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UNIVERSITY OF LOUISVILLE

KENTUCKY AND THE MISSISSIPPI QUESTION
1793 - 1795

THE ROLE OF THE DEMOCRATIC
SOCIETIES

A Dissertation

Submitted to the Faculty

Of the Graduate School of the University of Louisville

In Partial Fulfillment of the

Requirements for the Degree

Of Master of Arts

Department of History

by

Lullabel M. Thuston

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QUESTION
1793 -- 1795

THE ROLE OF THE DEMOCRATIC
SOCIETIES

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**KENTUCKY AND THE MISSISSIPPI QUESTION
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**THE ROLE OF THE DEMOCRATIC
SOCIETIES**

TABLE OF CONTENTS

TABLE OF CONTENTS

	PAGE
INTRODUCTION	1
CHAPTER	
I. FRENCH SCHEMES AGAINST LOUISIANA BEFORE GENET'S ARRIVAL	1
II. GENET AND GEORGE ROGERS CLARK	17
III. THE ROLE OF THE DEMOCRATIC SOCIETIES DURING CLARK'S ENTERPRISE	85
IV. THE DEMOCRATIC SOCIETIES AND THEIR ATTITUDE TOWARD THE PINCKNEY AND JAY TREATIES .	111
V. KENTUCKY AND THE MISSISSIPPI QUESTION FROM 1795 TO THE LOUISIANA PURCHASE	142
CONCLUSION	149
APPENDIX	154
BIBLIOGRAPHY	169

INTRODUCTION

INTRODUCTION

When Kentucky became a State on June 1, 1792, this fact did not revolutionize her precarious position in the West. She still suffered from Indian hostilities and she still demanded the free navigation of the Mississippi in order to have an outlet for her produce. The failure of the Federal Government to correct these troubles caused it to lose prestige in the frontier state and created a discontent in Kentucky which was later reflected in her many activities.

While Western America was confused over her own "rights" and "grievances," it is no wonder that Kentuckians showed an overwhelming wave of enthusiasm over the success of the French Revolution and the new French Republic which claimed to champion liberty everywhere. Thus, when France turned her thought toward Louisiana and the possibility of regaining part of her colonial glory¹ and sent Charles Edmond Genet to the United States to liberate Louisiana from the Spanish rule with the promise of opening up the Mississippi, Kentucky became her

1. Turner, F. J., "Genet's Instructions on Louisiana and the Floridas." American Historical Review, Vol. III (1898), p. 651.

willing ally. In August, 1793, Kentuckians organized Democratic Societies similar to the one previously created in Philadelphia which was patterned after the Jacobin Clubs of Paris, France. The Kentucky societies were defiant in the ring of their resolutions "that the right of the people on the waters of the Mississippi to the navigation thereof, be undoubted and demanded of Spain by the Government of the United States."¹

That this great drama disclosing the French scheme against Louisiana should so closely depend upon the actions of Kentucky is interesting, but that Kentuckians should depend upon themselves to get the Mississippi, without the aid of France is equally so. It is the purpose of this thesis to relate circumstances pertaining to the Mississippi Question between 1793 and 1803 and to show what attempts Kentucky made during these years to free the navigation of the river.

1. Kentucky Gazette, May 31, 1794.

CHAPTER I

FRENCH SCHEMES AGAINST LOUISIANA BEFORE GENET'S ARRIVAL

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BEFORE GENET'S ARRIVAL

From the viewpoint of foreign relations and particularly of the maintenance and expansion of the territorial basis of the United States, the three years 1793-1795 are critical ones in American history. One of the gravest dangers of the period, however, has probably not received the attention its importance warrants; for Genet's personal enthusiasm and the crystallisation of his Democratic Societies have perhaps concealed the real purpose of his coming to America. He was instructed to enlist the American frontiersmen in freeing Spain's American colonies in much the same way as the French armies in Europe were "freeing" European countries from monarchical rule. France sent this would-be missionary into fertile field to sow his seed, for many Kentuckians still resented the power that closed the Mississippi to their products.

Long before Genet sailed for America in 1793, France had turned her thought toward Louisiana and the possibility of regaining a part of her colonial glory.¹ However, during the American Revolution, France seemed

1. Turner, F. J., "Genet's Instructions On Louisiana and The Floridas," American Historical Review, Vol. III (1898), p. 651.

content to work for American independence and the recovery of European power through the humbling of England.¹ When Louis XVI came to the French throne in 1774, he chose as his Chief Minister the aged Count de Maurepas, but the Secretaryship of State for Foreign Affairs was conferred upon the Count de Vergennes who largely determined and directed French policy during the period of the American Revolution. From the first Vergennes' efforts were directed to the restoration of French prestige which had not been recovered from the reverses of the Seven Years War.² The French Ministers of the time did not believe in the permanence of the Colonies.³ There was ample evidence to justify Vergennes' conclusion that the disruption of the British Empire would be the surest means of restoring French prestige. He strove sincerely, therefore, to establish the complete independence of the United States and in this purpose he never wavered.⁴ His interest in Louisiana was merely incidental to this ambitious policy.

When Vergennes came into power, conditions in

1. Corwin, E. S., French Policy and the American Alliance, Princeton (1916), p. 40.
2. Wharton, F., Diplomatic Correspondence of the American Revolution, 6 Vols. (Washington, Government Printing Office)(1889), Vol. I, Chapter IV.
3. Corwin, Op. Cit., p. 9.
4. Phillips, P. C., The West In The Diplomacy of the American Revolution, Urbana (1913), pp. 149, 202, 215.

America had taken a more serious turn and he was convinced that a rupture was at hand, so he sent over a secret agent of his own. Bonvouloir, the man chosen for this mission, was a soldier of distinction who had visited America before and claimed to know many public men. He was instructed to assure Americans that France had no designs on Canada, and that her only interest in the movement for independence lay in the establishment of commercial relations.¹ Early in March, 1776, Bonvouloir's first report was received, and it convinced Vergennes that the time had come to lend secret aid and encouragement to Americans. On March 12, Vergennes submitted to the King a long memoir entitled "Considerations on the Affairs of the English Colonies of America," which helped to win the approval of the King in the cause of the American Revolution.² Hoping to use Louisiana as a base for sending aid to the Americans, France sent agents through the Colony in 1776 to observe possibilities of rebellion.³ "Since 1779, the inhabitants of Louisiana had made secret overtures to the

1. Wharton, Op. Cit., p. 418.

2. Stevens, P. C., Facsimiles of Manuscripts in European Archives Relating to America, No. 1316 - London 1889-1898 - Quoted in Lyon, E. Wilson, Louisiana and French Diplomacy, Oklahoma Press (1934), p. 57.

3. Bemis, S. F., Pinckney's Treaty, Baltimore, Johns Hopkins Press (1926), p. 123.

French Minister at Philadelphia asking France to recover the Province. The French Government had turned a deaf ear to such entreaties and seemed to have only commercial interests in Louisiana."¹ The future of Louisiana was not directly involved in the peace negotiations of 1782-83, although some authorities think Vergennes hoped to procure Louisiana for France and to extend the boundaries of the Colony to the Alleghanies.² The first important French official who is definitely known to have envisaged the recovery of Louisiana was Eleonore Francois Elie Moustier, who represented France in the United States from 1787 to 1789. Moustier prepared a 330 page memoir for the French Foreign office and forwarded this report to Montmorin, the Minister for Foreign Affairs, on March 10, 1789.³ The Minister had made an effort to collect the latest information concerning the attitude of individuals who lived in Louisiana. He pictured a prosperous Colony, but one which was capable of far greater development. He said that Americans wished to see Louisiana in the hands of a great maritime power like France which had both ships and goods for supplying commercial needs. Political

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1. Lyon, E. Wilson, Op. Cit., p. 66.
 2. Turner, F. J., "The Policy of France Toward the Mississippi Valley in the Period of Washington and Adams," American Historical Review, Vol. X (1905), pp. 250, 253.
 Note: Turner was relying upon the Memoire Politique et Historique sur la Louisiane (Paris, 1802), formerly attributed to Vergennes, but which Corwin shows is a forgery.
 3. Lyon, Op. Cit., p. 60.

reasons, Moustier felt, should prompt a French recovery of Louisiana. With the Colony in French hands, New Orleans would become a complement to St. Domingo and the French could alternate their troops between the two posts. If France desired she could separate the western from the eastern American states and unite them to Louisiana - thus this would be a great barrier for Spain.¹ This memoir is of cardinal importance in the history of French opinion on Louisiana. It is the first serious suggestion by a responsible official that France recover her former Colony.²

However, the intimate relations of France and Spain were ended by the overthrow of Louis XVI in 1792, which destroyed the Family Compact. France even suggested a joint attack with Great Britain on the Spanish Colonies.³ In the anticipation of war with her former ally, the revolutionary Ministry of France began preparations for attacking Spain overseas.

During the summer of 1792, Dumouriez, then Minister of Foreign Affairs, received several letters

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1. Turner, F. J., Editor, "Correspondence of French Ministers," Report of American Historical Association, Vol. I (1903), p. 567.
 2. Lyon, Op. Cit., p. 65.
 3. Turner, Op. Cit., p. 10.

encouraging the conquest of Louisiana. Sayre, Pereyrot, and Beaupoils all wrote him stating that inhabitants of Louisiana were enthusiastic for the cause of France and that western Americans were eager to attack Spain in order to secure an outlet for their products.¹ Captain Gilbert Imlay, an American from Kentucky, presented several memoirs to the Minister of Foreign Affairs telling him of the commercial and strategic importance of Louisiana to France and her West Indian islands. An expedition against Louisiana, Captain Imlay believed, could be carried out by France for 750,000 livres, but he added that if this were too great an expenditure, Genet should be left to his discretion to find men in the West to undertake the expedition at their own risk. "This," he declared, "will be entirely possible if they are assured that France will furnish assistance in the Mississippi question."²

Adventuresome Americans living in Louisiana wrote to the French Government suggesting various plans. Pierre Lyonnet, a former resident of New Orleans, thought Louisiana should be joined to the United States.

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1. "Plan for Revolution in Louisiana (Archives des Affaires Etrangeres, Espagne)," American Historical Association Report, Vol. I (1896), pp. 954, 956.
 2. Imlay, Gilbert, "Memoir of Louisiana (Archives des Affaires Etrangeres)," American Historical Review, Vol. III (1898), pp. 491, 494.

Six persons, he thought, should be sent to Philadelphia and proceed to Kentucky, on the pretext of buying lands, but really to arrange matters in the West. He recommended Tardiveau as able to suggest useful men in Kentucky and he wrote "at the head of these filibusterers of the woods, must be placed General Clark who in the late war took Vincennes, among other posts. His name alone is worth hosts, and there is no American who has not confidence in him." Among the expenses he noted that much must be spent for drink "for Americans only talk of war vis-a-vis with a bowl."¹

In the fall of 1792, an anonymous draft was sent to Lebrun, then Minister of Foreign Affairs. It explained exactly how France should proceed against Louisiana. This writer told Lebrun that he hoped it was not in vain to try to interest the French Government in the recovery of Louisiana and referred to a previous memoir he had sent to Lebrun containing his views. He said that the Louisiana project was easy to carry out, owing to the weakness of the garrisons (not over 1500 men were here, he believed) and the temper of the French inhabitants. His idea was to send three

1. "Pierre Lyonnet's Considerations on Louisiana," American Historical Review, Vol. III (1898), pp. 496, 500.

or four French military men, including Lyonnet, to Philadelphia; to send an emissary by way of Philadelphia to New Orleans; to give Genet the powers concerning the employment of these commissions and charge him with the responsibility of the expedition; and to send revolutionary agents to Kentucky, to the colonies of Marietta and Scioto and Cumberland, promising full navigation of the Mississippi. He would give the expedition the guise of a filibustering raid in order to avoid compromising the government of Kentucky, and he advised that General Wilkinson be made commander-in-chief of the whole project. The emissaries were to assemble 500 men at different points on the Ohio, brought together by hope of booty and of confiscated lands. To cover these proceedings, they were to take the appearance of an expedition against the Indians. He suggested that the commander-in-chief be empowered to make a treaty of alliance between France and Louisiana. The total expense he reckoned at 400,000 livres. He developed the argument that nature had destined a separation of the West, and that Congress was reluctant to secure the navigation of the Mississippi from Spain, lest this separation be facilitated. Genet ought to sound out the disposition of the leaders of the government regarding the union of Louisiana with the United States. The envoy should speak of this merely as desirable, and

should dispose them to receive with satisfaction the news of French success. By attributing the expedition to the disquietude of French settlers on the Scioto, Genet would enable the government to disavow the expedition and save the neutrality of the United States. He said he thought that the expedition should ignore the United States and the cooperating force should be found in Kentucky and along the Ohio; and he named among those whose aid was desirable, Wilkinson, Tardieu and Breckenridge. He left the future relations of Louisiana to be settled by the situation of France after peace, but he expressed opposition to uniting it with the United States. The whole plan was fully detailed with the exception of what was to happen to Louisiana after she was freed.¹

Lebrun was considering the probability of a war with Spain when Miranda, the famous Venezuelan adventurer, arrived in France in 1792 with plans for revolutionizing Spanish America. He found the government greatly interested in his schemes.² "Desiring to maintain peace with Spain, he (Lebrun) negotiated officially at Madrid through Bourgoing, for a simultaneous disarmament. He

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1. "Plan for Revolution in Louisiana (Archives des Affaires Etrangeres)," Report American Historical Association, Vol. I (1896), pp. 945, 952.
 2. Turner, F. J., "Genet's Attack on Louisiana and the Floridas," American Historical Review, Vol. III (1898), p. 655.

heped that Spain would consent to it in the interest of the King. But in case she should show herself recalcitrant, Lebrun provided means of occupying her elsewhere."¹ On November 5, 1792, Lebrun asked the Secretary of the Navy for access to documents on Louisiana and Florida, saying that they were of greatest value to him. These papers were never found, but Lebrun decided to use Miranda's advice, limit the project to the Spanish Colonies of Louisiana and Mexico and use American frontiersmen in the enterprise.² Lebrun decided to send Genet to the United States with a secret mission of fomenting the revolution, for on November 6, 1792, he wrote to Dumouriez relating his intentions.³ Bourgoing, the French Ambassador at Madrid, was instructed to prevent Short, the American Charge d'affaires in Spain, from gaining a place of deposit for goods near the mouth of the Mississippi, for the success of the French project depended upon keeping Americans irritated with Spain.⁴

Jefferson, Secretary of State, was unofficially notified of Lebrun's decision through Col. W. S. Smith,

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1. Sorel, L'Europe et la Revolution francaise, Vol. III, p. 157.
 2. Lyon, Op. Cit., p. 68.
 3. Turner, F. J., Op. Cit., pp. 653, 657.
 4. Ford, Paul L., Writings of Thomas Jefferson, 10 Vols., New York, G. Putnam's Sons (1892), Vol. I, pp. 253-256.

who left Paris November 9, 1792. Smith reported that "the Ministers told him they meant to begin the attack on the Spanish Colonies at the mouth of the Mississippi, sweep along the bay of Mexico southwardly, and that they would have no objections to our incorporating into our government the two Floridas."¹ This was a startling project indeed; the historical possibilities of so great design were overwhelming.²

Genet's instructions, dated December, 1792, ordered him to make a new pact with the United States, "to free Spanish America, to open to the inhabitants of Kentucky the Mississippi, to deliver our former brothers of Louisiana from the tyrannical yoke of Spain, and to unite perhaps to the American constellation the beautiful star of Canada."³ Canada and the Mississippi navigation were the bait held out to the United States. The official explanation of this policy in the French archives declared: "Everything announced the coming rupture with the English and the Spanish, and the Executive Council thought it would be advantageous for France to try, without hurting the

1. Ibid., p. 216.

2. Turner, F. J., "Considerations sur la Louisiane," American Historical Review, Vol. III (1898), pp. 491-494.

3. "Memoire pour servir d'instruction au Citoyen Genet (Archives des Affaires Etrangeres Espagne)," American Historical Association Report, Vol. I (1896), pp. 958, 963.

Americans, a diversion which would enfeeble the power of England and Spain by germinating the principles of the French Revolution in Louisiana, in Kentucky, and in other provinces near the United States."¹

Such were the plans of France, when George Rogers Clark, at the Falls of the Ohio, was brooding over wrongs imposed upon him by the Virginia Legislature.² Here was a willing ally to the French enterprise. The French scheme had even been proposed by Clark himself, who at the time had fallen into intemperance and had become embittered because of Virginia's neglect of his claims for services during the Revolution.³ He had offered, in 1788, to take service with Spain in return for a liberal land grant, and in 1791, he unceremoniously smashed the sword which Virginia had given him in 1779 as a token of appreciation for his services.⁴ Clark was disgusted with the neglect Virginia and the United States gave his claims and wanted to join with France. He was possibly influenced by his

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1. Ibid., p. 957.
 2. Robertson, James Ford, Petitions of Early Inhabitants of Kentucky (Filson Club Publication No. 27), Louisville, 1915, pp. 172, 174.
 3. Turner, F. J., "Genet's Attack on Louisiana and the Floridas," American Historical Review, Vol. III (1898), p. 656.
 4. Butler, Mann, History of Kentucky, Dickerman & Co., Cincinnati (1834), pp. 537-539.

brother-in-law, Dr. James O'Fallon, a Revolutionary soldier, and an active agent for the South Carolina Yazoo Land Companies, which purchased from Georgia part of her active claims to territory then held by Spain.¹

The spirit of Clark was the spirit of the frontiersmen. To them the question of the Mississippi was a personal one. Their produce was useless if the Mississippi were closed. Indian warfare continued on their borders, but the Federal Government discouraged their attacks on the savages and appeared indifferent to the closing of the navigation by Spain. The new government, under the Constitution, had yet to prove its value to Kentuckians. There were two solutions to the difficulty. Either they should come to an agreement with Spain which would open up the Mississippi, stop Indian raids and furnish them with land grants or they had to fight their way out.² This situation fitted right into the plans of the French Republic.

At Christmas time in 1792, General Clark and Dr. O'Fallon formulated a plan for an attack upon

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1. Haskins, Charles H., "The Yazoo Land Companies," Annual Report of American Historical Association, 1890 (Washington, 1891) p. 83.
 2. Ford, Op. Cit., Vol. I, p. 216.

Louisiana under the French flag.¹ This proposition together with a private letter from O'Fallon to his friend, Thomas Paine,² then a member of the French Convention, seems to have reached France before Genet sailed. That the letter was written and received, there can be no doubt; for Paine answered O'Fallon's letter from Passy, February 17, 1793, conveying the idea that Clark's application had gone through the medium of the French Minister to the United States and that the proposal had been laid before the Provisory Executive Council of the Republic.³ Further proof that O'Fallon was the one who originated the scheme and the actual author of the letter offering Clark's services to the French Government is shown in a letter of Secretary of State Edmund Randolph to the President, quoting an intercepted letter of O'Fallon's as follows:-

This plan (an attack of Louisiana) was digested between General Clark and me last Christmas (1792). I framed the whole of the correspondence in the

1. "Correspondence of Clark and Genet," American Historical Association Report, Vol. I (1896), pp. 967, 968. Also John Mason Brown, Political Beginnings of Kentucky, (Filson Club Publication, No. 6), p. 231.
2. Thomas Paine, well known American writer, famous for his activities during the War for Independence, was a close friend of Dr. O'Fallon. At this time Paine was enjoying his recent honor as a naturalized citizen of France and was active in the dominant party of the Convention, the Girondists.
3. "Correspondence of Clark and Genet," American Historical Association Report, Vol. I (1896), pp. 967, 968.

