. 14. The intermarriage of white persons with negroes, mulattoes, or persons of mixed blood, descended from a negro to the third generation, inclusive, or their living together as man and wife, in this State, is prohibited. The Legislature shall enforce this section by appropriate legislation.

SEC. 15. No person shall, in time of peace, be required to perform any service to the public on any day set apart by his religion as a day of rest.

SEC. 16. The declaration of rights, hereto prefixed, is declared to be a part of the Constitution of this State, and shall never be violated on any pretense whatever. And to guard against transgression of the high powers we have delegated, we declare that everything in the bill of rights contained is excepted out of the general powers of the Government, and shall forever remain inviolate.

SEC. 17. No county office created by the Legislature shall be filled otherwise than by the people or the County Court.

SCHEDULE

SECTION 1. That no inconvenience may arise from a change of the Constitution, it is declared that the Governor of the State, the members of the General Assembly, and all officers elected at or after the general election of March, 1870, shall hold their offices for the terms prescribed in this Constitution.

Officers appointed by the courts shall be filled by appointment, to be made and to take effect during the first term of the court held by Judges elected under this Constitution.

All other officers shall vacate their places thirty days after the day fixed for the election of their successors under this Constitution.

The Secretary of State, Comptroller, and Treasurer shall hold their offices until the first session of the present General Assembly occurring after the ratification of this Constitution, and until their successors are elected and qualified.

The officers then elected shall hold their offices until the fifteenth day of January, 1873.

Sec. 2. At the first election of Judges under this Constitution there shall be elected six Judges of the Supreme Court, two from each grand division of the State, who shall hold their offices for the term herein prescribed.

In the event any vacancy shall occur in the office of either of said Judges at any time after the first day of January, 1873, it shall remain unfilled, and the court shall from that time be constituted of five Judges.

While the court shall consist of six Judges they may sit in two sections, and may hear and determine causes in each at the same time, but not in different grand divisions at the same time. When so sitting the concurrence of two Judges shall be necessary to a decision.

The Attorney-general and Reporter for the State shall be appointed after the election and qualification of the Judges of the Supreme Court herein provided for.

Sec. 3. Every Judge and every officer of the executive department of this State, and every Sheriff holding over under this Constitution, shall, within twenty days after the ratification of this Constitution is proclaimed, take an oath to support the same; and the failure of any officer to take such oath shall vacate his office.

Sec. 4. The time which has elapsed since the sixth day of May, 1861, until the first day of January, 1867, shall not be computed in any cases affected by the statutes of limitations, nor shall any writ of error be affected by such lapse of time.

Done in convention at Nashville, the twenty-third day of February, in the year of our Lord one thousand eight hundred and seventy, and of the independence of the United States the ninety-fourth. In testimony whereof we have hereunto set our names.

JOHN C. BROWN, *President.*

John Allen,
Jesse Arledge,
Humphrey Bate,
Jno. Baxter,
A. Blizzard,
Nathan Brandon,
James Britton,
R. P. Brooks,
Neil S. Brown,
James S. Brown,

T. M. Burkett,
John W. Burton,
Wm. Byrne,
Alex. W. Campbell,
Wm. Blount Carter,
Z. R. Chowning,
James A. Coffin,
Warren Cummings,
Robert P. Cypert,
T. D. Davenport,

N. V. Deaderick,
 G. G. Dibrell,
 N. F. Doherty,
 J. E. Dromgoole,
 James Fentress,
 A. T. Fielder,
 P. G. Fulkerson,
 John A. Gardner,
 John E. Garner,
 S. P. Gaut,
 Charles A. Gibbs,
 B. Gordon,
 J. B. Heiskell,
 R. Henderson,
 H. L. W. Hill,
 Sp'l Hill,
 Sam S. House,
 Jno. F. House,
 T. B. Ivie,
 Thomas M. Jones,
 David N. Kennedy,
 D. M. Key,
 Sam J. Kirkpatrick,

