

The Southwest Territory to the Aid of the Northwest Territory, 1791

SAMUEL C. WILLIAMS

The creation of the Northwest Territory by the Continental Congress in 1787 was followed about three years later by the creation of its sister Southwest Territory, by the first Congress under the federal Constitution. The Act of Congress of May 26, 1790, provided for the government of the western domain ceded by North Carolina to the United States in the previous year and upon the same basis as the Northwest Territory, with one highly significant exception: slavery in the latter was prohibited, but North Carolina in her Act and deed of cession imposed the condition that slavery should never be abolished in the ceded territory.

The name given by statute to the new Territory was awkward and misleading—"Territory of the United States of America South of the River Ohio"—in that it indicated that the Kentucky Country, yet a part of Virginia, was to be included within its bounds. Really, its area was that covered by the later state of Tennessee—the first of the Union to be transformed from a territory into a state.

The creation of the Southwest Territory aroused the fears of Spain which was watchful of her claims to parts of the region and jealous of this advance of the jurisdiction and power of the federal government towards her possessions to the south. The Spanish authorities in Louisiana began to cultivate the southern Indian tribes and to encourage them to resist the settlement of the new Territory, especially west of the Cumberland.

The Northwest Territory experienced a like resistance from the Indians of that area. The flow of white settlers into the Ohio Country was held back, in large measure, in consequence. A campaign, and yet a second and a third had been unsuccessfully launched against the redmen. The last, St. Clair's expedition of 1791, had for its purpose the overawing of the Indians by the construction of a barrier chain of forts from Fort Washington (site of later Cincinnati) northward towards the region where later stood the city of Fort Wayne. The commander, General Arthur St. Clair, was the Governor of the Territory. He

spent the spring and summer in slowly collecting at Fort Washington a force of regulars and militia. Requisitions had been made on the adjoining and nearby States and on the Southwest Territory, each for a battalion of troops to serve under him. The call on the militia of the last named Territory was arranged at the seat of government by the War Department in conjunction with the representative in Congress from North Carolina who resided within the Territory, John Sevier.¹ The Southwest Territory had only about 35,000 white inhabitants, but Sevier undertook for it the same burden placed on the several contributing states. Sevier hurried homeward to assist in recruiting the force, in his capacity of military leader in the region, but he was taken ill on his way at Richmond, Virginia. A slight delay in raising the battalion resulted.

By June of 1791, Major Matthew Rhea² of Sullivan County, had raised a battalion (two hundred, in three companies) of which he was the commander. One of the companies was from Washington County, one from Sullivan, and the other from Greene; and all three assembled at Jonesborough (Jonesboro), the seat of Washington County to take up the long and arduous march through Cumberland Gap to Fort Washington on the Ohio. The battalion was embodied with Kentucky militia in the regiment commanded by Lieutenant-Colonel William Oldham of Kentucky.³

¹ John Sevier had been governor of the "State of Franklin," which preceded the Southwest Territory, for four years, 1785-89; and he occupied a position that was quite, if not wholly, unique. He was elected to the national House of Representatives as a member from North Carolina before the Southwest Territory was created, but took his seat about one month after the passage of the creating act—now a non-resident of North Carolina. He served the two-year term though all the while a resident of the new Territory. The region had no representative in the second Congress (1791-1793), but had one in the third (1793-1795).

² From his headquarters in Jonesborough on June 7, Sevier issued his order to Major Rhea to prepare his battalion to march to Fort Washington. Draper's *King's Mountain Papers*, II (DD95a), *Calendar of Tennessee Papers*, 205. Rhea reported to Secretary of War Henry Knox concerning preparations for aid to General St. Clair. Major Rhea was a brother of Congressman John Rhea, writer of the Rhea letter to General Andrew Jackson, which figured so prominently in later disputes between Jackson, Calhoun and Monroe.

³ For whom Oldham County, Kentucky, was named. He was killed when the Indians made their onslaught on the Kentucky militia, which surprise attack brought the company of Tipton to the relief to the Kentucky portion of Oldham's regiment. In "St. Clair's Narrative," published about 1812, Oldham is praised for his courageous conduct in trying to halt the panic stricken militia. He was a native

The company from the mother county of the Territory and later state of Tennessee—the county of Washington—was commanded by Captain Jacob Tipton. Its roster as of September 23, 1791, has been preserved.⁴ Rosters of the two other companies have not been recovered so far.