General's name, and corroborated it by a private letter of my own to Mr. Thomas Paine, of the National Assembly with whom during the late war I was very intimate. His reply reached me but a few days since, enclosed in the General's dispatches from the Ambassador. ¹

Whether O'Fallon or General Clark were the author of the letter written on February 5, 1793, and addressed to the French Minister, is not so important as the fact that Clark's name was signed to it and the letter expressed his desire and intention. This letter, which was so long delayed, might have changed the events which followed, had it been delivered sooner; but as it stands it is proof that Clark sought to join the French and suggested a plan which he thought workable. This letter reads:-

My country has proved notoriously ungrateful for my services and so forgetful of those successful and almost unexampled enterprises which gave it the whole of its territory on this side of the great mountains as in this way in my very prime of life to have neglected me. And yet although I feel I shall never resent.

Out of Kentucky, Cumberland, the settlement on Holston, the Wabash, and the Illinois, I can (by name alone) raise 1500 brave men or thereabouts - and the French at St. Louis and throughout

1. Conway, Moore Daniel, Life of Thomas Paine, 2 Vols., New York, Vol. II (1892), p. 155.

the rest of Louisiana, together with the American Spanish subjects at Natchez would, I am sure of it (for they all know me) flock to my Standard. These last would amount to at least as many more. With the first 1500 alone, I can take the whole of Louisiana for France. I would begin at St. Louis, a rich and large and populous town - and by placing only two or three frigates in the Mississippi's mouth (to guard against Spanish succours) I would engage to subdue New Orleans, and the rest of Louisiana. If further aided, I would recapture Pensacola, and if Santa Fe and the rest of New Mexico were objects - I know their strength and every avenue leading to them, for conquest. For our pay and gratifications in land (as we abandon our own here) we shall confide in the justice and generosity of the great nation we shall serve, after our labours are over. To save Congress a rupture with Spain, on our accounts, we must first expatriate ourselves and become French citizens. This is our intention.¹

George Rogers Clark was anxious to aid France. His resentment at the neglect of payment for services during the Revolution, his belief that the Westerners would follow him, and his confidence in the French for pay and land all caused him to be ready to offer his services in the French enterprise which had been planned before Genet set foot on American soil. What would be the attitude of Kentuckians to this scheme?

1. "Correspondence of Clark and Genet," American Historical Association Report, Vol. I (1896), pp. 967, 971.

CHAPTER II

GENET AND GEORGE ROGERS CLARK

CHAPTER II

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Into this United States, where the outburst of sympathy for France was so overwhelming, where the French of Louisiana who had been given over to Spain in the secret treaty of 1763 had never lost hope of being reunited to their mother country, and where anti-Federalists were finding all manner of fault with Washington's administration, came Charles Edmond Genet, called back to Paris from St. Petersburg to the ministerial post in America. The progress of the French Revolution had been followed with a great interest in the United States, where the doctrine of Liberty and Equality was sure to find a friendly reception.¹ The outbreak of the French Revolution, and the general European war that came with it, brought to a crisis the question of securing an understanding with Great Britain. "The popular disposition in the United States was to support a war against England regardless of American condition to maintain it. The alliance with France concluded in 1778, called for American aid in case France should be attacked by her enemies, and the French

1. Channing, Edward, History of the United States, 6 Vols., New York, Macmillan Company, Vol. IV (1929), p. 126.

Republic interpreted the war as such an attack."¹ Earlier, Frenchmen by the hundreds had given their help to the struggling colonies and now Frenchmen looked to America to repay some of these obligations and did not doubt for one moment that the American people would fully and actively respond.² Nowhere outside France and Louisiana was the doctrine of the French Revolution more sure of a friendly reception than in the United States, and here was to be found the answer to her colonial expansion program. It was at one time planned that Genet should convey the royal family to the United States, thus preventing their execution.³ However, Louis XVI was never to see America; his death upon the scaffold on January 17, 1793, ended Genet's responsibility in this particular.

On January 13, 1793, the Minister of Foreign Affairs informed Jefferson that Ternant, the French representative at Philadelphia, had asked to be relieved and that "Citizen Genet, who takes his place, unites to a long experience of public affairs, a patriotism of

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1. Paxton, Frederick L., The History of the American Frontier, Boston, Houghton Mifflin Company (1924), p. 80.
 2. Channing, Op. Cit., p. 127.
 3. Turner, F. J., "Genet's Attack on Louisiana and the Floridas," American Historical Review, Vol. III (1898), p. 656; Parton, James, Life of Thomas Jefferson, Boston, Houghton Mifflin Company (1874), p. 462.

the purest sort and the advantage of being especially acquainted with the friendly and fraternal disposition of the French Republic towards the United States. Considering the repeated proofs which he has given in several important missions of the soundness of his principles and character, I have not the slightest doubt that he will make himself agreeable to the government of the United States and help in tightening bonds too long neglected between the two nations whose principles and interests present a most perfect analogy."¹

His instructions - both secret and open - required personality as well as cleverness and intelligence. Genet was openly instructed to strengthen in the Americans those principles which had caused them to ally themselves with France in 1778. He was to enforce the existing treaties and "to prevent any arming of privateers in American ports except on behalf of the French Nation" and to prevent also the reception in those ports of any prizes "except those captured by the Republic" - two definite mandates which greatly influenced his subsequent behavior in America.

He was also to negotiate a new treaty, "a national pact in which the two nations should amalgamate their

1. Minnigerode, Meade, Jefferson Friend of France, New York, G. Putnam's Sons, (1928), p. 140.

commercial and political interests, and establish an intimate cooperation in order to assist in every way the extension of the Kingdom of Liberty, guarantee the sovereignty of nations and punish the Powers that still cling to an exclusive colonial (commercial) system." This compact it was urged would contribute to "the freeing of Spanish America, the opening of the navigation of the Mississippi to the inhabitants of Kentucky, the deliverance of our ancient brothers of Louisiana from the tyrannical yoke of Spain, and in addition, possibly, the adding of the beautiful star of Canada to the American constellation."¹ Genet was secretly told that he should lose no time in waiting for the American Government to make up its mind, for he was "to take all steps compatible with his position in order to foster the growth of principles of liberty and independence in Louisiana and in other American provinces bordering on the United States."²

Genet was instructed what to do in the event war was declared on England, as it was on February 1, 1793. He was to convince Americans it was to their interest to

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1. "Genet's Instructions," Report American Historical Association, 1896, Washington, Government Printing Office, Vol. I (1897), pp. 957, 960.
 2. Turner, F. J., "Genet's Attack on Louisiana and the Floridas," American Historical Review, Vol. III (1898), pp. 657, 658.

join France in seizing Canada and Nova Scotia from the English and since Congress had earlier wished for the conquest of Canada, Genet was told that he would "find that body disposed to embrace a plan of conquest which would put the finishing touch to American independence. If the United States rise to the occasion and show themselves disposed to cooperate - Citizen Genet will assure them that the French Republic will send a formidable fleet to their shores, and landing forces, the Commanders of which will have orders to combine their operations with those of (American) ships."¹

Ternant, whom Genet was displacing, had been extremely unsatisfactory and even tactless enough to have French dishes carried with him to the house whenever he dined with Mr. Hamilton. Now, Genet was told "to be extremely affable, to see everything, to hear everything, to note everything without affectation, and without panic, to play his diplomatic role at his board, to attract to it cleverly the influential members of the House of Representatives and of the Senate, and never to permit the British Ambassador to serve at his table a brand of Madeira superior to his own."²

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1. "Genet's Instructions," Report American Historical Association, Vol. I (1896), pp. 957, 960.
 2. Minnegerode, Meade, Lives and Times, New York, G. Putnam's Sons, (1925), p. 177.

He had been warned by Lebrun of the coldness of the American character and told to employ indirect methods of approach and to exert every possible influence on American sentiment. He was to avoid "those ridiculous disputes which cluttered up the transactions of the older diplomacy." He was assured he would find zealous cooperation among certain friends in the House of Representatives, and that among the principal executive officials he could place complete confidence in Mr. Washington, Mr. Jefferson and Mr. Madison.¹ He was led to believe Kentuckians would probably second his efforts without compromising Congress. He was accordingly authorized "to keep agents in Kentucky and to send some of them to Louisiana." He was told to make expenditures which he judged necessary for the execution of his project. He was supplied with a stock of blank naval and military commissions (up to the rank of captain) that he might use as he saw fit and was told to use them among Indians, who thought very highly of such documents.²

In other words, Genet's instructions amounted to just this: He was to do all the harm he could to

1. Ibid., pp. 180, 185.

2. "Genet's Instructions," Report American Historical Association, Vol. I (1896), pp. 957, 960.

England and Spain, he was to insist on the strict observance of the existing Franco-American treaties and to negotiate new ones; and he was to do everything in his power to bring volunteers in the United States to assist the French of Louisiana and West Florida to overthrow Spain's rule. In return America was to get territory, power and international influence. This was an extraordinary dream. Genet was expected to carry the banners of Liberty through Canada and the Spanish Americas, just as on the other side of the waters the armies of France were sweeping them across Europe. But long and laborious as his instructions were, they omitted one thing. There was no mention of the name of Alexander Hamilton. Other names, friends, and opponents were mentioned in the instructions, but the French government evidently had not discovered that it was Hamilton who was the power behind the American throne, that Hamilton detested Jefferson, and any partisan of the latter must incur the hostility of the former. These things were not included in Genet's instructions.

There was much to do on a salary of sixty thousand livres a year, with three secretaries and money needed on every hand, but proud of and grateful for this mission, he left Paris on January 23, 1793, and started

for Brest, to embark on the frigate "Embuscade." At the gates of Paris he was stopped and his trunks searched because of a rumor that he had the little Dauphin with him. For a month he was detained at Brest by contrary winds.¹ War was declared on England (February 1, 1793) before he left Brest and on Spain, March 9, 1793, while he was on the high sea.

In the United States, Washington had been unanimously re-elected, but an opposition party was growing up around Jefferson and Madison. Jefferson, as Secretary of State, was trying to settle boundary and commercial questions with the British and Spanish Ministers. Alexander Hamilton, Secretary of the Treasury, seemed to be on the best of terms with the British Minister.² "Hamilton's whole financial system was based on the continuance of peace with England, from which country ninety percent of the imports of the United States came. He believed that if this trade were interrupted financial chaos and political ruin would follow. Therefore, he was willing to sacrifice almost anybody or anything for peace with England."³ On the other hand, Kentuckians were demanding

1. Minnegerode, *Op. Cit.*, p. 186.

2. Latane, John Halladay, *American Foreign Policy*, New York, Doubleday and Doran Company, (1928), p. 76.

3. *Ibid.*, p. 77.

aid against Indian hostilities and threatening to secede if they were not given free navigation of the Mississippi.¹ Republicans were singing the Marseillaise, cutting their hair a la Brutus, putting up Liberty caps on poles, wearing tri-colored cockades in their hats and calling each other "Citizen" and their ladies "Citess."² And behind all this was the personal duel across the cabinet table between Jefferson and Hamilton, masquerading, as it were, for France and England.

The great question now facing Washington and his Cabinet was: Should the treaties of 1778 with France be upheld? There were two of these - one a treaty of alliance in which the territorial integrity of the contracting countries was guaranteed; the other, a pact of amity and commerce, whereby among other clauses, each nation might take into the ports of the other, prizes captured by its privateers, whereas, the captures made by the privateers of the other nations were forbidden entry.³ In April of 1793, Jefferson wrote to Madison that he favored neutrality although

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1. Butler, Op. Cit., p. 221.
 2. McMasters, J. B., History of the United States, 8 Vols., (From New York Mercury, January 22, 1793), D. Appleton and Company, Vol. II (1914), pp. 94, 95.
 3. Malloy, William M., Treaties and Conventions of the United States, 2 Vols., Washington, Government Printing Office, Vol. I (1910), pp. 479, 483.

it might "prove a disagreeable pill to our friends."¹ There was no difference of opinion as to the desirability of neutrality; there was the disputation as to whether or not the treaty with France had come to an end with the destruction of the Bourbon Monarchy. Jefferson was willing to look upon it as suspended, until the French Government should make some categorical demand upon the United States and then there would be ample time for the statement as to the duties and obligations of American citizens.² It might be well to leave England in doubt as to our attitude toward France and thus force her to make concessions not only in the matter of neutral trade, but also in the adjustment of many outstanding disputes such as the retention of posts in the northwest.³

Hamilton argued that the treaty had been made with the king of France, and the king being dead, the agreement had come to an end.⁴ Jefferson felt that the French treaties should be binding under whatever government the French people set up "for the treaties between the United States and France were not between the United

1. Ford, Op. Cit., Vol. V., p. 57.

2. Channing, Op. Cit., Vol. V., p. 128.

3. Ford, Op. Cit., Vol. VII., p. 421.

4. Hamilton, J. C., Writings of Alexander Hamilton, 7 Vols., Boston, Houghton Mifflin Company, Vol. IV (1879), pp. 362, 382.

States and Louis Capet, but between the two nations of America and France, and the nations remaining in existence, though both of them have since changed their forms of government, the treaties are not annulled by these changes."¹ Worried and harried by his two hostile counselors, Washington called his Cabinet, and at the meeting on April 19, 1793, it was unanimously agreed to issue a proclamation which was signed on April 22, 1793, fourteen days after Genet had arrived at Charleston, but before he had presented his credentials and been officially received by the United States Government.²

Washington's proclamation stated that it was expedient to remind the people that we were in a state of peace with all belligerent powers; that in that state it was our duty neither to aid nor to injure any. He warned them against acts which might contravene this duty and particularly those of positive hostility, for the punishment of which the laws would be appealed to; and to put them on guard also as to the risks they would run, if they should carry articles of contraband to any.³ The word "neutrality" was not used, but the proclamation

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1. Ford, Op. Cit., pp. 284, 285.
 2. Channing, Op. Cit., Vol. IV, p. 129.
 3. American State Papers, Foreign Relations, Vol. I, p. 140. Sparks, Jared, Writings of George Washington, 12 Vols., Boston, American Stationer Company, Vol. X (1834-36), pp. 535, 536.

implied a stricter neutrality than most nations had previously observed. The question now arose: had Washington, as President, any authority to declare the nation neutral? Expressly, the Constitution gave him no such power. He could negotiate and recommend treaties, but could not make them; to give them vitality required a two-thirds vote of the Senate. It was contended that a treaty so approved became a law, and that the President had no constitutional power either to make or abrogate a law. There was an existing treaty with France, and Madison, "the father of the Constitution" was clearly of the opinion that the President had no power to declare the French treaty inoperative.¹ The proclamation could not actually be enforced until Congress passed a neutrality act in 1794.

With the appearance of the proclamation, the storm broke! This had seemed inevitable to Jefferson from the beginning. Madison, then in Virginia, wrote that the proclamation "wounds the national honor by seeming to disregard the stipulated duties to France and wounds the popular feeling by a seeming indifference to the cause of liberty."²

1. Hunt, G., Editor, Writings of James Madison, 9 Vols., New York, G. Putnam's Sons, Vol. VI (1900), pp. 138, 188.
2. Ibid., Vol. I, pp. 580, 583.

Large masses opposed this proclamation.

Rioting was imminent at the very seat of the government,¹ and as for the National Gazette - edited by Jefferson's assistant, Freneau, it roared at Mr. Washington:

Had you, Sir, before you ventured to issue a proclamation which appears to have given much uneasiness, consulted the general sentiments of your fellow citizens, you would have found them, from one extremity to the other, firmly attached to the cause of France. You would not have found them so far divested of the feelings of men as to treat with 'impartiality' and 'equal friendship' those tigers who so lately deluged our country with the blood of thousands, and the men who generously flew to her rescue and became her deliverers.²

And into such an America - full of public dissension, Charles Edmond Genet, after forty-eight days at sea, arrived on the "Embuscade" with her thirty-six guns and galleries decorated with the emblems of the French Republic. On April 8, 1793, he set foot at Charleston, for although it had originally been his intention to proceed to Philadelphia, contrary winds and the rumor of two British frigates, had turned him aside to the southern port. He was a young man of great

1. Turner, F. J., "Genet's Attack on Louisiana," American Historical Review, Vol. III (1898), p. 664.
2. Minnigerode, Meade, Op. Cit., p. 174.

culture, and of long diplomatic experience, an admirer of American freedom, impatient, hot headed and arrogant - exactly thirty years and three months old - maybe an adventurer, but not a fool.¹

Genet's arrival at Charleston was announced in the papers of Philadelphia alongside the proclamation of neutrality.² "When the proclamation reached Charleston it had already been violated a dozen times."³ The enthusiasm with which the people received Genet was just another evidence of their disfavor to the neutrality proclamation. The excitement followed and preceded Genet everywhere, and of course extended into Republican Kentucky.⁴

Genet went ashore at Charleston amid a din of guns and bells and was received with great cordiality by Governor Moultrie, by Mr. Izard, who had known his father at Paris, and by the French Consul, Mangourit.⁵ From them he learned that the government would probably

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1. Parton, James, Life of Thomas Jefferson, Boston, Houghton, (1874), pp. 470, 473.
Bowers, Claude, Jefferson and Hamilton, New York, Houghton Mifflin (1925), pp. 217, 218.
 2. American Daily Advertiser, April 22, 1793, quoted in McMaster, J. B., History of the People of the United States, D. Appleton and Company, Vol. II (1914), p. 98.
 3. Ibid., p. 99.
 4. Bodley, Op. Cit., Vol. I, p. 313.
 5. Minnigerode, Meade, Jefferson Friend of France, p. 230.

declare neutrality - which it did in just about two weeks - but that the people were generally opposed to the government's policy.

Genet informed Lebrun in his first dispatch that Moultrie had rendered all the good offices in his power, permitting him to arm privateers, and furnishing him useful information on various parts of his instructions. Moultrie, he said, favored combined action of the United States and France and was impressed by the advantage that the freedom of Louisiana would afford in checking the Indian attacks instigated by Spain, and in the opening of the Mississippi. Mangourit impressed upon him that France would weaken Spain by such an expedition, but the substantial advantages would go to the United States.¹

In ten days Genet manned two privateers, saw the "Embuscade" start on her raiding voyage to Philadelphia, and left Mangourit ready to condemn any prizes that came under the new Admiralty authority vested in him.