A. A. Kyle,
 Jos. A. Mabry,
 A. G. McDougal,
 Maleom McNabb,
 Matt. Martin,
 John H. Meeks,
 Thos. C. Morris,
 J. Netherland,
 A. O. P. Nicholson,
 Geo. C. Porter,
 Jas. D. Porter, Jr.,
 Geo. E. Seay,
 Samuel G. Shepard,
 E. H. Shelton,
 Wm. H. Stephens,
 John M. Taylor,
 J. C. Thompson,
 N. Vance Thompson,
 James J. Turner,
 Geo. W. Walker,
 Richard Warner, Jr.,
 N. H. Williamson,
 W. M. Wright.

Attest: T. E. S. RUSSWURM, Secretary.

THOS. W. JONES, Assistant Secretary.

W. S. KYLE, Second Assistant Secretary.

ORDINANCE

SECTION 1. *Be it ordained by the Convention,* That it shall be the duty of the several officers of the State authorized by law to hold elections for members of the General Assembly and other officers, to open and hold an election at the place of holding said elections in their respective counties, on the fourth Saturday in March, 1870, for the purpose of receiving the votes of such qualified voters as may desire to vote for the ratification or rejection of the Constitution recommended by the Convention, and the qualifications of voters in said election be the same as that required in the election of delegates to this Convention.

SEC. 2. It shall be the duty of said returning officers in each county in this State to enroll the name of each voter on the poll-books prepared for said election, and shall deposit each ballot in the ballot-boxes respectively. Each voter who wishes to ratify the new Constitution shall have written or printed on his ticket the words "New Constitution," or words of like import; and each voter who wishes to vote against the ratification of the new Constitution shall have written or printed on his ticket the words "Old Constitution," or words of like import.

SEC. 3. The election shall be held and the judges and clerks shall be appointed as in the case of the election of the members of the General Assembly; and the returning officers, in the presence of the judges or inspectors, shall count the votes given for the "New Constitution," and of those given for the "Old Constitution," of which they shall keep a correct estimate in said poll-books. They shall deposit the original poll-books of said election with the Clerks of the County Courts in the respective counties; and shall, within five days after the election, make out accurate statements of the number of votes in their respective counties for or against the "New Constitution," and immediately forward by mail one copy of said certificates to the Governor and one to the Speaker of the Senate. So soon as the poll-books are deposited with the County Court Clerks, they shall certify to the President of the Convention an accurate statement of the number of votes cast for or against the "New Constitution," as appears on said poll-books; and if any of said returning officers shall fail to make the returns herein provided for within the time required, the Governor shall be authorized to send special messengers for the result of the vote in those counties whose officers have so failed to make returns.

SEC. 4. Upon the receipt of said returns it shall be the duty of the Governor, Speaker of the Senate, and the President of this Convention, or any two of them, to compare the votes cast in said election; and if it shall appear that a majority of all the votes cast for and against the new Constitution were for "New Constitution," it shall be the duty of the Governor, Speaker of the Senate, and President of this Convention, or any two of them, to append to this Constitution a certificate of the votes, from which time the Constitution shall be established as the Constitution of Tennessee, and the Governor shall make proclamation of the result.

SEC. 5. The Governor of the State is required to issue his proclamation as to the election on the fourth Saturday in March, 1870, hereto provided for.

JOHN C. BROWN, *President*.

Attest: T. E. S. RUSSWURM, *Secretary*.

GOVERNORS OF TENNESSEE FROM 1790

1. William Blount, Territorial Governor, 1790-96.	Senate, became Governor, serving to October, 1829.
2. John Sevier, 1796-1801.	9. William Carroll, 1829-35.
3. Archibald Roane, 1801-03.	10. Newton Cannon, 1835-39.
4. John Sevier, 1803-09.	11. James K. Polk, 1839-41.
5. Willie Blount, 1809-15.	12. James C. Jones, 1841-45.
6. Joseph McMinn, 1815-21.	13. Aaron V. Brown, 1845-47.
7. William Carroll, 1821-27.	14. Neil S. Brown, 1847-49.
8. Samuel Houston, 1827 to April, 1829, when he resigned, and William Hall, Speaker of the	15. William Trousdale, 1849-51.
	16. William B. Campbell, 1851-53.
	17. Andrew Johnson, 1853-57.