The army advanced from Fort Washington and built the first fort on the bank of the Miami River to which was given the name of Fort Hamilton.⁵ Marching farther from the Ohio, Fort Jefferson was finished on October 24, and the advanced resumed. A difficult terrain was now encountered—a wilderness that was swampy and malarial. The health of General St. Clair failed; he was often compelled to lie on a litter and be carried. The men suffered from chills and fevers. Seven or eight miles became a day's march. Mismanagement of the commissariat caused food to grow scarce, and as a result troops deserted by scores. At last on November 3, the army, reduced by disease and desertion to fourteen hundred, reached a small stream, a tributary of the Wabash, only a very few miles from what was later the Indiana state line. Strangely, it seems, the militia were sent across the stream to encamp while the regulars camped in two lines on its nearer, or southern bank, about a quarter of a mile in the rear of the militia. The first regiment of regulars was sent back towards Fort Jefferson to arrest deserters and bring up supplies.

In the early morning hours before the break of day, the troops paraded and had been dismissed but a few minutes when the woods in front of the militia rang with the yells and firing of Indians who in great numbers rushed to the attack. The militia were taken by surprise and thrown into great confusion. Those from Kentucky began to break under the impact, seeing which Captain Tipton led the men of his company to their relief. At the head of his men, he fell mortally wounded as did others in such

of Berkeley County, Virginia, and served in the Revolutionary War first as an ensign and finally as a captain. His home was near the Falls of the Ohio (Louisville). As early as June, 1787, he went as a major on a campaign to the Wabash against the Indians.

⁴ It was taken by the Indians, perhaps from the body of Capt. Tipton, and delivered to the British authorities in Canada. It is preserved in the Canadian Archives at Ottawa and has appeared in print in S. C. Williams; *Phases of the History of the Southwest Territory*, 24, and in *East Tennessee Historical Society's Publications* (1931), III, 150-153.

⁵ From which the city of Hamilton, Ohio, received its name.

numbers that the militia broke and fled across the creek into the camp of the regulars. These in turn were almost instantly attacked by the redmen. An attempt to meet the attack was carried out in accordance with the rules laid down in military manuals; the troops were drawn up in a compact body with the artillery in the center.

Several bayonet charges were made with great spirit to dislodge the Indians. But the moment the troops wheeled about the foe became in turn the pursuers, chased them into camp, and poured a fire more galling than ever and with great deliberation scalped the soldiers who fell. After the firing had gone on for hours, it was evident that the victory was with the Indians.

A retreat was barely possible, but was accomplished with much havoc to both militia and regulars. The battle was well called "St. Clair's Defeat."

The death of Captain Tipton was not the only casualty among the officers of his company. Lieutenant John Lyle and ensign Etheldred Cobb⁶ were wounded and several privates were either killed or wounded. The casualties suffered by the other two companies of Rhea's battalion have not been ascertained. The broken remnant slowly made its way homeward.

The first public announcement of the disastrous defeat and of the death of Captin Tipton was in the *Knoxville Gazette* of December 3, 1791.⁷ In the next issue of that newspaper, that of December 17, a fuller account appeared:

Captain Jacob Tipton, who went from Washington County, of the Southwest Territory, with the troops raised for the new levies, when the unhappy battle between the troops of the United States of America led by General St. Clair and the Indians began, went instantly with the party under his command, and joined the party of the Kentucky militia, who were first engaged. An officer asking him why he had joined himself to a party of militia when he belonged to the regulars,⁸ he replied: "*I came here to fight and I will do it.*"

⁶ Son of William Cobb, whose home was the first seat of the government of the Southwest Territory (1790-92). The Cobb house yet stands near the Watauga River, about six miles from Johnson City. A sesqui-centennial celebration of the establishment of government was held there on October 13, 1940.

⁷ The first newspaper in the Territory and the only one published there during its existence, 1791-1796. Only the *Kentucky Gazette* of Lexington, preceded its establishment in the West.

⁸ This account was manifestly given by the returning members of Tipton's company, and the meaning is obscure. A search fails to reveal that young Tipton had been in any way connected with the United States Army or the regulars. It may be that as the company and battalion was from a federal Territory, it was conceived that they had a national status.