No wonder, then, that Philadelphia was bubbling over with excitement as Genet left Charleston, April 18, 1793. He chose a northern route,² which would take him through farming land, where the people were none too

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1. Turner, F. J., "Genet's Attack on Louisiana and the Floridas," American Historical Review, Vol. III (1898), p. 657.
 2. Latane, Op. Cit., p. 85.

well satisfied with the Federalist party in power. The route would lead him to the section where the population was disturbed over the unpopular excise laws, and where he might find an opportunity to purchase grain for the French colonies. Everyone awaited his arrival in Philadelphia and the officers of the "Embussade" had agreed to fire three shots in confirmation of the event.¹ Genet arrived on May 16, 1793, and a large crowd cheered him through the streets to the City Tavern. Then followed the formal welcome. "Resolutions were prepared at the home of Charles Biddle and were adopted enthusiastically at an immense meeting in the State House yard. "Ca Ira!" rang everywhere. "Long live the French Republic and damnation to its foes."² The next day he was waited on by deputations of prominent citizens and on May 18, he presented his credentials to Jefferson who took him to the President.³ "When Genet called on Jefferson, he was cordially received, but there was a drop in temperature when he presented his credentials to Washington, whose sober and restrained manner seemed reserved to the Frenchman after the reception of the people."⁴

1. Bowers, Claude, Jefferson and Hamilton, Houghton Mifflin Company, New York (1925), pp. 217, 219.
2. Bowers, Op. Cit., p. 220, from Autobiography of Charles Biddle, p. 251.
3. Ford, Op. Cit., Vol. III, pp. 226, 243.
4. Bowers, Op. Cit., p. 220.

Genet wrote to Lebrun on May 20, 1793,

"Until now Washington has been depicted as friendly to France, simple, popular, the enemy of show. You have known Lafayette, well, you have known Washington sic . He is extremely reserved, that is because of his hypocrisy; he is easy to approach, but in reality he is haughty. His settled expression is always half smiling, he caresses you, but he is then thinking of deceiving you; he has been persuaded that that was political art; in front of people he always has his hat in his hand, that was one of Lafayette's tricks; but in spite of all external grimaces one can easily guess his policy."¹ Genet did not like Washington; he did not trust him to be of any aid in helping France, for from the first he alienated the President. He found Washington cold and impassive.² One of the first things he did at Philadelphia after the feasting and banqueting subsided was to send blank letters of marque to Ternant to be distributed to ship owners, although in order to safeguard the present neutrality it seemed more proper that the commanders should be Frenchmen and the vessels should declare themselves merchantmen. Genet

1. Minnigerode, Jefferson Friend of France, pp. 209, 210.

2. Turner, Op. Cit., p. 665.

stated, "As long as the States, assembled in Congress shall not have determined that this solemn (treaty) engagement shall not be performed, no one has the right to shackle our operations and to annul their effect."¹

All during May, Genet was busy at work trying to get some privateers, trying to get Mr. Hamilton to pay part of the two million dollar debt, and maintaining that since the treaties forbade the enemies of France to fit out raiders in American ports the permission for France to do so was obviously intended, and that if French privateers were allowed to bring their prizes into American harbors they might convert such prizes into war ships and commission them in American ports to go out and attack British commerce.² Jefferson, however, wrote to Genet (June 17, 1793):

None of the engagements in our treaties stipulate this permission. The XVIIth article of that of commerce, permits the armed vessels of either party, to enter ports of the other, and to depart with their prizes freely; but the entry of an armed vessel into a port, is one act; the equipping of a vessel in that port, arming her, manning her, is a different one, and not engaged in by any article of the Treaty.³

Strict neutrality having been determined as the

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1. Minnigerode, Jefferson Friend of France, p. 208.
 2. Latane, Op. Cit., p. 84.
 3. Ford, Op. Cit., Vol. VII, p. 398.

national policy, Jefferson vigorously upheld it in his official correspondence with Genet. However, the American Secretary of State seemed secretly to encourage Genet's proposed attack against Spanish Louisiana; and Genet believed Jefferson, as a man, not in his official position, was the friend of France.¹ But Genet was not certain that Jefferson was the friend of France without measure. He wrote Lebrun in June, 1793, that "In spite of dazzling popularity which surrounds me, I encounter innumerable obstacles. Aristocracy has put forth deep roots here."² Jefferson was insisting that French privateers must leave American waters, and must not send their prizes back to American ports. And the President was ordering the arrest of American citizens caught in arms under the French flag. Genet appealed to Jefferson for the release of such men and wrote him on June 10: "Knowing of no positive law or treaty which prohibits such conduct to Americans and authorizing American officers to arbitrarily seize sailors in the service of France aboard their own vessels, I ask your interference - to obtain the immediate release of those men who have

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1. Fish, Carl, American Diplomacy, New York, Holt and Company (1915), p. 100.
 2. Minnigerode, Jefferson Friend of France, p. 222.

acquired - by act of engaging in the service of the Republic prior to any prohibition, the rights of French, if they have forfeited those of American citizens."¹ Genet found Jefferson in his official mood exceedingly disturbing; as the Secretary of State, he seemed to talk in platitudes, but as a friend, Jefferson seemed to be an ally of France. Jefferson admitted the validity of French treaties but interpreted them in a way that annoyed Genet. He spoke of America's affection for France, but talked to the British Minister about how neutral America intended to be. Genet was up in arms against a neutrality that ignored his treaties. He didn't care how neutral America was just as long as American ports were available to French privateers and prizes, for until Congress, and Congress alone said otherwise, that was the law. He was determined that neither Washington nor Jefferson nor anyone else could erase a treaty and the trouble that England might make with America was no affair of his. His duty was to carry out his instructions and toward that idea he exerted every effort.² Meanwhile, he had received George Rogers Clark's

1. Minnegerode, Op. Cit., Jefferson Friend of France, pp. 223, 225.

Turner, F. J., "The Origin of Genet's Attack on Louisiana," American Historical Review, Vol. III (1898), p. 665.

2. McMasters, Op. Cit., Vol. II, pp. 106, 108.

letter written on February 3, 1793, expressing his sympathy for France in her struggle "against almost all the despots of Europe," and suggesting that the overthrow of the French Republic might lead its victorious enemies to destroy ours. He had asked for the assistance of two or three frigates at the mouth of the Mississippi to prevent aid to the Spaniards, and three thousand pounds sterling expenses.¹ Long before this letter was written, the French Ministry at Paris had been advised to secure General Clark's services in the contemplated movement to liberate Louisiana.² Genet was anxious to see Clark's wishes gratified.

Just a few days after Genet's arrival at Philadelphia, he received two memoirs from Andrew Michaux, an ardent republican and one who was already in the pay of the French government. Michaux was a devoted botanist, interested in studying every phase of this vital subject. Early in 1793, he had undertaken a most difficult expedition to Canada and the Arctic regions near the Hudson Bay. Upon his return, he proposed to the American Philosophical Society at

1. "Letter of Clark to French Minister," American Historical Association Report, Government Printing Office, 1897, Vol. I (1896), pp. 967, 971.
2. Turner, F. J., "Genet's Attack on Louisiana and the Floridas," American Historical Review, Vol. III (1898), p. 661.

Philadelphia an exploration of the Great West by way of the Missouri River. A subscription was begun for this purpose and Jefferson drafted him detailed instructions for the journey, but his services were needed in another direction and the Missouri exploration was abandoned for a political mission under Genet.¹

Jefferson knew that the French Minister planned to send Andrew Michaux into Kentucky, because Genet had asked him to give Michaux a letter of introduction to Isaac Shelby, Governor of Kentucky. On June 28, 1793, Jefferson wrote a letter of introduction for Michaux, stated that he was a citizen of the French Republic who had been in the United States for several years and that he was a "man of science and merit and goes to Kentucky in pursuit of objects of natural history and botany to augment the literary acquirements of the two republics." He also noted that "Mr. Genet, the Minister of France here had expressed his esteem for Mr. Michaux and good opinion of him and his wish that he should be known to you."²

1. Ibid., p. 666.

2. "Correspondence of Clark and Genet," American Historical Report, 1896, pp. 984, 985; also (Jefferson's Minute of Correspondence with Genet), Jefferson's Papers, fourth Series, Vol. III, No. 84.

That Jefferson might have had reason to suspect that Michaux's mission was not entirely in the interest of science is indicated by his letter to Colonel James Monroe on the same date (June 28):

I do not augur well the mode of conduct of the new French Minister; I fear he will enlarge the evils of those disaffected in this country. I am doing everything in my power to moderate the impetuosity of his movements, and to destroy the dangerous opinions which have been excited in him that the people of the United States shall disavow the acts of their Government and that he has an appeal from the Executive to Congress, and both to the people.¹

Genet's dissatisfaction with Jefferson's strictly formal letter of introduction for Michaux indicated even more clearly the political importance of the latter's mission. According to Jefferson's own account:

Genet had about a fortnight ago sent me a communication for Michaux as Consul of France at Kentucky. I told him this could not be given, that it was only in ports of the United States they were entitled to consuls and that if France should have a consul at Kentucky, England And Spain would soon demand the same and we should have all our interior filled with foreign agents. He acquiesced and asked me to return the commission and his note which I did; but he desired that I

1. Randall, H. S., *Life of Thomas Jefferson*, 3 Vols., New York, Derby, 1858, Vol. I, p. 152.

would give Michaux a letter of introduction to Shelby. I sent him one a day or two later (June 28). He now observes to me that in the letter I speak of him only as a person of botanical and natural pursuits, but that he wished the government to view him as something more - as a French citizen possessing his confidence. I took it back and wrote another.¹

The second letter said Michaux possessed Genet's good opinion so that on that basis, too, he was worthy of Shelby's "notice and good offices." Jefferson wrote, "his character here persuades me (Jefferson) that they will be worthily bestowed on him and that your further knowledge of him will justify the liberty I take in making him known to you."² On June 24, 1793, Senator Brown from Kentucky had written an introduction to Shelby and to George Rogers Clark for Michaux. The letter simply referred to Michaux "as a man of science going to Kentucky to carry on botanical studies."³

Finally on July 5, 1793, Genet disclosed to Jefferson practically his whole plan for the mission to Kentucky. He read him two addresses intended for the people of Louisiana and of Canada and his instructions

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1. Sawvel, F. B., Anas of Thomas Jefferson, New York, Round Table Press (1903), pp. 130, 131.
 2. Minnigerode, Meade, Jefferson Friend of France, p. 255. Minnigerode quotes this letter from Jefferson's Private Papers. Other authorities state that this second letter has never been found. - Charles Kerr, History of Kentucky, p. 324.
 3. "Letter of Brown to Clark," American Historical Association Report, Vol. I (1896), pp. 982, 983.

to Michaux. He told Jefferson that the Kentuckians were anxious to enlist their support against the Spaniards and spoke of two generals (Clark and Logan) there who had offered to take New Orleans if they were furnished with 3000 livres. Genet told Jefferson that he declined to advance it (L 3000) but proposed that the officers should be commissioned by him and that he would send the money to Kentucky later. Genet told Jefferson that when Louisiana should be conquered, it was to be erected into an independent state bound by commercial treaties to the United States and France.¹ Genet made it plain that he was giving this information to Jefferson as an individual and not as Secretary of State.² According to Jefferson, he told Genet at this interview "leaving out that article (violation of neutrality) I did not care what insurrection should be excited in Louisiana" but "that enticing officers and soldiers from Kentucky to go against Spain was really putting a halter around their necks; for they were surely to be hung if they commenced hostilities against a nation at peace with the United States."³ Genet said,

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1. "Correspondence of Clark and Genet," American Historical Association Report, Vol. I (1896), pp. 982, 983. Memorandum by Jefferson in State Department Archives.
 2. Ford, P. L., Writings of Thomas Jefferson, 10 Vols., New York, G. Putnam's Sons, Vol. IV, p. 6.
 3. "Correspondence of Clark and Genet," American Historical Association Report, Vol. I (1896), p. 981.

according to Jefferson, that these soldiers "shall rendez-vous out of territories of the United States" - probably Genet had Louisiana in mind.¹ Jefferson's own account of Genet's interview shows that Jefferson was close to conniving at violation of neutrality, and his revised letter to Shelby was practically aiding Genet.

Genet's opinion of Jefferson is well shown in a letter sent to Lebrun on August 15, 1793, when he referred to him as "a man endowed with good qualities, but weak enough to sign what he does not think, and to defend officially measures which he condemns in conversation and anonymous writings."² Whatever Genet may have thought about Jefferson's attitude, he started his Kentucky plan.

Michaux, Genet told Clark on July 12, 1793, was coming to Kentucky in charge of the "administration part of this affair."³ His instructions to Michaux read:

We should excite the inhabitants of Kentucky to no more hesitate to themselves but to open with us the mouth of the Mississippi to the commerce of two worlds, and to commence by this act of vigor the

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1. Ford, Op. Cit., Vol. IV, pp. 130, 131.
 2. American Historical Association Report, Vol. I (1896), p. 984. Archives of the Foreign Affairs of the United States, Vol. 38, p. 182.
 3. American Historical Association Report, Vol. I (1896), p. 386.

emancipation of the Spanish Colonies. You will find in General Clark, who is at Louisville and in General Logan, who is not far away, men disposed to undertake everything in the sense that we desire, and it is with them that I instruct you to concert all your plans. General Clark sent me a letter in which he offered to raise a corps of 3000 men and to march to the conquest of Louisiana to establish there the true cult of liberty. He asked me to advance 3000 livres to raise his corps -- His plan is bold -- but before we begin to execute it, it is necessary to assure ourselves of the dispositions of the inhabitants of Kentucky, to establish the efficacy of the personal means of General Clark, to be well assured of the time at which the operation can begin, to determine the bases upon which we shall undertake to break the fetters of New Orleans. All of these points can be clarified only by you on the spot and the last particularly should be the result of conferences with General Clarke and the principal citizens of Kentucky who would sustain the projected enterprise.¹

Genet's instructions said that 3000 livres would be advanced on certain conditions but there was "necessity that the Kentuckians make some contributions."² Genet was a little skeptical about spending money and expected Kentuckians to contribute something to the cause.

Andrew Michaux was coming to Kentucky carrying Genet's reply to General Clark (written on July 12, 1793) and letters of introduction to Shelby written by both

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1. Genet to Michaux, American Historical Association Report, Vol. II (1903), p. 221.
 2. Ibid., p. 986.

John Brown and Thomas Jefferson and a letter to Clark from Brown. Michaux's Journal reveals one important fact: he was first of all a botanist, chiefly devoted to the cause of science; and for each page telling of the Louisiana plot, we find three with the names of rare plants and new trees that interested him on his journey to meet the American General. This journal makes one think that the political matter was only of minor consequence to him.

Michaux wrote, "on July 15, 1793, I took leave of Citizen Genet, Minister of the Republic of France to the United States, and started from Philadelphia on the same date at ten o'clock at night to avoid the great heat and to travel by moonlight. The 16th, being in company with Humeau and Le Blanc, we journeyed 35 miles." Humeau and Le Blanc were agents for Genet. Le Blanc was a citizen of New Orleans well affected to the French Revolution cause. He was to have been mayor in New Orleans when the city should fall into the hands of the revolutionists.

Michaux's journal proves he "reached Lexington on September 5, 1793, after having traveled twenty-seven miles." This was "the chief town amongst the settlements of the State of Kentucky. We passed a small settlement,

looked upon as a town, called Paris, the Capital of Bourbon County. It contained about 18 houses." On September 6, Michaux stated he visited "two persons residing in Lexington for whom I had letters of introduction" and on the 11th he visited Benjamin Logan whose house was situated twelve miles from Danville. Michaux "confided to him Logan the Commission entrusted to me; he told me he would be delighted to take part in the enterprise, but that he had received a letter a few days previously from John Brown which informed him that negotiations had been begun between the U. S. and the Spaniards respecting the navigation of the Mississippi¹ and the Creek Indians; that a messenger had been sent to Madrid and that anyone of the U. S. that would venture to act in a hostile manner against the Spaniards before the return of the first of December next, would be disapproved by the Federal Government; that he was going to start the following day for his establishment of Bullskin Creek and that after I should have conferred with General Clarke, he hoped the latter would in consequence of what I should communicate to him, make arrangements for further

1. Brown refers to the embassy of Carmichael, and the negotiations entered into by him and Pinckney, the Minister at Madrid, that ultimately led to the treaty of 1795.

conferences together."¹ Logan was, next to Clarke, the best known person in Kentucky and had been chosen by Genet as second in command of the expedition.

On September 17, Michaux saw Clark in Louisville and gave him his commission and Genet's letter. Clark's commission named him as "Commander of the Independent and Revolutionary Legion of the Mississippi." Genet's letter, brought by Michaux, said Genet expected to obtain for Clark the rank of "Major General in the French Armies" at some later date, and that "for our fellow citizens of Louisiana, we will let them enjoy the benefits of liberty which their brothers and friends are about to give them. It is you, General, that is confided the management of this honorable mission."² According to the Commission, Clark was to be in complete charge of the military organization, appointing officers, etc. He was to be able to grant a Commission which would follow this form:-

To Henry Lindsay; Know you that by special confidence reposed in your courage, ability, and good conduct and fidelity, and by the power invested in me by the Minister of France, do appoint you Captain in the Second Battalion of the Second Regiment, to serve the expedition designed against the

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1. Thwaites, R. G., "Journal of Andrew Michaux," Early Western Travels, 32 Vols., Cleveland, A. H. Clarke Company, Vol. I (1904), pp. 27, 104.
 2. Genet to Clark, American Historical Association Report, Vol. I (1896), p. 986.

Spaniards of Louisiana and the Floridas
by the order of Citizen Genet, Minister
Plenipotentiary of the French Republic.
All persons whom it may concern are
requested to pay due attention to you as
such. Given under my hand at Louisville,
January 1794, the second year of the
French Republic one and indivisible.¹

According to Michaux, Clark was very eager for the undertaking, although he had long since thought the plan had been abandoned since he had written so long ago and had not received any answer. Michaux "told him that his letter of February 3, 1793, had fallen into other hands and the Minister had received it only directly after his arrival in Philadelphia."² Michaux returned to Louisville on September 19, and on September 21, received Clark's answer that he would lead the expedition against Louisiana.³ Michaux was busy in Kentucky during September, October, and November, but in November he was followed by four other French agents: - DePauw, LaChaise, Mathurin and Gignaux who were supposed to do what they could to arm Kentuckians against the Spaniards. (That Gignaux was working in the capacity of a spy for Spain will be shown later.)⁴

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1. Ibid., pp. 1033-34.
 2. Michaux to Clark, American Historical Association Report, (1896), pp. 1007, 1009.
 3. Clark to Michaux, American Historical Association Report, (1896), pp. 1007, 1009.
 4. McMaster, Op. Cit., Vol. II, p. 142;
Marshall, Humphrey, History of Kentucky, Vol. II, p. 96.