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| <p>18. Isham G. Harris, 1857-63.
Robert L. Caruthers was elected Governor in 1863, but on account of Tennessee being in possession of Federal troops, was unable to qualify. President Lincoln appointed Andrew Johnson Military Governor of Tennessee, who served from 1862 to 1865.</p> <p>19. William C. Brownlow, 1865-69.</p> <p>20. D. W. C. Senter, 1869-71.</p> <p>21. John C. Brown, 1871-75.</p> <p>22. James D. Porter, 1875-79.</p> | <p>23. Albert S. Marks, 1879-81.</p> <p>24. Alvin Hawkins, 1881-83.</p> <p>25. William B. Bate, 1883-87.</p> <p>26. Robert L. Taylor, 1887-91.</p> <p>27. John P. Buchanan, 1891-93.</p> <p>28. Peter Turney, 1893-97.</p> <p>29. Robert L. Taylor, 1897-99.</p> <p>30. Benton McMillin, 1899-1903.</p> <p>31. James B. Frazier, 1903-05.</p> <p>32. John I. Cox, 1905-07.</p> <p>33. Malcolm R. Patterson, 1907-11.</p> <p>34. Ben W. Hooper, 1911-15.</p> <p>35. Tom C. Rye, 1915-1919.</p> <p>36. A. H. Roberts, 1919-</p> |
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SECRETARIES OF STATE FROM 1792

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| <p>Daniel Smith, Territorial Secretary, 1792-96.</p> <p>William Maelin, 1796-1807.</p> <p>Robert Houston, 1807-11.</p> <p>W. G. Blount, 1811-15.</p> <p>William Alexander, 1815-18 (died).</p> <p>Daniel Graham, appointed August, 1818, served till 1830 (resigned).</p> <p>T. H. Fletcher, appointed September, 1830, served till 1832.</p> <p>Samuel G. Smith, 1832-35.</p> <p>Luke Lea, 1835-39.</p> <p>John S. Young, 1839-47.</p> <p>W. B. A. Ramsey, 1847-55.</p> <p>F. N. W. Burton, 1855-59.</p> | <p>J. E. R. Ray, 1859-65.</p> <p>E. H. East, appointed in 1862 by Andrew Johnson, Military Governor, served to 1865.</p> <p>A. J. Fletcher, 1865-70.</p> <p>T. H. Butler, 1870-73.</p> <p>Charles N. Gibbs, 1873-81.</p> <p>David A. Nunn, 1881-85.</p> <p>John Allison, Jr., 1885-89.</p> <p>Charles A. Miller, 1889-93.</p> <p>W. S. Morgan, 1893-1901.</p> <p>John W. Morton, 1901-09.</p> <p>Hallam W. Goodloe, 1909-13.</p> <p>R. R. Sneed, 1913-17.</p> <p>Ike B. Stevens, 1917-</p> |
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COMPTROLLERS—OFFICE CREATED IN 1835