Not long afterwards, when the firing became very warm, he received a ball in his breast, which passed through him. In this position he stood sometime, animating his men, but soon, overpowered and weakened by the wound and bleeding inwardly, he fell. Turning around and looking at his men, he said: "*My brave fellows, I am a dead man; do you fight on and bravely do all you can for your country,*" and instantly expired. Thus fell Captain Tipton—an instance of true magnanimity, great even in death.⁹

The remnant of the battalion which had gone into the North in bouyant spirits slowly made the long march homeward, many of its members suffering from wounds and all bedraggled and weakened from chills and fevers, and dispirited. They, however, felt that no blame was theirs for the serious disaster to St. Clair's army, which blame fell, by practically unanimous consent of the American people, upon their superiors. Too, they were conscious that they had carried on the tradition handed down by their own fathers and immediate neighbors—that of going beyond the confines of their homeland to aid in fighting battles for the country in distant quarters.

From their section, now known as upper East Tennessee, had gone succoring troops far from their own homes. In 1774 a company had gone to the Ohio in Lord Dunmore's War, and fought in the battle of Point Pleasant. In May,

⁹ Jacob Tipton was a son of Col. John Tipton, rival of John Sevier during the "State of Franklin" movement and long thereafter. The homes of father and son were in the outskirts of the present Johnson City, Tennessee. Territorial Governor Blount joined with General Sevier in expressions of grief over the untimely passing of the gallant Captain and members of his company. The former wrote the latter: "I lament with you the loss of so many valuable men, particularly that of Capt. Tipton. He was certainly a young man of great bravery and worth." The Tennessee County of Tipton, near Memphis, was named in his honor. In this connection, Ramsey wrote: "About to leave on that distant and perilous service, he [Jacob Tipton] had taken his farewell of his family and mounted his horse. He hallooed back to his wife, requesting her, that if he should be killed, to alter the name of their son William, and call him for himself, Jacob." In a note, Ramsey adds: "Another Tennessean of the same name and family [John Tipton], was distinguished afterwards at Tippecanoe. He left his native state with an axe and rifle for his patrimony. He subsequently became Senator in Congress, and one of the most prominent men in Indiana. Of him the anecdote is narrated which we have seen in the public journals, in which General Harrison is represented as riding up in the heat of battle and inquiring of young Tipton [John Tipton], 'Where is your Captain?' 'Dead! Sir.' 'Your lieutenant?' 'Dead! Sir.' 'Your second lieutenant?' 'Dead! Sir.' 'Your ensign?' 'He stands before you'—where Tipton then stood, holding and defending the flag, but so covered with dirt and so besmeared with blood that General Harrison scarcely knew him." James G. M. Ramsey, *Annals of Tennessee* (Philadelphia, 1860), 553-554.

1776, a contingent crossed the Appalachians and marched to Charleston, South Carolina, where they participated in the successful defense of that seaport—in the first battle of the Revolution in the South. In 1777 a company of forty-eight under Captain William Bailey Smith went and steadied the hard-pressed Kentuckians in their forts at Boonesborough (Boonesboro) and Harrodsborough (Harrodsburgh). In 1780 they were on two campaigns in South Carolina, the last ending in the decisive little battle of King's Mountain. In the following year, they fought in the battle of Guilford Court House in North Carolina, and later, assisted in driving the British out of interior South Carolina and to the gates of Charleston. A few of their number had been with the army of Washington at the surrender at Yorktown. In the meantime, they had fought many battles against the Cherokee and Chickamauga Indians. The soldiery of this people were unaccustomed to defeat; only once had they met repulse in warring against the Indians.

The new Territory's contribution to the defense of the Northwest Territory has gone almost unnoticed by historians—wholly so by those who have written the history of our nation. More pertinently, Rhea's battalion was not the first military force sent from the Tennessee Country to the Northwest. During the Revolutionary War (in 1779) Captain James Shelby took at least a part of his company, in the command of Colonel John Montgomery, down the Tennessee River and assisted George Rogers Clark in holding the Northwest for the American government. This aid from the Tennessee Country has gone without mention in any history, local or general.¹⁰

It is unlikely that such a defeat as that of St. Clair will be "celebrated" in a sesqui-centennial observance, but it is, perhaps, worth the effort to place on record in this year of 1941 this early contribution by one section of the country in aid of another.

The military forces of this people had thus well earned for the State of Tennessee, long years before it was bestowed during the Mexican War, the appellation, "The Volunteer State."

¹⁰ The writer has treated of this in detail in an article, "Captain James Shelby," to appear shortly in the *Filson Club Historical Quarterly*, Louisville, Kentucky.