Clark's earlier letter of February 5, 1793, had told Genet exactly what he thought he could do, but on October 3, 1793, Clark again wrote "On the 17th of September past, I had the honour of receiving by the hand of Mr. Micheaux your letter of July 12, in answer of mine Feb. 3 past. I find, Sir, that you have abetted all my propositions and also have appointed Citizen Micheaux, Political Agent for the intended Expedition. I am happy in this appointment as I have the highest idea of Mr. Micheaux's abilities and integrity." Clark told Genet he could have before this time executed his first project, that of getting complete possession of the Mississippi, if Genet had received his letter earlier. "I find," he continued, "it an impossibility of keeping this project a secret" and added that he hoped Genet "will continue to cherish that confidence, and support me and you will ere long hear of a flame kindled in the Mississippi that will not be early extinguished." Clark realized that he was undertaking a highly dangerous thing, for he added "I find that I shall have to be very circumspect in my conduct while in this country and guard against doing anything that would injure the United States or give offense to their government, but in a few days after setting sail we shall be out of their government. I

shall then be at liberty to give full scope to the authority of the commission you did me the honour to send. You also mentioned that you would write to the Minister of Foreign Affairs to obtain me more effective credentials" It would seem that the matter of transportation worried him for he stated "Boats are the first object (a few Hundred dollars will do to commence that business) without them we can do nothing. Had we one or two now ready we could vex the enemy in less than four weeks."¹

From this letter there is no doubt that Clark was exaggerating somewhat, that he was anxious to get Genet to support him, and that he himself did not want to deliberately do something which in his own mind he considered going against the United States Government. On this same night, October 3, 1793, then, Clark wrote to Michaux enclosing a copy of the letter he had just written to Genet, and saying:

Since you left I find we can get as many men as we please, but it will be out of our power to keep the design a secret - it is generally known already, but I don't know that that will damage the Cause much. I think the first thing to be done is to prepare Boats and provisions and this before we attempt to raise men. We can get them anytime.

1. Clark to Genet, American Historical Report, Vol. I (1896), p. 1026.

The bearer of this Letter, Captain Sullivan, has proposed to superintend the building of the Boats and purchasing of provisions. He is a good hand for this business - it will be necessary for just appropriation of the money to commence with, about \$200 may do at first. If you can advance him that sum he will begin the business immediately. I hope you can get what money you want at Lexington - without it our Scheams sic may be Ruined.¹

During the whole month of October the correspondence between Michaux and Clark continued. Clark wanted to get started, Michaux was unable to raise the money as fast as he had expected and each wanted the other to begin action. On October 7, 1793, Michaux wrote to Clark addressing him as "G. R. Clark, Major General in Army of the French Republic" and again as "General G. R. Clark - Brigadier Major General, Louisville, Kentucky." These two titles were pasted on the letter below the date line and his letter informed Clark that he had done nothing of much importance since leaving him but "I inquired for money of many merchants at Lexington and they propose to me as much as they could give me at the time. Mr. Brown was very much informed of our affairs. He desired it could be effected." And then on October 10, Michaux again wrote to Clark from Danville saying some merchants of Lexington

1. Clark to Michaux, American Historical Report, Vol. I (1896), p. 1013.

had promised to advance something for the expedition, but "as they are obliged to furnish for the march of the Army (Wayne's), I must not depend on a large sum immediately and in order to prevent that difficulty I shall be in the necessity to have recourse to Philadelphia."¹ Money was what they needed to get started and nothing much could be accomplished without it. On October 15, 1793, Clark informed Michaux, "I wish for two Brass field pieces, three pomiders and one or two small motors or Howitzer Balls, shells, etc. Could you not get Mr. Genet or some confidential person to bring these out this winter?"²

Two days later on October 17, 1793, Clark appointed Sullivan to build some boats for the expedition and wrote him "to be exceedingly careful to keep regular Vouchers for your Transactions for the defraying of which you will at necessary periods receive the money from myself or Mr. Michaux. What I wish to be immediately done is to erect a yard at some convenient place on Bear Grass (Creek in Louisville) for the building of such boats as I shall direct."³ He inclosed dimensions for

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1. Michaux to Clark, American Historical Association Report, Vol. I (1896), pp. 1020, 1037.
 2. Clark to Michaux, American Historical Association Report, Vol. I (1896), p. 1013.
 3. Ibid., p. 1015.

the two boats and said he wanted them "strongly built in the best manner."

Clarke seemed optimistic and satisfied that money would be forthcoming and was only anxious to get the whole thing under way. On October 25, 1793, he wrote again to Genet outlining his plans:

Our affairs wear a glorious aspect at present except that article, the procuring of sufficient sic sum in this country is doubtful - perhaps enough to commence the business may be got for the building of Boats which is the first object. Within five or six weeks they may be finished (if we can procure the money) and immediately proceed to the post of New Madrid being certain of a number of men sufficient sic to reduce that place, from thence to St. Louis, the Capital of the upper Cuntry sic - we shall then descend the River, the Cuntry sic of Natches sic will fall into our hands and we shall then determine in what manner to invest N. Orleans; if that place cannot be reduced we shall act accordingly to the circumstances and probably direct our course towards the frontiers of N. Mexico which is not the distance as is generally supposed.¹

All during the month of October, Genet, Clark, and Michaux were busy laying plans, trying to get money and build boats and every move they made was reported to the American Government. This they knew and as Clark

1. Clark to Genet, American Historical Association Report (1896), p. 1016.

said he knew it was "impossible to keep his plan secret,"¹ but what they did not know was that every activity was also reported to the Spanish authorities in New Orleans by James Wilkinson, now a Brigadier General in the United States Army and since 1787 a paid spy for Spain and by Gignaux, a supposedly French agent sent by Genet to Kentucky in November.² On October 1, 1793, Gignaux wrote to the Ambassador of Spain to the United States and told of the whole plan:

The interest I take in the colony of Louisiana makes me take decision of making known to you the project formed by Sieur Genet, Ambassador of France to the United States of America and to designate the persons chosen for its execution:-

I have the honor of naming to you Sieurs LaChaisse, Charles Depeau, native of Holland, long established in New Orleans, and Sieur Mathurin, a master carpenter - are the three men chosen and invested with authority for the expedition which aims at nothing else than the destruction and devastation of the property that reigns here.

Sieur Mathurin, the carpenter, is to build carriages for the transportation of artillery, which are to serve also to set fire to the vessels in different parts of the country. LaChaise had the greatest desire of taking me with him.

1. Ibid., p. 1009.

2. Minnigerode, Jefferson Friend of France, p. 215.

I have communicated the project to persons of merit who have strongly urged me to follow him everywhere and to undo his abominable plots.¹

Gignaux followed Michaux into Kentucky with LaChaise on October 3, 1793. He was most anxious to have a letter from the Spanish authorities stating that in this letter of October 1, he has exposed the whole plot and added that "without this letter which can alone prove, that far from having entered into such a plot, I have exposed it by letter which I have signed and delivered into your hands, I declare that I will not set out, as I can not expose myself to being treated as an accomplice to such rascals."²

These last three months of 1793, were busy ones for all concerned - each working toward his own end certain that he would achieve success, certain that his actions were right. Clark had little trouble in securing agents, for his papers show several letters written to him offering services. John Montgomery, who was later put in charge of the preparations in the Cumberland Region of Tennessee, wrote on October 26, 1793, stating that he has heard Clark had accepted a commission from the National Assembly of France and expressing his

1. American State Papers Foreign Relations, Vol. 26, p. 455.
2. American Historical Association Report, Vol. I (1896), p. 1002.

willingness to embark into this business "provided I could be honored with a Command under you." He added that "I have taken the privilege sic to acquaint you that I have collected the sentiments of a number of the principal inhabitants of this country relative to the matter, and find that it will be in my power to raise several hundreds for your Service in a very short period."¹ John Montgomery sent this letter to Clark by a Mr. McCallum who asked Montgomery to mention the fact that he (McCallum) was planning to make a hunt on the Ohio and if Clark would have any prospects of wanting provisions in any short time McCallum would be willing to convert all of his hunt over to his service. Montgomery suggested that Clark use several old veteran soldiers who would be exceedingly serviceable in raising and disciplining troops.²

Clark had a fairly well organized plan by the end of 1793. Samuel Fulton was the agent over the entire state, Charles DePauw was in charge of affairs at Danville, Captain Sullivan was superintending the building of boats, and John Montgomery was in charge of the Cumberland region in Tennessee. Michaux was still

1. Montgomery to Clark, American Historical Association Report, Vol. I (1896), p. 1018.
2. Ibid., p. 1019.

doing what he could, visiting among the leading Kentucky citizens, trying to get money to finance the expedition and keeping a diary filled mostly with notations about rare botanical specimens. Michaux told Colonel George Nicholas that "the naval forces of the French Republic should seize the mouth of the Mississippi, declare that the Country belonged to them by the right of Conquest and invite the Americans of the Western Country to take advantage of the freedom of the navigation. Then if the Spaniards situated higher up the river molested the Vessels, carrying the provisions conveyed by the Americans, the latter would have the right to repel constraint and force by force. Thus, the Spanish Government would have no reason to complain of the United States having broken through inasmuch as the country would be reputed in the possession of the French Republic."¹ The remarks really had no suggestion as to a direct Kentucky expedition except as one might develop to dislodge Spaniards from declared French Territory, but Nicholas must have known of the preparations being made by Clark at this very time.

1. Thwaites, Op. Cit., pp. 44, 45.

Clark was doing everything in his power and the French agents were losing no opportunity to get this whole idea before the frontiersmen. Early in December, Depauw¹ had requested that John Bradford publish the "Address to the Citizens of Louisiana" in his paper, "The Kentucky Gazette" and Bradford had refused, telling him in a letter written from Lexington on December 19, 1793, that the Address declares "that the Republicans of the Western Country are ready (to go down) the Ohio and Mississippi" and that this statement will not be published in his paper. Bradford seems to be cautious about such a publication for he says "I think if it were published it would excite opposition in the Executive of this State to the measure."²

That the various agents of Clark and of Genet were at work there is no doubt and that several Kentuckians were giving them aid is an established fact, but that the whole idea was a rather hazy one to men with influence is also evident. These leaders were cautious; they wanted to avoid a clash with the government. However, they felt they were acting within their

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1. Charles Delpeau alias Depauw, American Historical Association Report, Vol. I (1896), p. 1002.
 2. American Historical Association Report, Vol. I (1896), p. 1023.

rights and for the welfare of the West. A letter of Benjamin Logan to General Clark on December 31, 1793, is probably typical:

It appears to be the general opinion that the interest of this Country requires that a spirited enterprise be undertaken against the Spanish posts on the Mississippi in order to carry this business into effect, I have once more offered my feeble aid, knowing you are honored with a Commission from the Minister of France and he is to be at the head of the business undertaken. This expedition appears to be something in the dark, and I expect will remain so until the return of Mr. Michaux. I have had the pleasure to be in the company of Mr. LaChaise, who in my opinion had the appearance of a gentleman and informs me he intends to see you in a few days. You will please to favour me with a line on this business. I have taken my leave of appointments in this State of the United States and I presume I am at liberty to go to any foreign country I please and intend so to do.¹

The new year, 1794, brought increased vigor to General Clark and his two chief assistants, DePauw and Fulton. During the month of January, Fulton was traveling over the entire state getting what provisions he could, but DePauw was not working as fast as Clark hoped, for in February Clark wrote him "the hope that you would not have long to tarry as we should soon move down the river"²

1. Logan to Clark, American Historical Association Report, Vol. I (1896), pp. 1033-34.
2. "Correspondence of Clark and Genet," American Historical Association Report, Fulton's account, Vol. I (1896), p. 1064.

and then in March dispatched a letter to Fulton in Central Kentucky to "examine in what state provisions that DePauw had purchased for the Republic of France was in and to endeavor to secure a quantity."¹ On March 18th Fulton wrote to DePauw telling him "By General Clark's Desire I called on you to see what State your provisions is which you have purchased for the Republic of France. Your not ben being at Hos House disappointed me. I will cal sic on you tomorrow pray stay Home that I may see you."² Fulton sent Clark word on March 21, 1794, that the "provisions were not as large as our Expectations," but said they had "15,000 pounds of bacon, 20 barrels of flour, and 600 pounds of lard. A certain William Thompson has about 4000 barrels of flour and 1000 pounds of bacon collected. As soon as the river is passable all will be floated down the Kentucky River to your headquarters at Louisville."³ Clark had been worried about Michaux's inactivity and Fulton adds "General LaChaise thinks it heedless to go to Philadelphia as Citizen Michaux is not Dead but is to be back in Kentucky from Philadelphia by April 15."⁴

1. Fulton to Fouchet, Ibid., p. 1064.

2. Fulton to DePauw, (March 18, 1794), Ibid., p. 1046.

3. Fulton to Clark, Ibid., p. 1051.

4. Ibid.

John Montgomery, in charge of preparations in the Cumberland Region of Tennessee, informed Clark that he had "19,000 to 20,000 pounds of beef, 11,000 pounds of Bear meat and 70 to 74 pairs of venison hams, some beef tongues, one large flat bottomed boat, four pirogues, 500 bushel of corn and 10,000 pounds of pork."¹ Mr. McCallum, about whom Montgomery had written earlier had probably gotten the bear meat, for he had promised to give Clark whatever he secured.²

Clark was certain that he had popular support and had never made a point of strong secrecy. Since October, he had known it was impossible to keep the whole thing still, and had ceased trying. With no thought, then, of secret intrigue, but with an ideal at stake which he considered deserved popular support, Clark issued a proclamation which was first published in the Cincinnati Centinel of the Northwestern Territory, on January 24, 1794, and republished in The Kentucky Gazette on February 8, 1794. This extraordinary declaration read thus:

George Rogers Clark, Major General in the armies of France and Commander-in-Chief of the French Revolutionary Legions on the Mississippi River:-

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1. Montgomery to Clark, American Historical Association Report, Vol. I (1896), p. 1034.
 2. McCallum to Clark, Ibid., pp. 1018, 1019.

Proposals

"For raising volunteers for the reduction of Spanish posts on the Mississippi, for opening the trade of the said river and giving freedom to its inhabitants:-

"All persons serving the expedition to be entitled to one thousand acres of land - those that engage for one year will be entitled to two thousand acres, if they serve two years or during the present war with France, they will have three thousand acres of any unappropriated Land that may be conquered - the officers in proportion to pay as other French troops. All lawful PLUNDER to be equally divided agreeable to the custom of WAR. All necessaries will be provided for the enterprise, and every precaution taken to cause the return of those who wish to quit the service as comfortable as possible and a reasonable number of days allowed them to return at the expiration of which time their pay will cease. All persons will be commissioned agreeable to the number of men they bring into the field. Those that serve the expedition, will have their choice of receiving their lands or one Dollar per day."¹

George Rogers Clark

Clark had never the slightest worry about being able to get men if he had money, munitions and food and he expected this proclamation to bring him all the volunteers he needed. He had planned to start moving troops by February 20, and only awaited instructions - those instructions which turned out to be so different from the ones he anticipated.

1. Kentucky Gazette, February 8, 1794.

At all events, Kentucky was causing the Federal Government concern. Jefferson was becoming more and more disgusted with Genet, and since July, when the brig, "Petite Democrate" (ex "Little Sarah") had been armed and put to sea, Jefferson's friendliness toward Genet was not so marked. Jefferson had put himself into an embarrassing position when merchants had requested Governor Mifflin to call out the militia to prevent the departure of this vessel whose identity was an open "secret." After Governor Mifflin had sent his secretary, Alexander Dallas, of the Democratic Society, to interview Genet, who refused to countermand the brig's departure, Jefferson told Hamilton and Knox, as they were sitting in the Cabinet making decisions in the absence of Washington, that he would talk to Genet. Hamilton and Knox both urged that guns be mounted on Mud Island to sink the "Petite Democrate" if she sailed in defiance of the proclamation. Jefferson had asked Genet not to send out the ship until after the President's return to Philadelphia. He replied "that he doubted if she would be ready to sail before Washington got back to Mount Vernon."¹ Jefferson was apparently satisfied with Genet's statement, but was surprised a few days later to learn that the ship's name had been

1. Minnigerode, Meade, Lives and Times, pp. 190, 192.

changed to "Cornelia" and she had sailed out to sea.¹

Jefferson was displeased. His affection toward the French cause was not great enough to cause him to be the laughing stock of the Cabinet nor great enough to have American neutrality jeopardized. His attitude toward Genet was rapidly changing from a friendliness to an uneasiness and in July 1793, he wrote to Madison that "Never, in my opinion was so calamitous appointment made as that of the present Minister of France here. He is hot headed, all imagination, no judgment, passionate, disrespectful, and even indecent towards the President in his written and verbal communications."²

Affairs in Kentucky added to his great concern, too, for even before Michaux arrived in Kentucky word had been received that this was the place volunteers were to be enlisted. The government knew of Genet's instructions and as early as August 29, 1793, Jefferson wrote to Governor Shelby warning him against permitting such an enterprise to be started. The letter reads: -

Sir:

The Commissioners of Spain residing here have complained to the President of the United States, that certain persons

1. McMasters, Op. Cit., Vol. II, pp. 112, 113.
2. Minnigerode, Meade, Lives and Times, p. 194.

at this place are taking measures to excite the inhabitants of Kentucky to join in the enterprise against the Spanish dominions on the Mississippi; and in evidence of it, have produced the printed address now inclosed. I have it therefore in charge from the President to desire you to be particularly attentive to any attempts of this kind among the citizens of Kentucky, and if you shall have reason to believe any such enterprize meditated, that you put them on their guard against the consequence, as attacks of hostility committed by them on nations at peace with the Union States are forbidden by the laws and will expose them to punishment, and that in the event you take those legal measures which shall be necessary to prevent any such enterprise.

In addition to considerations respecting the peace of the general union - the special interests of the State of Kentucky would be particularly committed as nothing could be more inauspicious to them than such a movement, at the very moment when those interests are under negotiation between Spain and the United States.

With the greatest respect and esteem
Thomas Jefferson¹

What was happening in Kentucky was becoming a national issue, but Kentuckians were to continue with their preparations - true individualists, certain that theirs was a just cause and that they could obtain for themselves those rights that the Federal Government had too long promised.