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| <p>Daniel Graham, 1836-43.</p> <p>Felix K. Zollcoffer, 1843-49.</p> <p>B. N. Sheppard, 1849-51.</p> <p>Arthur R. Crozier, 1851-55.</p> <p>James C. Luttrell, 1855-57.</p> <p>James T. Dunlap, 1857-62.</p> <p>Joseph S. Foster, appointed by Andrew Johnson, Military Governor, 1862-65.</p> <p>J. R. Dillin, elected 1865, failed to qualify, being a member of the Legislature that elected him, and ineligible.</p> <p>S. W. Hatchett, 1865-66.</p> | <p>G. W. Blackburn, 1866-70.</p> <p>E. R. Pennebaker, 1870-73.</p> <p>W. W. Hobb, January, 1873, to May, 1873.</p> <p>John C. Burch, May, 1873-75.</p> <p>James L. Gaines, 1875-81.</p> <p>James N. Nolen, 1881-83.</p> <p>P. P. Pickard, 1883-89.</p> <p>J. W. Allen, 1889-93.</p> <p>James A. Harris, 1893-99.</p> <p>Theodore King, 1899-1904.</p> <p>Frank Dibrell, 1904-13.</p> <p>George P. Woolen, 1913-15.</p> <p>J. B. Thomason, 1915-</p> |
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TREASURERS FROM 1796

The act of April 13, 1796, and territorial act of September, 1794, Chapter 9, provided for two District Treasurers, viz.: District of Miro, and District of Washington and Hamilton. Act of November 1, 1827, created the offices of Treasurer of Western District, at Jackson, Tennessee; Treasurer of Washington and Hamilton, or East Tennessee, at Knoxville; and Treasurer of Miro, at Nashville. The Constitution of 1834 provided for one Treasurer for the state, to be elected by the legislature for two years.

Daniel Smith, Territorial Secretary, acted as Treasurer from 1792 to 1794.	James Caruthers, Western District, 1827-36.
Landon Carter, Territorial Treasurer of Washington and Hamilton, 1794-1800.	Miller Francis, State, 1836-43.
Howell Tatum, Territorial Treasurer of Miro, 1794-96.	Matthew Nelson, State, 1843-45.
William Black, Miro, 1796-97.	Robert B. Turner, 1845-47.
Robert Searcy, Miro, 1797-1803.	Anthony Dibrell, 1847-55.
John Maclin, Washington and Hamilton, 1800-03.	G. C. Torbett, 1855-57.
Thomas McCorry, Washington and Hamilton, 1803-13.	W. Z. McGregor, 1857-65.
Thomas Crutcher, Miro, 1803-13.	R. L. Stanford, 1865-66.
Thomas McCorry, East Tennessee (Washington and Hamilton), 1813-15.	John R. Henry, 1866-68.
Thomas Crutcher, Miro, 1813-26.	W. H. Stillwell, 1868-69.
Matthew Nelson, East Tennessee, 1815-27.	J. E. Rust, 1869-71.
Miller Francis, East Tennessee, 1827-36.	William Morrow, 1871-77.
	M. T. Polk, 1877-83.
	Atha Thomas, 1883-85.
	J. W. Thomas, 1885-86 (died).
	Atha Thomas, 1886-89.
	M. F. House, 1889-93.
	E. B. Craig, 1893-1901.
	R. E. Folk, 1901-11.
	G. T. Taylor, 1911-13.
	W. P. Hickerson, 1913-15.
	Porter Dunlap, 1915-19.
	Hill McAlister, 1919- .

SUPERINTENDENTS OF PUBLIC INSTRUCTION

This office was created in 1835, abolished in 1843, re-created in 1865, provided for in the constitution of 1870, and again created in 1873.

Robert H. McEwen, 1836-40.	W. R. Garrett, 1891-93.
Robert P. Currin, 1840-41.	Frank M. Smith, 1893-95.
Scott Terry, 1841-43.	S. G. Gilbreath, 1895-97.
L. R. Stanford, 1865-67.	Price Thomas, 1897-99.
John Eaton, Jr., 1867-69.	Morgan C. Fitzpatrick, 1899-1901.
A. J. Tipton, 1869-71.	Seymour A. Mynders, 1903-07.
John M. Fleming, 1873-75.	R. L. Jones, 1907-11.
Leon Trousdale, 1875-81.	J. W. Brister, 1911-13.
W. S. Doak, 1881-82.	S. H. Thompson, 1913-15.
G. S. W. Crawford, 1882-83.	S. W. Sherrill, 1915-19.
Thomas H. Paine, 1883-87.	Albert S. Williams, 1919- .
Frank M. Smith, 1887-91.	

STATE BOARD OF EDUCATION

The State Board of Education was organized by Governor Porter under authority of an act of the General Assembly, passed March 23, 1875. The Governor and the State Superintendent are *ex officio* members, the Governor being President and the Superintendent Secretary of the Board. There are six other members appointed by the Governor, each to serve for a period of six years.

1876. James D. Porter, President; Leon Trousdale, State Superintendent; E. H. Ewing; J. J. Reese; J. W. Hoyte; R. W. Mitchel; J. B. Lindsley, Secretary.
- 1877 and 1878. James D. Porter, President; Leon Trousdale, State Superintendent; E. H. Ewing; H. Presnell; J. W. Hoyte; R. W. Mitchel; J. B. Lindsley, Secretary.
- 1879 and 1880. Albert S. Marks, President; other members as above.
1881. Alvin Hawkins, President; W. S. Doak, State Superintendent; E. H. Ewing; Leon Trousdale; J. W. Hoyte; W. P. Jones; J. B. Lindsley, Secretary.
1882. Alvin Hawkins, President; G. S. W. Crawford, State Superintendent; E. S. Joynes; Leon Trousdale; J. W. Hoyte; W. P. Jones; J. B. Lindsley, Secretary.
- 1883 and 1884. W. B. Bate, President; Thomas H. Paine, State Superintendent; Frank Goodman; Leon Trousdale; J. W. Hoyte; W. P. Jones; J. B. Lindsley, Secretary.
- 1885 and 1886. W. B. Bate, President; Thomas H. Paine, State Superintendent; Frank Goodman; Leon Trousdale; Frank M. Smith; W. P. Jones; J. B. Lindsley, Secretary.
- 1887 to 1890. Robert L. Taylor, President; Frank M. Smith, State Superintendent; Thomas H. Paine; C. S. Douglass; John W. Bachman; W. P. Jones; Frank Goodman, Secretary.
- 1891 to 1892. John P. Buchanan, President; W. R. Garrett, State Superintendent; Thomas H. Paine; C. S. Douglass; Frank M. Smith; W. P. Jones; Frank Goodman, Secretary.
- 1893 and 1894. Peter Turney, President; Frank M. Smith, State Superintendent; Thomas H. Paine; C. S. Douglass; H. D. Huffaker; W. P. Jones; Frank Goodman, Secretary.
- 1895 and 1896. Peter Turney, President; S. G. Gilbreath, State Superintendent; Thomas H. Paine; C. S. Douglass; H. D. Huffaker; A. D. Wharton; Frank Goodman, Secretary.
- 1897 and 1898. Robert L. Taylor, President; Price Thomas, State Superintendent; other members as above.
- 1899-1903. Benton McMillin, President; Morgan C. Fitzpatrick, State Superintendent and Secretary; Thomas H. Paine; C. S. Douglass; H. D. Huffaker; A. D. Wharton; Frank Goodman; A. J. Cavert; P. L. Harned; J. L. Brooks.
- 1903-05. J. E. Frazier, President; Seymour A. Mynders, State Superintendent and Secretary; C. S. Douglass; H. D. Huffaker; P. L. Harned; J. L. Brooks; Wharton S. Jones; Dr. J. H. Kirkland.
- 1905-07. John I. Cox, President; other members as above.
- 1907-09. M. R. Patterson, President; R. L. Jones, State Superintendent and Secretary; P. L. Harned; J. L. Brooks; Wharton S. Jones; Dr. J. H. Kirkland; A. L. Todd.