1. Kentucky Gazette, July 1794. (Sent with message to Congress on May 10, 1794)

Isaac Shelby lost no time in answering Jefferson's letter of August 29, and on October 5, 1793, he wrote Jefferson assuring him that the Federal Government need have no fear that persons were taking measure to excite Kentuckians against the Spanish dominions on the Mississippi. He believed "it is my duty to take this early opportunity to assure you that I shall be particularly attentive to prevent none such contemplations in this State. The citizens of Kentucky possess too just a sense of the obligations they owe the general government to embark to any enterprize that would be so injurious to these United States."¹

Now Michaux had been in Kentucky almost a month. He had letters of introduction to Shelby, had dined with him during September, but Shelby wrote as if he knew nothing of the real reason for his being there. However, Jefferson was better informed than Shelby pretended to be, for on November 9, 1793, again Jefferson wrote to Shelby telling him what a great number of Kentuckians already knew. He informed Shelby that on October 2, 1793, four Frenchmen, LaChaise, Charles Delpeau, Mathurin and Gignaux had set out in a stage from Philadelphia for

1. Kentucky Gazette, July 19, 1794.

Kentucky. Jefferson told Shelby that these men were authorized by the Minister of France to excite and engage as many as they could, whether it was American citizens or others on the road or within the state of Kentucky or anywhere else, to undertake an expedition against the Spanish settlements and to descend the Ohio and Mississippi and attack New Orleans where they expected some naval cooperation. Jefferson said that these men had money for this purpose and were furnished with blank commissions to be filled out at their discretion. He enclosed a description of the four and insisted that Shelby watch for them and stop all their activities. He added "Having laid this information before the President of the United States, I have it from him to desire your particular attention that they may not be permitted to excite within our territories or carry from thence any hostilities into the territory of Spain. For this purpose it is more desirable that those peaceable means of coercion should be used which have been provided by the laws; such as binding to the good behavior these, or any other persons exciting or engaging in these unlawful enterprises, indicting them or resorting to such other legal processes, as those learned laws of the State may advise. Where those fail or are inadequate, suppression by the Militia of the

State has been ordered and practiced in the other States."¹

Jefferson was not only warning Shelby but was suggesting ways and means that he could prohibit any such performances by citizens of Kentucky. Jefferson said that he hoped the Kentuckians would not be decoyed into any participation in illegal enterprizes in order to get the navigation of the Mississippi and added that "their good sense will tell them that it is not to be effected by half measures of this kind, and that their surest dependence is on those regular measures which are pursuing and will be pursued by the general government, and which flow from the united authority of all the States."²

But still Governor Shelby seemed to think there was nothing to be concerned about over Kentucky's helping in the said expedition. Even after Jefferson's second warning on November 6, 1793, which was accompanied by a letter of warning from General Knox, Secretary of War, telling Shelby to take effective military steps, he seemed to be little impressed.³ Knox wrote "I am authorized by the President of the United States to request your excellency will use effectual military force

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1. Marshall, History of Kentucky, Vol. II (1824), p. 90.
Kentucky Gazette, July 19, 1794.
 2. Kentucky Gazette, July 14, 1794.
 3. Marshall, Op. Cit., Vol. II, p. 96.

to prevent the execution of the plan of said Frenchman, or any other persons who may support or abet their design for the lawful expenses of which the United States will be responsible.¹

Shelby received letters from both Augustus LaChaise and Charles DePeau written on November 25, 1793.²

LaChaise's letter shows only that he is trying to contact Shelby; any actual discussion as to what he hopes Shelby will do for him is evidently to be reserved for the interview he requests.

Shelby answered LaChaise's letter on November 28, only three days after he had received it. He told LaChaise that he understood he had been dispatched to Kentucky to go on an expedition of the Mississippi and that "reports had reached you that I have positive orders to arrest all citizens that engage in that enterprise."³ Then Shelby quotes LaChaise the exact text of Jefferson's warning, namely "that legal measures must be taken to prevent such an enterprise."⁴ To LaChaise, Shelby simply makes the statement and in no manner encourages him to think that he will do anything other than he has been advised by the Federal Government.

1. American State Papers, Foreign Relations, Vol. I, p. 458. (Note - the letters of Jefferson and Knox were sent together to Shelby.)
2. Marshall, Op. Cit., pp. 99, 100.
3. Butler, History of Kentucky, p. 233.
4. Ibid.

However, his associate, DePauw, who had been in Central Kentucky at Clark's orders collecting provisions, was open in communicating his designs to Governor Shelby. He was in Kentucky to get provisions for the Clarke Enterprize and wanted to know if Shelby would arrest him if he carried out his instructions. He wrote:-

It may appear quite strange to write to you on a subject in which although it is of some consequence with confidence from the French Ambassador, I have been dispatched with more Frenchmen to join the expedition of the Mississippi, as I am to procure the provision, I am happy to communicate to you, whatever you shall think worthy of my notice, as I hope I have in no way disoblged you; if I have, I will most willingly ask your pardon. For nobody can be more than I am, willing for your prosperity and happiness. As some strange report has reached my ears that your excellence has positive orders to arrest all citizens inclining to our assistance, and as my remembrance know by your conduct, in justice you will satisfy in my uncommon request. Please let me know as I shall not make my supply till your excellence to honor me with a small answer.
P.S. Please to participate some of these hand bills to that noble society of Democrats. I also inclose a paper from Pittsburg.¹

DePauw was either presumptuous, egotistical or reasonably certain of Shelby's attitude, or this last

1. Collins, Richard, History of Kentucky, 2 Vols., Covington (1874), Vol. I, pp. 278, 279.

would not have been added.

Shelby was also advised by General Wayne, commanding the United States troops in the Northwest Territory, for on January 6, 1794, General Wayne wrote Shelby offering to bring troops to Lexington to stop the French enterprise. He said he had given orders to "the commanding officer of the cavalry stationed between Georgetown and Lexington in your State, directing him to receive and obey your excellency's orders should you find occasion for their services in suppressing the design mentioned. Should the force now offered by deemed insufficient, or should more be wanted, it shall not be withheld, upon this interesting occasion; notwithstanding our proximity to the combined force of hostile Indians."¹

This letter of Wayne's was due to information he had received some time earlier from St. Clair, Governor of the Northwest Territory. On December 7, 1793, Governor St. Clair, had issued his proclamation calling on the people within his jurisdiction northwest of the Ohio to refrain from aiding the French enterprise. Two days later, December 9, 1793, St. Clair wrote to Wayne and informed him "A letter from the Secretary of

1. Marshall, Op. Cit., p. 100.
American State Papers, Vol. I, p. 438.

War announces the design of certain Frenchmen to engage in some Military expedition against possessions of Spain on the Mississippi to set out from Kentucky -- I have informed Shelby of it; in order that he might take such measures to prevent it as he judged proper."¹

Governor Shelby was tired of so much interference before he had decided what to do. In a letter dated January 13, 1794, written to Randolph, who was now Secretary of State instead of Jefferson, Shelby said he refused to do anything about the business unless specific steps should be outlined to him. He explained his position by saying:

I have great doubts even if they do attempt to carry their plan into execution (provided they manage their business with prudence) whether there is any legal authority to restrain or punish them, at least before they have actually accomplished it. For if it is lawful for any one citizen of this state to leave it, it is equally so for any number of them to do it. It is lawful also for them to carry with them any quantity of provisions, arms, and ammunition, and if the act is lawful in itself, there is nothing but the particular intention with which it is done that can possibly make it unlawful, but I know of no law which inflicts a punishment on intention only. What would be sufficient evidence of that intention if it was a proper subject of legal censure?

1. Marshall, Op. Cit., p. 102;
Collins, Op. Cit., Vol. II, pp. 112, 113.

I shall upon all occasions be averse to the exercise of any power which I do not consider myself as being clearly and explicitly invested with, much less would I assume power to exercise it against men who I consider friends and brethren, in favor of a man whom I view as an enemy and tyrant. I shall also feel but little inclination to take part in punishing or restraining any actions of my fellow citizens for such supposed intention only to gratify or remove the fears of the minister of a prince who openly withholds from us our invaluable right and who secretly instigates against us as a most savage enemy.

But, whatever may be my private opinion as a man, as a friend to liberty, an American citizen and an inhabitant of the Western waters, I shall at all times hold it as my duty to perform whatever may be constitutionally required of me as Governor of Kentucky by the President of the United States.

Isaac Shelby¹

Shelby then, about a month later, on February 10, 1794, wrote to Wayne declining his offer of Federal Troops and informed him "There is not the smallest possibility that such an enterprise will be attempted" - even if there were the State Militia would be "able and willing to stop violation of the laws of the United States."² Perhaps he was sincere in doubting that it would ever

1. Kentucky Gazette, July 19, 1794.

2. Butler, Op. Cit., p. 524.

materialize. Perhaps he believed Washington's administration had too long tarried over the all important issue of the Mississippi and he believed Kentuckians were being treated unjustly. However, as Governor, he would execute any plans outlined to him but they must be specific.

Randolph's reply on March 29, 1794, to Shelby was full of sarcasm. He felt certain Shelby could put a stop to the whole thing since Kentucky laws were not much different from the laws of other states. He had little patience with the Governor's private viewpoint for he wrote,

I can not, therefore, doubt that when your excellency shall revise this subject, you will come to the conclusion, that the resentments which you profess as a private man, a friend of liberty, an American citizen and an inhabitant of the western waters, ought not to interfere with your duty as Governor of Kentucky; and that on the other hand, the contemplation of those several characters under which you have considered yourself ought to produce a compliance with those measures which the President of the United States has consigned to your discretion and execution.¹

Randolph referred to the efforts the United States was making to negotiate with Spain on the opening of the Mississippi and closed with

1. American State Papers, Foreign Relations, Vol. I, p. 456.

Let this communication then be received, Sir, as a warning against the dangers, to which these unauthorized schemes of war may expose the United States and particularly the State of Kentucky.¹

Judging from Randolph's reply to Shelby, the Federal Government must have been given a painful surprise when Isaac Shelby wrote the letter of January 13, 1794. Yet they had no alternative but to believe that Governor Shelby was unaware of the dangerous combination at work in Kentucky. The War Department now took matters into its own hands and ordered General Wayne to garrison Fort Massac on the lower Ohio and thus cut off any expedition which should attempt to start down the Ohio.² The Federal Government had already heard of the detachment which had started from the Cumberland Region and the Secretary of War's orders were grave and explicit. Wayne was charged to stop the expedition at all hazards. He was told to try to persuade the leaders of such an expedition to go back; but if persuasion failed he was to use every military means at his command.³

What developments might have come in this situation is only a matter of imagination, if Governor Shelby and

1. American State Papers, Foreign Relations, Vol. I, p. 457.
2. Marshall, Op. Cit., p. 117.
3. American State Papers, Foreign Relations, Vol. I, pp. 458, 459.

the Federal Government had both not been relieved of the problem. Utter condemnation of Genet's measures had produced his recall and caused the utter defeat and dismay of his agents.

The only actual movement of troops took place during March, 1794, and was composed of a detachment from the Cumberland Region which had floated down to join Clark. Governor Blount of Tennessee Territory issued a warning, "Should these inconsiderate persons actually carry their scheme as far as to make any attempt to involve the United States in a general war they lay themselves liable to heavy pains and penalties, both pecuniary and corporal, in case they ever return to their injured Country."¹

Regardless of Governor Blount's warning, this party passed down the Cumberland to its mouth in the hopes of joining Clark.² But this Cumberland party soon got into trouble. After they had constructed a fort at the mouth of the Cumberland, they had nothing to do but wait and while they waited "they determined to stop and detain and plunder all boats that should be

1. American Historical Association Report, Vol. I (1896), p. 1037.
2. Ibid., pp. 1039, 1062, 1071, 1072. (One person said there were twenty-one in this group; the Spaniards said there were 200; Clark in his statement of expenses to the French Government said he paid a captain, a lieutenant and 100 men at the mouth of the Cumberland \$1,346 for three months' services.)

found passing the river."¹ Eventually the men became listless because of inactivity, and began to drift apart. A remnant was scattered by the detachment of General Wayne's army which then fortified Fort Massac further down the river. This was done to prevent further trouble.² Conditions, however, were considered sufficiently serious by Washington and his Cabinet to call for the issuing of the Neutrality Proclamation of March 24, 1794, denouncing the mad attempts of Kentuckians. The President declared,

Whereas, I have received information that certain persons in violation of the laws have presumed, under colour of a foreign authority, to enlist citizens of the United States and others within the State of Kentucky, and have there assembled an armed force for the invading and plundering the territories of a nation at peace with the United States and

Whereas, such unwarranted measures, being contrary to the laws of the nations and to the duties incumbent on every citizen of the United States, tend to disturb the tranquility of the same and to involve them in the calamities of the war, I have therefore thought proper to issue this Proclamation hereby solemnly warning every person not authorized by laws, against enlisting any citizen or citizens of the United States, or levying

1. American Historical Association Report, Vol. I (1896), pp. 1071, 1072.
2. Roosevelt, Theodore, Winning of the West, 6 Vols., Boston, G. Putnam Sons (1896), Vol. IV, p. 184.

troops or assembling any persons within the United States, for the purposes aforesaid, or providing in any manner to the execution thereof, as they will answer the same at their peril; and I do also admonish and require all citizens to refrain from enlisting, enrolling or assembling themselves for such unlawful purposes, and from being in any wise concerned, aiding or abetting therein, as they tender their own welfare, in as much as all lawful means will be strictly put in execution for securing obedience to the laws, and for punishing such dangerous and daring violations thereof.¹

The part that Isaac Shelby played as Governor of the Commonwealth is worthy of further comment. When the Neutrality Law of June 5, 1794 was passed declaring "any person entering the service of a foreign state or enlisting others should on conviction be liable to a fine of \$100 and three years imprisonment,"² Kentuckians then knew if they disobeyed such an act, definite proceedings would be taken against them. Until such a law had been passed, Shelby declared that he thought his course justifiable. On November 15, 1794, he explained,

The subject became serious and required the most attentive consideration, for although I felt no apprehension that the intended expedition could be carried into effect, yet, I entertained too high a sense of the obligation due to the general government to refuse

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1. Richardson, James D., Messages and Papers of the Presidents, 10 Vols., Government Printing Office (1896-99), Vol. I, p. 157; Kentucky Gazette, May 3, 1794.
 2. Fish, Op. Cit., pp. 105, 106.

the expression of any powers with which I was not clearly invested. After the most careful examination of the subject, I was doubtful whether under the constitution and laws of my country, I possessed powers so extensive as those I was called upon to exercise. From the necessity of passing that law (the Neutrality Law) I infer that my doubts as to the criminality were well founded, and until the passage of that law the offense had not been disclosed nor punishment defined.¹

Whatever Shelby's real purpose was in handling this affair, he succeeded in making the Federal Government realize the extent to which Kentuckians might go to get what they believed was rightfully theirs.

The expedition against Louisiana had been definitely given up by Fouchet, Genet's successor, who had been received by Washington, February 22, 1794. Fouchet had stopped all wheels of activity on March 6, 1794, when he publicly denounced Clark's expedition. His proclamation read:

In the name of the French Republic

Every Frenchman is forbid to violate the neutrality of the United States and commissions or authorizations tending to infringe that Neutrality are revoked and are to be returned to the agents of the French Republic.²

1. Butler, Op. Cit., pp. 525, 526.

2. Kentucky Gazette, May 10, 1794.

The real dangers of the French scheme had passed away before the Federal Government took energetic steps, but Fouchet's proclamation did not make the Government less conscious of the unsettled opinion of the West, and it was announcing a policy on such future attempts as well as definitely stopping the present scheme.

George Rogers Clark's expedition was doomed. Abandoned by the French Minister and denounced by the United States, the leaders ceased further activities. On April 20, 1794, Clark told Fulton "to countermand all orders that have been issued."¹ Now came the difficult task of trying to untangle the whole scheme of events which had been going on for over six months. Everybody who had put money into the scheme wanted to be reimbursed. Clark had not waited for the French Government to give him the money for this undertaking, for so great had been his faith that he had used his own private funds with the expectation of being repaid. Even before the whole affair had been called off, John Montgomery was worried about the amount of provisions and ammunitions he had purchased in the region of Cumberland and wrote Clark in January 1794

1. "Correspondence of Clark and Genet," Clark to Fulton, American Historical Association Report, Vol. I (1896), p. 1064.

"that these supplies have been purchased on the credit and faith of the French nation with my exertions. I am ruined if neglected."¹

Samuel Fulton became the chief claim agent for Clark and others. On May 26, 1794, he wrote to Fouchet explaining,

With some recommendations from Governor Blount I went forward to Kentucky to join General Clark. I went through the State of Kentucky in order to promote the business and procure such nessecerys sic as we should stand in need of. General Clark and General LaChaise both being without money, I bore my expenses out of my own private purse, not doubting but that the Republic of France would repay such expenses.

His total expenditure which he presented to Fouchet was only \$292.39.² Fulton then went to Philadelphia where he saw Fouchet. On July 22, 1794, he told Clark,

Fouchet says nothing can be done without orders of the National Convention, however if the accounts are collected and sent in a body to the national Convention he thinks they will be paid.

Again on July 26, 1794 Fulton wrote that Fouchet

1. "Correspondence of Clark and Genet," Montgomery to Clark, American Historical Association Report, Vol. I (1896), p. 1034.
2. Ibid., pp. 1067, 1069.

advises me to Draw a Memorial and Present with our demands, we are endeavoring to make a Just Statement as is in our Power, I have McCollam's account, the rest we shall be oblig to gess at. Mr. Fouchet tells me there is no manner of Doubt but we may Renew the expedition by applying to the National Convention and our wish is to get there as soon as possible. I have refused an Appt. in the federal army which was presented me by General Knox.¹

The blind faith of these men refused to see. Clark still thought the abandoned project would be renewed, but he prepared an expense account at Louisville and sent it to Fulton on August 3, 1794. He tabulated the amount of money paid to troops, the amount paid for provisions, boats, cannon, and sundry expenses. This totaled \$4,680.86 2/3. On August 3, 1794, he revised his expense account, making the total \$4805.86 2/3. Over a year later, on October 25, 1795, when Clark was still trying to get this money he had spent, he had the above statement sworn to before the Justice of the Peace, Richard C. Anderson, but records show no evidence of his ever collecting any of this sum.²

That Clark was in need of money and that Fulton was doing everything in his power to get Clark's money

1. Ibid.

2. Ibid., Fulton to Clark, p. 1084.

refunded and the money of other Kentuckians is shown through correspondence. On August 28, 1794, Fulton wrote from Philadelphia that

I have used every means in my power for to induce Mr. Fouchet to Send you some money to releave your amediate wants, and to grant me passage to France and a Small sum of money to Defray my expenses as my needs are great Meeting with a Disappointment the absence of Governor Blount.

Fulton said that he would go to the National Convention

if I could obtain money on no other Terms that I had liberty to Draw on you for one thousand acres of land. If you would accept the bill I was certain that I might be safe in Since Mr. Fouchet had thought fit to write you.¹

Clark probably financed Sam Fulton's trip to France, for he went to Paris to present these bills to the National Convention. From Nantes on November 8, 1794, Fulton wrote Clark

You may rest assured that I shall Do eavery thing in my power to obtain indemne- fycation to you and all those that have suffered by the Disappointment. If we are able to obtain a renuel of the expedition I Shall return early inthe Spring and settle myself somewhere near you.²

1. Ibid., p. 1085.

2. Ibid., p. 1085.

Still Fulton expected a renewal of the expedition for on February 13, 1795, from Paris he wrote,

I do assure you in Confidence that the free navigation of the Mississippi will be obtained either by Sword or by treaty, and I beleave by the former. If so I shall be able to inform you by the next opportunity if the Expedition be renewed I shall amediately Set out for Kentucky. If it is not, it is probable that I shall not be with you before Fall.