- 1909-11. M. R. Patterson, President; R. L. Jones, State Superintendent and Secretary; J. M. Barker; W. N. Billingsley; J. L. Brooks; R. E. L. Bynum; T. B. Loggins; A. L. Todd.
- 1911-13. Ben W. Hooper, President; J. W. Brister, State Superintendent and Secretary; J. L. Brooks; R. E. L. Bynum; M. H. Gamble; C. C. Hanson; J. F. Hunter; H. A. Luck; O. L. McMahan; S. H. Thompson; A. L. Todd.
- 1913-14. Governor Ben W. Hooper, President; Superintendent S. H. Thompson, Secretary; A. L. Todd; M. H. Gamble; R. L. Bynum; C. C. Hanson; H. A. Luck; O. L. McMahan.
- 1915-16. P. L. Harned, Chairman; S. W. Sherrill, Secretary; L. A. Ligon; H. A. Luck; C. C. Hanson; J. H. Bayer; C. B. Ijams; W. L. Gentry; M. H. Gamble; O. L. McMahan.
- 1917-18. P. L. Harned, Chairman; S. W. Sherrill, Secretary; L. A. Ligon; J. F. Fowlkes; C. C. Hanson; W. D. Cooper; C. B. Ijams; W. L. Gentry; M. H. Gamble; J. S. Zeigler.
1919. P. L. Harned, Chairman; Albert S. Williams, Secretary; L. A. Ligon; J. F. Fowlkes; C. C. Hanson; W. D. Cooper; C. B. Ijams; W. L. Gentry; M. H. Gamble; J. S. Zeigler.

COMMISSIONERS OF AGRICULTURE

The Bureau of Agriculture, Statistics, and Mines was established in 1854, the Governor being *ex officio* President. E. G. Eastman was elected Secretary and served to the war. By act of March 4, 1875, the office of Commissioner was created, and the department was established on its present basis.

J. B. Killebrew, 1875-81.	Thomas H. Paine, 1899-1903.
A. W. Hawkins, 1881-83.	W. W. Ogilvie, 1903-07.
A. J. McWhirter, 1883-87.	John Thompson, 1907-11.
B. M. Hord, 1887-91.	Thomas F. Peck, 1911-15.
D. G. Godwin, 1891-93.	J. K. Bryson, 1915-19.
T. F. P. Allison, 1893-97.	Dr. F. M. McCree, 1919-
John T. Esserry, 1897-99.	

ATTORNEYS-GENERAL

The office of Attorney-General and Reporter for the State was created in 1831.

George T. Yerger, 1831-39.	Thomas H. Coldwell, 1865-70.
Return J. Meigs, 1839 to November, 1839.	Joseph B. Heiskell, 1870-78.
West H. Humphreys, 1839-51.	Benjamin J. Lea, 1878-86.
W. G. Swan, 1851-54.	George W. Pickle, 1886-1902.
John L. T. Sneed, 1854-59.	Charles T. Cates, Jr., 1902-13.
John W. Head, 1859 to the war.	Frank M. Thompson, 1913-

JUDGES OF TENNESSEE FROM 1792

1792. William Blount, Governor, David Campbell, and Joseph Anderson composed the Territorial Court to 1796.

1796. Act of April 9, 1796, established a Superior Court of Law and Equity, and provided for three judges for the state.

John McNairy, Archibald Roane, and Willie Blount were commissioned, on April 11, 1796, Judges of the Superior Court of Law and Equity for the state.
 Howell Tatum (*vice* McNairy, resigned), 1797-98.
 W. C. C. Claiborne (*vice* Willie Blount, declined), 1796-97.
 David Campbell, 1797-1807.

Andrew Jackson, appointed September, 1798, and elected December, 1798, served to 1801.
 Samuel Powell, 1807-09.
 John Overton (*vice* Jackson), 1804-09.
 Parry W. Humphreys, 1807-09.
 Hugh Lawson White (in place of A. Roane), 1801-07.
 Thomas Emmerson (*vice* White), 1807-09.

JUDGES OF THE SUPREME COURT OF ERRORS AND APPEALS

By the act of November 16, 1809, a Supreme Court of Errors and Appeals was created, Circuit Courts established, and five judicial circuits erected; judges elected by the legislature to serve during good behavior. The following served as indicated:—

Hugh L. White, 1809-15.
 George W. Campbell, 1809-11.
 John Overton, 1811-16.
 W. W. Cooke, 1815-16 (died).
 Archibald Roane, added to the court October 21, 1815, served to 1818.
 Robert Whyte (*vice* Overton), 1816-35.
 John Haywood, 1816-26.
 Thomas Emmerson, 1819-22.
 Jacob Peck, 1822-35.

William L. Brown, added to the court in 1822, resigned July, 1824.
 John Catron, 1824-35 (Chief Justice from 1831).
 Hugh L. White was elected in 1824, but declined.
 Thomas L. Williams was appointed *vice* White, but declined, and the legislature declined to fill the vacancy.
 Henry Crabb, appointed, *vice* Haywood, in 1827 (died same year).
 Nathan Green, 1831.

SUPREME COURT UNDER CONSTITUTION OF 1834

Nathan Green, 1835-53 (resigned).
 William B. Reese, 1835-47.
 William B. Turley, 1835-50 (resigned).
 Robert J. McKinney, 1847-63 (served till war discontinued courts).
 Robert L. Caruthers, 1853-61.
 W. F. Cooper, appointed in 1861 (served till war discontinued courts).
 A. W. O. Totten (*vice* Turley), 1850-55.
 William R. Harris, 1855-58 (died).

Archibald Wright, 1858-63 (served till war discontinued courts).
 Russell Houston, from January 25, 1865, to August 24, 1865.
 Samuel Milligan, from January 25, 1865, to January, 1867.
 Henry G. Smith, from January 25, 1865, to January, 1867.
 James O. Shackelford, from August 24, 1865, to 1867 (resigned).
 Andrew McClain, 1867-70.
 Alvin Hawkins, from June, 1867, to 1870.
 George Andrews, from June, 1867, to 1870.

SUPREME COURT UNDER CONSTITUTION OF 1870

T. A. R. Nelson, from 1870 to December 5, 1871 (resigned).	John S. Wilkes, 1894-1908 (died).
A. O. P. Nicholson, Chief Justice, from 1870 to March 23, 1876 (died).	B. D. Bell (<i>vice</i> Wilkes), 1908-10.
J. W. Deaderick (Chief Justice, 1878-84), 1870-84 (died).	W. C. Fowlkes, 1886-90 (died).
Robert J. McFarland (<i>vice</i> Nelson), from 1872 to 1884 (died).	B. J. Lea, 1890-94 (died).
Peter Turney (Chief Justice, 1886), 1870-93.	D. L. Snodgrass, Chief Justice, 1886-1902.
Thomas J. Freeman, 1870-86.	W. C. Caldwell, 1886-1902.
John L. T. Sneed, 1870-78.	W. C. McAlister, 1894-1910.
William F. Cooper, 1878-86.	W. D. Beard, Chief Justice, 1891-1910 (died).
H. H. Lurton, 1886-93.	John K. Shields, Chief Justice, 1902-13.
	D. L. Lansden, Chief Justice, 1918-

PRESENT SUPREME COURT

ELECTED FOR EIGHT YEARS

D. L. Lansden, Chief Justice.	Frank P. Hall.
Grafton Greene.	N. L. Bachman
C. P. McKinney.	

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A. Gattinger, 1865-69.	Miss Pauline L. Jones, 1897-99.
William H. Wharton, 1869-71.	Miss Jennie E. Lauderdale, 1899-1901.
Mrs. Paralee Haskell, 1871-79.	Miss Lulu E. Epperson, 1901-03.
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Good Friday.	Thanksgiving.
April 26, Memorial Day.	December 25, Christmas Day.
	All General Election Days.

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STATE GEOLOGIST

Wilbur Nelson

STATE GAME WARDEN

W. D. Howser

STATE FACTORY INSPECTOR

Louis L. Allen

STATE MINING INSPECTOR

R. A. Shiflett

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