Letters continued. Finally on April 12, Fulton told Clark he had succeeded in getting the bills recognized but due to the fact that they were not certified by the French Minister they were never paid.¹

Clark did not seem to be exasperated at the delay in the settlement of his claims. He even continued to believe the expedition might be renewed for on November 2, 1795, he wrote to the Committee of Public Safety that the people still sympathized with France and "no opposition would be made in this quarter that would stop their Career were they again put into motion." He added that "the peculiar situation of Kentucky is such that their only natural Door to Foreign Commerce is the Mississippi. They despair ever getting it opened through

1. Ibid., pp. 1088, 1089.

the mediation of the present American Ministry."¹
However, by April 4, 1796, when Fulton wrote to ask for a draft of \$300, Clark had given up any hope of being reimbursed for he realized conditions in the United States had so changed that a second expedition was out of the question.²

George Rogers Clark's project had failed, partly because of the active opposition of the Federal Government, partly because of Genet's rashness and the failure of the French Government to support the plan with adequate system and financial resources, and partly, no doubt, because Kentuckians, even though their sympathies were with France, were reluctant and conservative about giving contributions sufficient to get the expedition started before Genet's actual recall. The rapid rise and rapid decline of the Democratic Societies showed the fluctuations of Kentucky opinion. The role and significance of these societies will be next considered.

1. Clark to Committee of Public Safety, American Historical Association Report, Vol. I (1896), p. 1086.
2. Ibid., Clark to Fulton, pp. 1086, 1087.

CHAPTER III

THE ROLE OF THE DEMOCRATIC SOCIETIES DURING CLARK'S ENTERPRISE

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Kentuckians had felt the contagion of the political excitement which was being manifested in Europe ever since she entered the union in 1792. There was an attachment from the beginning, to that French cry of "Liberty," for Kentucky had several complaints against the Federal Government which had not been erased when she became a State. Many Kentuckians fought to defend the Northwest and Southwest Territories against the Indians. St. Clair's defeat in 1791 had signalized the failure of the government's efforts to protect the frontier. The frontiersmen felt that not only were they not protected, but that the people of the new-born Western state, had the added heavy burden of the excise tax on distilled liquors. The West was paying taxes on the same basis as the rest of the nation, but the benefits derived from the expenditure of the national funds was not being felt there.¹ The Kentucky people, too, in addition to their broad sentimental attachment for France had an intensified hatred for England, another reason for

1. Connelley, W. E. and Coulter, E. M., History of Kentucky, 5 Vols., Chicago, American Historical Society, Vol. I (1922), p. 318.

desiring to enter into the conflict. "The Spaniards who still held Louisiana and refused to grant to the United States the free navigation of the Mississippi River, were allied with England in the war against France; and it was felt that only by joining with France and crushing this dual league, was there any hope of opening up the natural highway, so essential to the prosperity of the West."¹ Impatience with the Washington administration and deep sympathy with France were the prevalent moods. These sentiments were deepened by a strong anti-Federalist attitude in domestic politics, for most Kentuckians believed that Federalist usurpation was tending to establish an aristocratic government, and endanger the rights of the States.²

To the plain man, Washington's neutrality proclamation was most puzzling. The Government, he was told, had determined to remain neutral in the struggle between Britain and France. He associated the first with tyranny, bloodshed, with Indian massacres; for the latter he felt greatest gratitude. Why was the Government so afraid to offend a power which at that

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1. McElroy, Robert McNutt, Kentucky in the Nation's History, New York, Moffat, Yard and Company (1909), p. 168.
 2. Smith, Z. F., The History of Kentucky, Louisville, Prentice Press (1901), p. 318.

very moment insolently held the American forts in the Northwest and forbade American merchants to trade at its ports? He could not help wishing success to the power that hurled scorn in the face of England.¹

Early in March, 1793, the contagion of French sentiment was manifested in the United States by the establishment of a Democratic Society at Philadelphia patterned after the Jacobin Club in Paris.² "Within a week after Genet entered Philadelphia on May 16, a few shrewd politicians who saw how strong the public feeling was toward France, determined to use it for political purposes. They accordingly made haste to draw up the constitution of the Society. They forbade the words 'Sir' and 'humble servant' to be used in their proceedings and decreed that whoever paid down fifty cents and signed their constitution should be a member. Peter S. Du Ponceau, an officer of the Continental Army and the best known Frenchman in Philadelphia, was secretary and among prominent members was Alexander J. Dallas, Pennsylvania's Secretary of State."³ The Democratic Society at Philadelphia had for its avowed purpose "to help France combat the combined monarchies

1. McMasters, Op. Cit., Vol. II, p. 108.

2. Marshall, Op. Cit., Vol. II, p. 85, appendix.

3. McMasters, Op. Cit., Vol. II, p. 109.

of Europe and to prevent America from next falling prey to these powers."¹ However, "the real object of the society, of which Dallas was the most busy member, was to control the politics of Pennsylvania and to re-elect Governor Mifflin."²

Shortly after its organization, the Democratic Society sent out circulars announcing its purposes and proclaimed itself as "the protectors and patrons of the people's right and liberties; which were in danger from their own government." By the middle of July the mail bags were filled with copies of the constitution of this society addressed to prominent citizens in many counties and towns throughout the nation. A circular accompanied the constitution urging the formation of new societies on the same model. The circular read:-

Any man must see the present crisis is a most interesting one in America. The monarchical confederation in Europe is transcendent in power and unparalleled in iniquity. If France falls then America, the only depository of Liberty will not be long suffered to enjoy peace.³

1. Coulter, E. Merton, "Navigation of the Mississippi," Mississippi Valley Historical Review, Published by Mississippi Valley Historical Association, Vol. XI (1924-25), p. 378.
2. McMasters, Op. Cit., p. 109.
3. Ibid., p. 110. (Taken from Manuscripts of the Society preserved in the Library of the Historical Society of Pennsylvania.)

But foreign dangers were not the only ones which needed attention. "Seeds of doubt had taken root in America and because of these pressing evils subscribers had been led to form 'The Democratic Society of Pennsylvania.'"¹ So active were the members of this first society in spreading their letters that by the end of the summer fifteen states had similar organizations.² They were bitterly opposed to Washington's administration with regard to both foreign and domestic affairs³ for they denounced excise, condemned neutrality, praised Genet, and found fault in general with the Federal government.⁴ Even in the West, however, many upheld the administration of Washington, regardless, of the attacks made upon it.

At the state house in Lexington on Saturday, April 17, 1793, citizens of Richmond, Kentucky, met, discussed, and unanimously voted upon resolutions regarding the President's proclamation of April 22, 1793. Over the protest of a few individuals, the following resolutions were passed:-

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1. McMasters, Op. Cit., p. 110.
 2. Ibid., p. 111.
 3. McElroy, Op. Cit., p. 168.
 4. McMasters, Op. Cit., p. 112.

1. That it is the interest and duty of the United States to conform to the several subsisting treaties, and to maintain a strict neutrality toward the belligerent powers of Europe.
2. That our illustrious fellow citizen, George Washington, to whose eminent services, great talents, and exalted virtues all America pays just tribute, has given an additional proof of his watchful attention to his own duty and the welfare of this country by his Proclamation notifying that these United States are in perfect neutrality with respect to the belligerent powers of Europe and enjoining our citizens to an observance thereof.
3. That it is our duty as well as our interest to conduct ourselves to the principles expressed in the said Proclamation and to use our best endeavors to prevent any infringement of them by others, and we hereby declare it is our firm intention to do so.¹

A committee consisting of J. Marshall, C. Braxton, A. Ronald, J. M. Clarg, A. Campbell, and J. Steele was appointed to draw up an address embodying these resolutions. The resolutions themselves seemed to indicate that these Kentuckians respected Washington's Neutrality Proclamation and expected to obey it to the letter, but they also believed that the existing treaty with France should be obeyed to the letter. In other words, they expected to interpret the proclamation so that they could be said to

1. Kentucky Gazette, October 1, 1793.

be neutral, yet hold to the treaty with France.

When the committee returned, Mr. Marshall read the address which stated:-

1. That the constitution of our country has provided a proper and adequate mode of communication between the United States and foreign nations, or their ministers, whereby the sense of the United States, or any foreign nations on any subjects concerning either may be received.
2. That if at anytime this is abused and the Supreme Executive of these United States should misconstrue treaties, violate laws, or oppose the sense of Union there exists among the people of America without intervention of foreign ministers disconcertment to detect the abuse and ability to correct the mischief.
3. That any communication of foreign ministers on national subjects, with the citizens of the United States or any of them otherwise than through the constituted authority, any interference of a foreign minister without administration, any intrigue of a foreign minister with the political parties of this country would violate the laws and usages of nations, would be a high indignity to the Government of the people of America and would be a great and just cause of alarm as it would be at once a dangerous introduction of foreign influence and might, too, probably, lead to the introduction of foreign gold and foreign armies with their fatal consequences dismemberment and partition.¹

1. Kentucky Gazette, October 1, 1793.

This meeting was obviously a group of Federalists, for arguments in newspapers and disputes in taverns concerning Washington continued and the people became greatly excited.¹

An incident that occurred on August 17, 1793, set off a new outburst of indignation against Spain. An American vessel built on the upper Ohio was captured by the Spanish during her voyage from Philadelphia to New Orleans. The Kentucky Gazette expressed the feeling of the West in stating:-

The pretended exclusive right of Spain to the navigation of the Mississippi is founded on no principle of equity or natural justice. Shall a country of more extent than any of the kingdoms of Europe be debarred of its natural right in sending its produce to the sea because Spain happens to have a small town with a few subjects near the mouth of the Mississippi? Why should Westerners pay a heavy and degraded tribute to a Spanish officer for a license (ever in his power to deny) to proceed to sea with their vessel and produce under the restrictions of making such vessels Spanish bottoms, which subjects them to be seizable by the armed ships of France?²

The conduct of the horde of petty Spanish officials had become more overbearing and exasperating than ever. If a captain got as far as New Orleans with his cargo the

1. McMasters, Op. Cit., p. 120.

2. Kentucky Gazette, October 12, 1793.

whole cargo must be landed on the levee. "When this was done a duty of fifteen per cent was exacted of its full value, the goods forbidden to be sold, and if the captain wished to take them away he must pay another duty of six per cent for leave to re-ship them. In other words, twenty-one per cent was taken by the Spaniards from the value of every piece of American property they suffered to go out of the Mississippi."¹

On August 28, 1793, just eleven days after the seizure of this ship, a Democratic Club was organized at Lexington, Kentucky, for the avowed purpose of asserting the rights of the Western people to navigate the Mississippi River.² John Bradford, editor of the Kentucky Gazette, stated in 1803, "I was not only a member of this society, but the one who proposed its formation and I know that the leading and, I believe, the ostensible object in forming the society was to endeavor to mature some plan to induce the General Government to use their best endeavors to procure the free navigation of the Mississippi River."³

Six days later a meeting was held and the

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1. McMasters, Op. Cit., p. 143. (A description of one of these passes may be seen in American Daily Advertiser, August 24, 1793 - Quoted in McMasters, ibid.)
 2. The seizure of the ship, in all probability, had no relation to the forming of the south for the Kentucky Gazette did not carry the story of the ship's seizure until October 12, 1793.
 3. Innes, MSS., Vol. 19, No. 65-1, Kentucky State Historical Society, Frankfort.

organization completed. This society proceeded to the election of officers and named John Breckinridge, chairman; John Bradford and Robert Todd, vice chairmen; Thomas Todd and Thomas Bodley, clerks; Alexander McGregor, treasurer; and William Murray, James Hughes, James Brown, James Moore, and Robert Todd, a committee of correspondence. A circular letter was prepared and distributed throughout the state calling on the people of various counties to organize similar societies. The circular letter stated that "the people have the exclusive right of framing and altering their forms of Government - and "it behooves the people to watch the conduct of their officers in every department of Government."¹ The letter continued, "The Rights of Man, the principles of a Government formed to protect those rights, and to insure to our fellow citizens our latent posterity, the blessing of freedom and equality, were the objects of our political deliberations; France has since caught that glorious flame." This society at Lexington became known as the Kentucky Democratic Society and was followed before the end of 1793, by two other societies, one at Paris and one at Georgetown.

The society at Paris was organized on October 15,

1. Kentucky Gazette, August 31, 1793.

1793, after a public advertisement was issued telling the citizens of Bourbon County that such a club as the one at Lexington was to be formed. Mr. Isaac Riddle was elected chairman and Mr. John Boyd, clerk.¹

All three societies demanded the opening of the Mississippi in numerous addresses, publications, and resolutions. The right to navigate this river was the subject of passionate declamation in the clubs and violent exposition in papers.² Distrust of the intentions of the federal government was constantly fanned by the members of the Democratic Societies.

Agitation over the Mississippi caused Kentuckians to react favorably to the French scheme against Louisiana, but the primary motive of the societies was to secure the right of the river. Articles in the Gazette, and resolutions of the clubs were permeated with this thought. At the meetings members would go into a committee of the whole and voice their opinions on the all-absorbing question and at intervals pass resolutions directed to the people of the West, to Kentucky, to Congress, to the President. They were clamoring, for example, on November 11,

1. Rules of Organization, Kentucky Gazette, August 31, 1793.
2. Kentucky Gazette, November 2, 1793.

1793, to be relieved of restraint they felt was unbearable. The Lexington Society expressed its belief that the efforts of the Government were too feeble to obtain any settlement and that if something were not done to bring them satisfaction they would have "to use those means to effect it with which we have been furnished by God and Nature." They demanded that they be allowed to go peaceably "with an American bottom properly registered and cleared into the sea through the channel of the Mississippi." They were fighting for the life of their country and, as they repeatedly mentioned, "the posterity of their children."¹

They cried out their grievances again on December 13, 1793, when they formulated another address signed by John Breckinridge, chairman; attested by Thomas Todd and Thomas Bodley, clerks, and entitled "To the Inhabitants of the United States West of the Alleghany and Appalachian Mountains" and printed it for distribution throughout the western country. Here they declared: "This measure is not dictated by party or faction -- it is the consequence of unavoidable necessity. It has become so from the neglect shown by the general Government, to obtain for the citizens interested therein,

1. Kentucky Gazette, May 17, 1794, Appendix.

the navigation of the Mississippi."¹ They believed this right to the outlet of the Mississippi was God-given and must be secured now, not only for themselves, but for their children. "The navigation of the Mississippi was solemnly given and confirmed by Great Britain to the citizens of the United States by the provisional articles entered into at Paris between the two nations."² The address proceeded to say that "more than six years have elapsed since the new Federal Government succeeded the old Confederation and during that time this right has been denied." It stated that repeated memorials had been presented to Congress which had been treated with neglect. "Money is to be taken from us by an odious excise: but the means of our obtaining our just right is denied. In the meantime, our brethren on the eastern waters, possess every advantage which nature or contract has given them." Furthermore they believed the East wished to retard the growth of the West, for the address continued:

It seems the object of that policy to prevent the population of this country, which would draw from the eastern states their industrious citizens. We ought to

1. Kentucky Gazette, May 17, 1794.

2. Innes, MSS., Vol. 19, No. 84, Kentucky State Historical Society, Frankfort.

therefore be on our guard, and watchful to seize the first favorable opportunity to gain our object. In order to do this our union should be perfect and lasting as possible. We propose that societies should be formed in convenient districts in every part of the western country, who shall preserve a correspondence upon this and every other subject of general concern. By means of these societies we shall be enabled to speedily know, what may be the result of our endeavors - to consult upon such further measures as may be necessary to preserve union, and finally by these means to secure success.¹

The whole tone of this address showed hopelessness so far as expecting anything from Philadelphia. Kentuckians felt that the national Government did not recognize the importance of this question to the West. The address intimated that at some future time the inhabitants of the West might look to themselves for relief. However, Bradford stated in 1808, that he was present at practically every meeting of the society and there was "never a proposition made to separate the Western Country from the Federal Government when I was present or that came to my knowledge, or no resolution to separate the Western States from the Eastern States."² The resolutions of December 13, 1793, were only veiled threats and no suggestions of that nature were openly made.

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1. Ibid.
 2. Ibid.

John Breckinridge, the chairman of this meeting, mailed circulars entitled "The Democratic Society's Address," stating:

By means of these societies, we shall be enabled speedily to know what may be the result of our endeavors to consult upon such further measures as may be necessary, to preserve union and finally by these means to secure success. Remember that it is a common cause which ought to unite us, that the cause is undoubtedly just, that ourselves and posterity are interested, that the Crisis is favorable, and that it is only by union that the object can be achieved.¹

The President in his message to Congress on December 5, 1793, stated that the negotiations with Spain should be the subject of a confidential communication. Yet the West was still skeptical. A special section of the Gazette entitled "The Crisis" presented the following commentary:

If ever a free people have been more degraded and insulted or borne degradation and insult with a more submissive patience, than you, ye people of Kentucky! let an example be produced. To search for it in the Government of despots would be fruitless, for though partiality and oppression are there found, yet they are divested of duplicity, and the oppressors and oppressed understand each other. The latter expect what they

1. Marshall, Op. Cit., Vol. II, p. III; Kentucky Gazette, May 10, 1794.

receive and are mortified, or disappointed. To free men, the mortification, and disappointment are exquisite; because having no right to calculate on partiality or oppression, the actual experience of either is intolerable. From the Government you have nothing to even hope. They never did intend - nor will they ever invest you with the right of the Mississippi. Its procurement depends solely upon ourselves. And this my fellow citizens, is the crisis - the critical moment. Louisiana, groaning under oppression and tyranny, is imploring you with uplifted hands. To those remaining veteran patriots, whose footsteps we followed to the distant desert, and who by their blood and toil have converted it into a smiling and delightful country, we now look up. Under your guidance we fought, we bled, and we conquered this country; under your guidance we still wish to fight, and bleed, while any appendage to its complete enjoyment remains to be procured. Strength, courage, and firmness, are now at your service, ready to be directed by your experience and wisdom. Our lives our fortunes we are free to hazard in the attempt -- and so long as we can wield a sword, or raise a shilling, they shall, if you lead the way, be devoted to the procurement of this right.¹

Indeed a crisis was at hand, for if Kentuckians felt keen enough to fight for the Mississippi and to join France against Louisiana, the whole union was menaced. Genet's agents had been in Kentucky since November and they stimulated an already infuriated faction. Dissatisfaction and discord were everywhere.

1. Marshall, Op. Cit., p. 111.

These Westerners were exasperated and meant to deal with the Spaniards themselves. The Democratic Society of Lexington planned to send a test boat down the Mississippi to see what would happen. But they wanted to be sure that such an attempt met the approval of George Muter, Judge of the District Court. On December 31, 1793, the Committee of Correspondence consisting of William Murray, James Hughes, James Brown and James Moore wrote him stating "Enclosed find the Resolution of the Democratic Society on which we are directed to request your sentiments and should you approve it we promise ourselves that you will assist in carrying it into effect." Judge Muter apparently did not favor the project, for the test boat was never sent.¹

When President Washington issued his proclamation to Kentuckians warning them against the violation of neutrality (March 24, 1794), it immediately became the target of ridicule by members of the Democratic Society.

"A Man of Peace" addressed himself to John Bradford and asked:

Can you inform me who could have told the President of the United States that some citizens of this State were assembling for the purpose of plundering them, there is not a man in Kentucky who would not divide

1. Innes, MSS., Vol. 105, Kentucky Historical Society, Frankfort.

with them the half loaf. It can not be the British for you know there is a treaty of peace between us and that nation, and although their allies, the Indians, are cutting our throats every day and carrying off our wives and children and other trifles, and are obliged to take Detroit in their way as they pass and repass, yet how can the British Nation help that? It can not be the Spaniards, for we have a treaty of peace with that nation also. It must be the Greeks! In order to obtain the navigation of this river we should never attack these peaceable people, but should petition Congress. That is the proper channel. State your purpose and situation and appeal to their justice and public spirit. But why be urgent in the business -- has not, in short, everything been done except effecting the very thing itself? If, therefore, Mr. Bradford, the people of the West have got into their heads that they have a right to the navigation of the Mississippi, let them send petitions to Congress in the way I have directed and I do hereby pledge myself to the good people of this country and do venture most positively, that Congress will most certainly on their petitions being presented order them to be READ.¹

Such was the spirit of the members of the Democratic Societies with their tri-colored cockades and their hostility to the Federal Government during the time Clark was planning to proceed against Louisiana. Letters continued. Late in March, the Kentucky Democratic Society sent a list of remonstrances to the members of the

1. Kentucky Gazette, May 17, 1794.

Democratic Society of Washington, Pennsylvania,
and on April 8, 1794, Breckinridge received a reply.
This reply shows the spirit of cooperation which
existed between members of various societies, for
any grievance was a common cause. The reply read:

The Remonstrance drawn up by the
Democratic Society of Kentucky was
laid before the Democratic Society
of this place, by David Bradford,
our Vice President; several members
opposed the adoption of the precise
form, as inapplicable in our respects
to the Washington Democratic Society;
but rather suited to the people of the
Western Country generally, and in one
particular to the members of Kentucky
only - however, the form so presented
was adopted and signed and is to be
sent to the President of the United States
and a duplicate to General William Irvin,
member of the House of Representatives
from this State in order to be laid
before Congress in case the President
should omit laying the one presented him
before that body.¹

These societies were working together. Even though
the list of remonstrances did not directly affect
Washington, Pennsylvania, the spirit of the message did
affect them, for they admitted "we shall be happy to
help you procure and establish both our and your national
and personal Right."²

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1. Innes, MSS., Vol. 103-1, Kentucky State Historical
Society, Frankfort.
 2. Ibid., Vol. 104, No. II.

Activity started with fresh vigor in May 1794, two months after the French abandoned their plans. Kentuckians learned of Genet's recall when LaChaise communicated to the Democratic Society on May 4, 1794, stating "that causes unforeseen put a stop to the march of 2000 brave Kentuckians, who were about to go and put an end to the Spanish despotism on the Mississippi; where Frenchmen and Kentuckians, united under the banners of France, might have made one nation the happiest in the world; so perfect was their sympathy."¹ He tried to console this group, however, by stating that he would make honorable mention of them to the National Convention of France. The Kentucky Democratic Society's answer read "We are not without hopes that the brave and generous republic of France will lose sight of the effecting of the possession of the Mississippi and therefore extend from her bountiful hand, complete happiness to us and to millions unborn."²

LaChaise then took another chance. He would not dismiss the conquest of Louisiana from his mind and on May 19, 1794, he wrote to the Democratic Society stating "even though my mission seems a failure I still have faith in your support. Why should not I have the luck of

1. Ibid., Vol. 88, No. 1.

2. Ibid., Vol. 88, No. 2.

that fanatic priest, whose name I have forgot, who preached in France and other states of Europe for the Conquest of the Holy Land? The inhabitants of Louisiana are assuredly more interesting than that barren country."¹ Such correspondence is indicative of the close contact LaChaise had with the members of this organization. However, the corresponding Committee replied somewhat coldly that "As citizens of Kentucky and a part of the American Union, it would be improper at this period and in our present situation to address the National Convention or the Executive Council of France."² This group was fighting its battle from within the Union and there it meant to stay.

Genet's recall made little difference at their meetings. In fact, no proclamation of Fouchet or Washington carried the same weight with them as did their own proclamations. With fervor they continued! The resolutions adopted at Lexington on May 24, 1794,³ were of violent character, breathing the deepest hostility to the general government and inviting the citizens of various counties to hold meetings and elect delegates to a convention whose object was not

1. Ibid., Vol. 88, No. 1.

2. Ibid., Vol. 19, No. 103-1.

3. Kentucky Gazette, May 31, 1794.

precisely defined other than that of "deliberating on steps which will be most expedient to the attainment of our just rights."¹ Not only was Spain attacked in these resolutions, but they added "the injuries and insults done by Great Britain to Americans, call loudly for redress and we will to the utmost of our abilities support the general government in any attempt to obtain redress."²

The Lexington Society issued an address "To the Inhabitants of Western America." Here the people were again reminded of their grievances and the Mississippi River navigation continued to hold first place. This address declared:-

The time has now come when we ought to relinquish our claim to those blessings proffered by nature, or endeavor to obtain them at every hazard. The principles of our confederation have been totally perverted by our Atlantic brethren. It is a fact, incontestable that they have endeavored to deprive us of all that can be important to us as a people. To you then, the inhabitants of the West - is reserved the display of those virtues, once the pride and boast of America, uncontaminated with Atlantic luxury beyond the reach of European influence, the pampered vultures of commercial countries have not found access to your retreat. Reflect that you may be the glorious instruments in the hands of providence of relieving the galling chains of slavery, your brethren of Louisiana.³

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1. Kentucky Gazette, July 12, 1794.
 2. Ibid.
 3. Innes, MSS., Vol. 103, No. I.
 4. Marshall, Op. Cit., p. 113.

These resolutions were printed on handbills and distributed throughout the state. Here was an idea capable of producing revolutionary results. On June 9, the citizens met again at the State House at Lexington to prepare a list of remonstrances to the President of the United States and to Congress. Great Britain was attacked and Spain was asked to "acknowledge the right of the Citizens of the United States to the free and uninterrupted navigation of the Mississippi."¹ At Paris on June 16, 1794, the Democratic Society appointed Messrs. John Allen, Thomas Jones, James Smith, and Richard Henderson to read the resolutions and if they approved the same, to recommend them to the people, to elect two men in the bounds of every militia company in this county to meet at the court house, thereof, as a county committee agreeable to the 13th Resolution of the Lexington Society.² Meetings were called in other counties, but because of circumstances which followed, nothing much was done and this particular plan must have vanished into thin air.

Whether the Democratic Society gave financial

1. Kentucky Gazette, July 12, 1794.

2. Ibid.

aid to Clark, as well as indirect aid through speeches, addresses, and newspaper articles is not clear. It is doubtful whether this group directly affiliated itself with General Clark and his enterprise, but many active members of the Kentucky Democratic Society were among the subscribers to Clark's expedition. John Breckinridge, according to a report made by Sam Fulton on March 29, 1794, had given six pounds, James Trotter and Andrew Holmes had subscribed ten pounds and fifty pounds of powder, and John Bradford had pledged three pounds. Levi Todd and Thomas Todd had given six and ten pounds respectively.¹ The report prepared for the French Government by Fulton shows that both ammunition and money came from various members of the Society, although no records show that actual subscriptions were made by the Society itself. Clark's letter to Genet on April 28, 1794 (already referred to), asked that he try his utmost to secure money spent by him for the French cause and stated that members of the Democratic Society of Kentucky who had advanced ammunition were anxious to have their money refunded.²

1. American State Papers, Foreign Relations, Vol. I, p. 460.
2. George Rogers Clark to Genet, American Historical Review, Vol. XVIII (1913), pp. 781, 782.

All during the time that George Rogers Clark was making preparations to seize Louisiana, the influence of the Kentucky Democratic Society was undoubtedly felt, but this influence was not great enough to cause Clark's enterprise to succeed. From the beginning, the one aim of the Society was to free the Mississippi. Clark's project was only a means toward an end. In helping Clark to execute his plans, however, the Society failed, for long before Genet was recalled Clark was ready, but there was no money. "That hundreds of Kentuckians did not take down their guns, leave the State and seize every Spanish town along the coast from New Madrid to New Orleans, was due to a lack of what in the language of the West was known as 'Chink'."¹ It is evident that Kentuckians who contributed in the French scheme wanted something definite in return. Those who were willing to fight wanted money or land and the financial contributions counted on by Genet were not forthcoming. The Kentucky Democratic Society's failure to give Clark the money he needed may have been due to several causes. Perhaps the influence of the Federalists and the neutral stand of

1. McMasters, Op. Cit., Vol. II, p. 143.

Washington influenced some. Some, no doubt, realized that France might be a worse neighbor than Spain. Finally the Democratic Society was possibly more interested in attracting attention at Philadelphia and crying out its grievances than in Clark's enterprise, which seemed at all times to attract more attention in the East than it did in the State. Whatever the causes, the Kentucky Democratic Society failed to help Clark. His cause was doomed - but not the enthusiasm of this Society. Their work was to continue for they had actually lost nothing. Their aim and the aim of the French was not the same - theirs was the grievance of the Mississippi and it was still theirs to see through.

CHAPTER IV

THE DEMOCRATIC SOCIETIES AND THEIR ATTITUDE TOWARD THE PINCKNEY AND JAY TREATIES

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In such a welter of intrigue, with Democratic Clubs in their violent publications denouncing the Federal Government, there was imminent danger that the West might relapse into a state of anarchy unless satisfied. In the eyes of many Easterners, Kentuckians were beginning to assume a position scarcely less menacing than that of the French, British, or Spaniards, for with the addresses, resolutions and vigorous expressions of opinions it was evident that something must be done. John Breckinridge, chairman of the Democratic Society at Lexington, was generally responsible for the language of most of the resolutions of the Democratic Society at Lexington and many thought as John Nicholas when he wrote "I must tell you that your old friends to the Eastward condemn you a little for your warmth, while they may approve of your republican disposition."¹

The Anti-Federalist sentiment in Kentucky, which had been so pronounced from the first, was sure to continue as long as the British were allowed to keep

1. Breckinridge, MSS. (1794), July 15, 1794.
Connolly and Coulter, Op. Cit., Vol. I, p. 350.

possession of their military posts in the Northwest, and so long as Spain was permitted to impede the progress of the West by interfering with the free use of the Mississippi River; for just so long might the Federal Government expect unstinted abuse from Kentucky people. These questions concerned her daily life and present safety. Kentucky's estimate of the Federal Government depended in the last analysis upon a solution of her grievances. People in Kentucky believed a satisfactory adjustment of these problems was a pretty fair test of the government's efficiency. England had failed to keep her treaty agreement and Spain felt she had been unfairly dealt with when England and the United States had agreed upon a secret clause in the Treaty of 1783, providing that the Yazoo Creek should be the northern boundary of West Florida in case England should succeed in holding it, but the thirty-first parallel in case West Florida should go to Spain.¹ "His Catholic Majesty was, therefore, in no mood to grant concessions for he still hoped to use his control over the Mississippi River as a lever to cut off the Western settlements from the Union, and to annex

1. Fiske, John, The Critical Period of American History, Houghton Mifflin Company, New York, p. 208.

them to his own vast dominions of America."¹ Of the two matters, the free navigation of the Mississippi was of greater importance to Kentucky and the fact that the federal government found it necessary to arrange matters with England first was exceedingly distasteful. Under the wise management of Genet's successor, Fouchet, French enthusiasm had reawakened and with it had come a more intensified hatred of the British.²

To the indignation aroused by the refusal of the federal government to keep treaty faith with France and by the Federalist partiality to the British, had been added a long list of outrageous British impressments with brutal treatment of the American seaman on the high seas and the confiscation of American ships and cargoes. This was a national problem, however Democratic Societies in Kentucky were too keenly interested in any policy of the federal government not to feel that action of Congress might directly affect the inhabitants of this State. When on March 26, 1794, Congress laid an embargo for thirty days on all vessels in American ports bound for a foreign port and then on

1. McElroy, Op. Cit., p. 186.

2. Ibid.

April 18, extended it to thirty days longer, Kentuckians waited anxiously to see what would happen.¹ "The day after the embargo was laid, Jonathan Dayton of New Jersey moved in Congress to sequester all monies due to the British creditors and apply it towards indemnifying ship owners for losses incurred through the orders of Council. When the debate had gone for several days the discussion was postponed; these resolutions abandoned and a new set brought in. On April 21, Republicans made a resolution to suspend all commercial intercourse with Great Britain until the western posts should be given up and indemnity be paid for the injuries to American commerce in the violation of the rights of neutrals.² These resolutions state:-

Whereas, the injuries which have been suffered, and may be suffered by the United States, from the violations committed by Great Britain on their neutral rights and commercial interests, as well as from her failure to execute the seventh article of the Treaty of Peace, render it expedient, for the interest of the United States, that the commercial intercourses between the two countries should not continue to be carried on in the extent at present allowed.

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1. Butler, Mann, History of the Commonwealth of Kentucky, Wilcox Dickerman and Company (1834), pp. 256, 257.
American State Papers, Foreign Relations, Vol. I, p. 429.
 2. McMasters, Op. Cit., Vol. II, pp. 185, 186.
American Historical Review, MacMillan Company (1901), (1898) Chapter XI.

Resolved, that from and after the first day of November next, all commercial intercourse between the citizens of the United States and the subjects of the King of Great Britain, or the citizens or subjects of any other nation, so far as to the same respects articles of the growth or manufacture of Great Britain or Ireland shall be prohibited.¹

In this crisis, Washington decided to send to England a special envoy. Hamilton had been Washington's first choice, but he had excited bitter enemies and on Hamilton's recommendation Chief Justice John Jay, was nominated on April 16, 1794 for the mission.² Three days later the Senate confirmed the nomination.³ Jay knew the entire history of our relations with Great Britain, for, not only had he been a commissioner at the making of the treaty of 1783, whose violations were to be the subject of the prospective negotiations, but by reason of occupying subsequently for a number of years the office of Secretary of Foreign Affairs, he had been called upon to follow closely the progress of its execution. On the twelfth of May he sailed out of the harbor of New York on the ship "Ohio" and landed the eighth of June at Falmouth.⁴

1. Annals of Congress, April 21, 1794 (Passed April 25, 1794 - Yeas, 58; Nays, 34).
2. Lodge, Henry Cabot, Editor, Works of Hamilton, 5 Vols., Boston, Houghton Mifflin Company (1883), Vol. IV, pp. 282, 300.
3. Latane, Op. Cit., p. 90.
4. McMasters, Op. Cit., Vol. II, p. 188, from American Daily Advertiser, May 14, 1794.

But this was the straw that almost "broke the camel's back." This appointment was to be added to the stack of grievances Kentuckians already knew to be theirs. This was the method used by the federal government when it pretended it was protecting the interests of the West. The indignation over Jay's appointment amounted to a mania in Kentucky. The people were furious, for Jay was the one northeasterner they most detested. They could never forget his attempt in 1789 to barter away their navigation right and concede to Spain for a period of twenty-five years the control of the Mississippi River, in return for certain commercial concessions which would have benefited the Eastern states alone.¹ His appointment was regarded as a direct and deliberate insult from the federal government.²

The Kentucky Gazette helped to arouse a perfect torrent of wrath when it remarked about Jay's appointment:

The late appointment of John Jay as envoy extraordinary to the Court of London, brought so strongly to the recollection of

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1. Fiske, Op. Cit., p. 210.
Dixon, Susan Bullitt, The Missouri Compromise and Its Repeal, Cincinnati, Robert Clarke Company (1899), p. 38.
 2. McElroy, Op. Cit., p. 186.

the people of this country his former iniquitious attempt to barter away their most valuable right that they could not refrain from openly testifying their abhorrence of affairs they consider as tragically ominous. Although they have not forgotten, nor even faintly remembered his former act of treason against them, yet they hoped from the office he filled (Chief Justice of the United States) he was in a harmless situation as he could be placed and that no effort of power or policy could drag him forward so long as he held this office and set him once more to chaffering with our rights.¹

From the moment Jay was dispatched on the mission, Democratic Societies denounced his every action. When Jay wrote home to say that he had been well received in England, he was accused of selling himself for British gold. When it was known that he had kissed the Queen's hand, a shout went up that he had "prostrated at the feet of Majesty, the sovereignty of the people and that he deserved to have his lips blistered to the bone."² He had already failed at treaty making so far as the West was concerned. If he were ready to rob the West of the use of the Mississippi that a treaty might be made with Spain, would he not give up yet greater things that a treaty might be made with England?

1. Kentucky Gazette, May 31, 1794. (This shows how little importance was attached to the office of Chief Justice before the days of John Marshall).
2. McMasters, Op. Cit., p. 213, from New Jersey Advertiser, November 25, 1795.

Jay was considered the natural enemy of the West and burnt in effigy in many cities before it was actually known what he had done. Never before had Kentuckians and Republicans been more unanimous than they were in denouncing Jay's appointment to seek a treaty with England. An assemblage of respectable citizens in Kentucky on May 14, 1794, ordered a likeness of this "evil genius" of Western America and "ushered it forth from a barber shop amidst the shouts of the people, dressed in a courtly manner and placed erect on the platform of the pillory. In his right hand he held uplifted a rod of iron. In his left he held extended Swift's late speech in Congress, on the subject of British depredations. After exhibiting him in this condition for some time, he was ordered to be guillotined, which was soon dexterously executed, and a flame instantly applied to him, which finding its way to a quantity of powder which had been lodged in his body produced such an explosion that afterwards there was scarcely to be found a particle of the dismembered body."¹

On May 24, 1794, before Jay was half way across the Atlantic, a large public meeting was held at

1. Kentucky Gazette, May 31, 1794.

Lexington, representing various parts of the State and bent upon expressing the indignation of the Commonwealth. Thirteen resolutions were formulated under the name of the Kentucky Democratic Society and read as though Jay had been sent out with the express purpose of resigning all claims to the control of the Mississippi. They declared:-

Resolved:

That the inhabitants West of the Appalachian Mountains are entitled by nature and by stipulation to the free undisturbed navigation of the River Mississippi.

That from the year 1783 until this time, the enjoyment of this right has been uniformly prevented by the Spaniards.

That the General Government whose duty it was to have put us in possession of this right have, either through design or mistaken policy adapted no effectual measures for its attainment.

That even the measures they have adopted, have been uniformly concealed from us, and veiled in mysterious secrecy.

That civil liberty is prostituted where the servants of the people are suffered to tell their master, that communications which they may judge important ought not to be unrestricted to them.

That we have the right to expect and demand, that Spain should be compelled immediately to acknowledge our right, or that an end be put to all negotiations on that subject.

That the injuries and insults done and offered by Great Britain to America, call loudly for redress and that we will to the utmost of our abilities support the General Government in any attempt to obtain redress.

That as the voice of all Eastern America has now called on the President of the United States to demand that redress of Great Britain, Western America has a right to expect and demand that nothing shall be considered as a satisfaction, that does not completely remove their grievances: which have a stronger claim to satisfaction both from their atrocity and continuance.

That the recent appointment of the Enemy of the western country to negotiate with that nation, and the tame submission of the general Government, when WE alone were injured by Great Britain, make it highly necessary that we should at this time state our just demands to the President and Congress.

That the inhabitants of the western country have a right to demand, that their frontiers be protected by the general Government and that the total want of that protection which they now experience is a grievance of the greatest magnitude.

That the attainment and security of these our rights is the common cause of the western people and that we will unite with them in any endeavors that may be most expedient for that purpose.

Resolved:

As our opinion that measures ought immediately be taken to obtain the sense of the inhabitants of this State at large, that no doubt may be entertained of their opinion and determinations on these important subjects. That we may be able when it shall be necessary, to communicate as a State, with the other inhabitants of the western country.

Resolved:

That it be recommended to each county in this State to appoint a committee to give and receive communications on these subjects; to call meetings of their counties; and when it may be judged expedient, to call upon the people to elect proper persons to represent them in Convention, for the purpose of deliberating on steps which will be most expedient for the attainment and security of our just rights.

By direction and in behalf of the meeting of the citizens of the State of Kentucky.

George Muter, Ch. Att.
John Bradford, Clerk¹

But the fury over John Jay's appointment was nothing to compare to the feeling Kentuckians were to have as soon as the treaty made by Jay had leaked out. Jay by the President's letter of credence was authorized to negotiate a settlement not only on questions which had recently sprung up by reason of the war with Europe, but also of all the infractions of the Paris treaty.

1. Kentucky Gazette, May 31, 1794.

Randolph, however, instructed him to keep the two general subjects of negotiations entirely separate and to give attention first to the more immediate questions of the war.¹

The actual official instructions for Jay were drawn up by the Secretary of State, Edmund Randolph. But Hamilton had already given his ideas as to what Jay was to accomplish.² "Only two absolutely immutable conditions were laid down for Jay. He was not to enter into any treaty contrary to engagements with France. He was to consent to no treaty of commerce that did not allow the entrance of American ships into the British West Indies."³ Jay in the critical negotiations of 1794, went to England with a lengthy list of recommendations, but he was to use his own discretion about getting them approved. It was recommended that he conclude settlements on all points of difference between the two countries over the Treaty of 1783, and then if the two points, spoliations and infractions be settled, he might broach the subject of a commercial treaty. "Jay was

1. American State Papers, Foreign Relations, Vol. I,
p. 472.

2. Latane, Op. Cit., p. 90.

3. Bemis, Op. Cit., p. 212.

furnished with an abundance of desirabilities, but was prepared to make concessions for peace."¹

Jay's first interview with Lord Grenville, the British Secretary of Foreign Affairs, was held on June 20, 1794, just twelve days after his arrival. General Thomas Pinckney of South Carolina, who was Jay's predecessor as American Minister in London, had tried to bring about an equitable treaty with Lord Grenville, who in turn was waiting to see if the United States would join the Armed Neutrality Pact with Denmark and Sweden against the sea policy of the English. Now it was Jay's turn to deal with Grenville. Most of these early discussions were verbal rather than written and Jay refrained from mentioning them in his official correspondence for fear that a false interpretation might be put on them by the Anti-British party at home.²

However, by August 6, 1794, the discussions had reached the stage where Jay thought it advisable to submit a draft of a treaty, leaving many of the "common" articles to be settled by later discussion.³ That this

1. Bemis, Op. Cit., p. 217.

2. Jay to Hamilton, July 11, 1794, Correspondence of John Jay, edited by Henry P. Johnston, New York, Putnam Company, Vol. IV, p. 30.

3. Bemis, Op. Cit., p. 237.

draft was received as a likely basis of settlement might be indicated by Grenville's dispatch to Hammond on the eighth of the month stating that it was probable that all disputes would be settled amicably.¹ Grenville replied to Jay with a counter project consisting of two proposals, one for the settlement of the existing points of issue between the two countries and the other for a commercial treaty.² The month of September having passed without any definite results beyond agreement on certain articles that had been the result of the exchange of projects, Jay submitted a complete detailed draft of a treaty. He tendered this as a final proposal on September 30, 1794.³ Jay feared that in the whirlpool of European policy some unforeseen circumstance might arise to derange the British Ministry or its attitude toward the United States and make any adjustment impossible.⁴ The negotiations proceeded leisurely along, on Grenville's part, for six weeks more. Convinced that he could get no better terms and that on the whole what he had were satisfactory, Jay affixed his signature, November 14, 1794, to the treaty which

1. Bemis, Op. Cit., p. 237.

2. American State Papers, Foreign Relations, Vol. I, p. 487.

3. Bemis, Op. Cit., p. 243.

4. Correspondence of John Jay, Op. Cit., Vol. IV, p. 58.

has since borne his name.¹ The original and the duplicate were sent in two different packets to the United States. On the evening of March 17, 1795, a copy of the treaty was placed by Randolph in Washington's hands. "A proclamation was then sent out for a special session of the Senate and on the eighth of June, 1795, twenty-four members were in their seats and the treaty laid before them. The thing proved so distasteful that only after eighteen days did the Senate pass it by a two-thirds majority with reservations. And then they passed a resolution that it was not to be published."²

However, Stevens Thomson Mason of Virginia, believing the Senate had no right to suppress the text of the Treaty, sent his copy to Ben Bache who printed it in pamphlet form and on July 1 had the pamphlets advertised in the Philadelphia Aurora. The Treaty was published in the American Daily Advertiser, July 3, 1795.³ The effect of all the secrecy was enough to infuriate Westerners to a heightened state of indignation. Kentuckians felt as if the whole treaty had added insult to injury. The Kentucky Democratic

1. Correspondence of John Jay, Op. Cit., Vol. IV, pp. 133, 144.

2. McMasters, Op. Cit., Vol. II, p. 213.

3. Ibid., p. 222.

Societies passed out handbills denouncing the treaty, eulogizing Mason, and condemning the Senate. Papers and publications of all Democratic Societies ridiculed Jay and some expressed the hope "that he might enjoy all the pleasures of purgatory."¹

Town meetings became the fashion all over the State of Kentucky and their proceedings found their way into the Kentucky Gazette. Such statements as "Resolved that citizens of this city in judgment and in feeling, disapprove the treaty, and are desirous, as far as their influence extends, to prevent its being made the supreme law of the land" and "Resolved that citizens prepare a report to the President of the United States conveying the sentiments of the said treaty"² continued for weeks. The entire treaty, with its twenty-nine articles,³ was published in the Kentucky Gazette and from that date on people expressed themselves violently. The treaty was called unnecessary, unpolitical, dangerous, and dishonorable and was openly attacked in the columns of the newspaper.

On September 8, 1795, the inhabitants of Clarke

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1. McMasters, Op. Cit., p. 222.
 2. Kentucky Gazette, August 8, 1795.
 3. Kentucky Gazette, August 1, 1795.

County formulated an address criticizing the action of Jay and a petition and remonstrance was sent to the President with the hope of preventing his signature of the unpopular agreement. They declared

That the late treaty concluded at London with Britain by John Jay, envoy extraordinary from the United States of America is inimical to the rights, and liberties of the citizens of the latter - in as much as it cedes to Great Britain certain immunities and advantages which no one nation had a right to demand of another emancipated from its yoke. Should you, Sir, concur the Senate in the signature of that treaty, our prognostication is, that Western America is gone forever - lost to the Union, and grasped by the voracious clutches of that insatiable and iniquitous George, the Third, of Britain.¹

A few wrote resenting the savage attack on the treaty and Mr. Jay and expressed the hope "that you, Sir, Mr. Bradford, will not again represent a meeting of five or six persons as a general meeting of citizens from different parts of the State without giving us your author."² The Gazette was the mouthpiece of the Democratic Societies, although both sides of the question were always presented.

1. Kentucky Gazette, September 19, 1795.

2. Ibid.

In "The Political Creed of Western America" the beliefs and prejudices of the Westerners were manifest. It read:

I believe that the treaty formed by Jay and the British King is the offspring of the vile, aristocratic few who have too long governed America and who are enemies to the equality of man, friends to no government, but whose funds they can convert to their own private emolument . . . I do not believe that Ham, Jay, or King, are devils incarnate, but I do believe them filled with pride so fattened on the spoils of America that they abhor everything that partakes of Democracy and that they most ardently desire the multitude humbled in dust and ashes . . . I do sincerely believe that from a knowledge of the man, that senator from Kentucky (Humphrey Marshall) who voted in favor of the treaty was actuated by motives the most dishonorable . . . that he is a stranger to virtue, either private or public and that he would sell his Country for a price easily to be told . . . I do also believe that Kentucky has as little reason to complain on this important occasion as any sister States, as she had a perfect knowledge of the character of the man she delegated to represent her, knew that he possessed a foul soul incapable of good and sentiments opposed to every real friend to her interest.¹

An attempt was made at the succeeding session of the Kentucky Legislature to instruct Marshall by name to oppose the treaty should it again come before the Senate. However, England's acceptance of the amendments proposed

1. Kentucky Gazette, September 26, 1795.

by the Senate "saved the erratic Senator from another offense," for, as Marshall states about himself, "it is certain that with the impressions under the influence of which he acted, he would have disobeyed instructions."¹

A meeting of Mercer County citizens in September, 1795, resolved that:

Humphrey Marshall has betrayed the trust reposed in him by the voting for the ratification of the treaty lately concluded between America and Great Britain and has therefore proved himself unworthy of our confidence.

Resolved

The part of the Federal constitution which says that the Senators in Congress shall hold their offices for a term of six years is dangerous to the liberties of America and destroys responsibilities and may enable them to carry into execution schemes and greatest evils.

Resolved

Therefore that it be recommended to the Legislature of this State to instruct our Representatives in Congress to propose an amendment to that constitution by which the time of services of the Senators shall be abridged and by which it shall be also lawful by a vote of two-thirds of its members to recall either of its Senators during the time for which he shall be elected and to make a new appointment for the rest of the term.²

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1. Marshall, Op. Cit., Vol. II, p. 172.
 2. Kentucky Gazette, October 3, 1795.

Marshall defended his vote in a series of articles in the Kentucky Gazette appearing at intervals from September 1795 through October 1796. James H. Stewart who had started Lexington's second newspaper in 1795, had refused to publish the lengthy articles, saying "I have been taught to believe that no individual, however fond they may be of their own production has the right to monopolize the public paper."¹ Mr. Bradford, however, published these long dissertations in the Kentucky Gazette, for Marshall paid for the space in this newspaper of the Commonwealth. Page after page Marshall wrote only to be answered by "A. Freeman" who was given practically equal space for his rebuttal. For over a year these debates appeared until in all Marshall had written twenty-six articles trying to explain his actions.²

Shelby's speech to the Kentucky Legislature in November, 1795, showed that he, like the leaders of the Democratic Society, did not consider the incident of the treaty closed even if Washington had ratified it in August and it was the law of the land.

I should not discharge my duty I owe
my Country, if I did not call your attention
to the treaty lately concluded with Great

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1. Staples, Charles Richard, Pioneer Lexington, Transylvania Press (1939), p. 105.
 2. Kentucky Gazette, September 25, 1794 to October 16, 1795.

Britain . . . as many stipulations contained in this treaty are contrary to the Constitution of the General Government, I consider it my indispensable duty to the State Legislature to express their sentiments upon such parts of the treaty as are unconstitutional, with the firmness and decency becoming the representatives of free men.¹

Yet, the treaty which caused so much dissension, was probably better than no treaty at all, even if Kentuckians did not see things this way. "It laid the foundations of modern international arbitration, but aside from this achievement, which was not appreciated at the time, and the stipulation for the withdrawal of British troops from the frontier posts, his negotiations were marked by failure and surrender of the principles proclaimed in the days of the Revolution."² The British were to abandon the posts on the Great Lakes after June 1, 1796, but it provided no remuneration for stolen negro slaves or provision ending the impressment of American seamen. The treaty provided specifically for the seizure of enemy property in neutral ships and for the preemption of foodstuffs.³ In the way of commercial concessions Jay got little, and the West Indian trade, which Jay had been specifically instructed to secure,

1. Kentucky Gazette, November 28, 1795.

2. Latane, Op. Cit., p. 92.

3. American State Papers, Foreign Relations, Vol. I, pp. 520, 521, Articles XVII and XVIII.

was more than disappointing. Article XII permitted American vessels of not more than seventy tons to trade with the British West Indies, provided they did not carry to Europe either from the West Indies or from the United States any molasses, sugar, coffee, cocoa, or cotton. This clause caused Jay to be burned in effigy in all parts of the country. When Hamilton undertook to address a public meeting in New York City in defense of the treaty he was howled down by a mob and driven bleeding from the platform by a volley of stones.¹ The Senate suspended the objectionable article on the West India trade and consented to the ratification of the rest of the treaty by a bare two-thirds vote on June 24, 1795. Washington hesitated, but finally signed the treaty, there being no other practicable course to pursue.²

Kentuckians were bitter over the treaty even though it provided for Great Britain's surrender of the northern posts. This may be understood when we realize first of all, "Wayne's successful campaign had shown the Federal Government's power and disposition to protect them from the Indians and the Indian wars were virtually ended; and second, Jay's treaty with Great

1. Lodge, Op. Cit., Vol. IV, p. 190.

2. Ford, Paul Leicester, Writings of Washington, J. B. Lippincott Company (1900), Vol. XIII, p. 69.
Kentucky Gazette, March 26, 1796.

Britain lessened the hope of an alliance with France to drive Spaniards from Louisiana and open the Mississippi, which was always esteemed of paramount importance by western people."¹ The popular feeling regarding the final outcome was doubtless fairly well represented by the following announcement:

At midnight on October 1st, the doors will open with the noted farce of "Amity, Commerce, and Navigation." Mr. Envoy will enter and make fifteen low bows, reaching from Canada to Florida. Lord Peacock will entertain the audience with a long story of what his majesty never meant to do. Mr. Envoy will sing the much despised song 'Give up All for Nothing at All.' The other actors, twenty in number will dance to the tune of 'A Bird in the Hand is worth Two in the Bush.' Tickets are to be had by producing British gold and coming up to my price.²

Some of the opposition of Kentuckians died down, however, with the lapse of time and when the Americans took formal possession of their posts in 1796, "The boundary line in the Northwest, as nominally established by the treaty of Versailles, became, in fact, the actual line of demarcation between the American and the British possessions."³ Federal garrisons were established at

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1. Bodley, Temple, Op. Cit., Vol. I, p. 546.
 2. Kentucky Herald, November 11, 1795.
McMasters, Op. Cit., p. 254.
 3. Humphrey, Op. Cit., p. 173.

Detroit and other Lake posts and the peace which was established for the time being in the Northwest helped to counteract the antagonism which had been so openly displayed.¹

Meanwhile, after the recall of Genet, the Federal Government had turned its attention to the other great need of the Western citizens -- the navigation of the Mississippi. Through the influence of the Democratic Society a petition from the "Sundry Inhabitants of the Commonwealth had gone to Kentucky senators at Philadelphia in December 1793, to demand an account of what measures have been taken to open up the Mississippi and to transmit such information from time to time to the Executive of this State, as they shall receive."² The Secretary of State, Edmund Randolph, wrote to Shelby referring to Carmichael's mission to Spain and told the Governor that if these instructions could be divulged "those who are most ardent in the main object would pronounce that the executive had been deficient neither in vigilance nor exertions."³ But Kentuckians wanted no such mystery. They wanted to know what was being negotiated, for they

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1. Roosevelt, Op. Cit., Vol. VI, p. 115.
 2. Journal of House of Representatives, 1793, pp. 145, 147.
 3. Marshall, Humphrey, Op. Cit., Vol. II, pp. 151, 152.
American State Papers, Foreign Relations, Vol. I, pp. 456, 457.

doubted that anything of consequence to them was being transacted. Because of this doubt the United States Congress, becoming somewhat alarmed at the Kentuckians' actions passed a resolution on May 14, 1794, that "the President of the United States be and he hereby is, requested to cause to be communicated to the Executive of the State of Kentucky such part of the existing negotiation between the United States and Spain, relative to this subject as he may deem advisable and consistent with the course of negotiations.¹ President Washington had promised to send a commissioner to Kentucky to explain to the Governor and the Legislature what was being done on the subject of the navigation of the Mississippi then in the discussion with the Court of Spain.²

James Innes, a brother to Judge Harvey Innes of the Federal District Court of Kentucky had been appointed by Washington, to bring this information to Kentucky but when the general assembly met in November, 1794, James Innes was not present. Had he presented the actual message of the President, all might have proved satisfactory. But Innes had failed. His letter

1. Kentucky Gazette, March 14, 1795.

Butler, Mann, History of Kentucky, pp. 256, 257.

2. Marshall, Op. Cit., Vol. II, p. 171.

to Shelby on January 10, 1795, stated that "a series of events prevented my arrival in Kentucky at an earlier period." The legislature had already adjourned but Innes requested Shelby "to unfold to the people of Kentucky the undisguised state of a negotiation, in the issue of which, although they from local considerations, may feel themselves more immediately involved, yet in truth, is the whole American republic, materially concerned."¹ On January 21, 1795, Shelby wrote to Innes declaring that he would make this report public and expressed the hope of Kentuckians that "The General Government will consider us as making a part of the people, and one government, and the same care should be taken of the acknowledged rights of any part of the United States." Correspondence between Innes and Shelby became lengthy and it became public, for the letters of both men were published in full in the Kentucky Gazette so that all could read what was transpiring.²

In his letter of February 15, 1795, Innes went into great detail explaining all the difficulties the general government had experienced in trying to

1. Kentucky Gazette, March 14, 1795.

2. Ibid.

deal with Spain and told of Thomas Pinckney's recent appointment in November, 1794, to negotiate with the Court of Madrid. This letter stated that Pinckney carried instructions to enter into no commercial arrangements with Spain "until our right to free the use of the Mississippi shall be most unequivocally acknowledged and established, on the principles never hereafter to be drawn into contestation." Pinckney had not yet arrived at Madrid, having left London on May 15, a month after this letter was written to Shelby, but the details of Pinckney's instructions satisfied Governor Shelby who stated in a letter of March 5, 1795, that "all this uneasiness could have been prevented had communications of this kind been presented sooner."¹

When the legislature met in November, 1795, Governor Shelby again laid before that body the Innes Correspondence which had previously been published.² After Innes had left Kentucky, nothing was known of Pinckney's negotiations and Democratic Societies

1. Kentucky Gazette, March 14, 1795.

2. Marshall, History of Kentucky states that this correspondence was withheld from Kentuckians until November 1795, which is an erroneous statement. P. 171, Vol. II, Bemis, Pinckney's treaty states that "Innes made a report to the Secretary of State of U.S., on the Kentucky situation, but I have not been able to find it in the archives. It would be a valuable source of importance."

began to be busy with more resolutions. On November 19, 1795, resolutions were passed calling on Kentucky senators "to take the most speedy and effectual measures at the National Capitol to obtain information respecting the situation of the negotiation with the Court of Spain."¹

The whole purpose of the Innes mission was to frustrate any plot of separation which might exist and to prevent the West from forcing the hand of the Government while the last resort to peaceful negotiations with Spain was being exhausted. The Democratic Societies had prompted the petitions to the President and Innes in turn had been sent to Kentucky. Now, as late as November 1795, more resolutions found their way to Philadelphia. All of this distrust, impatience, and anxiety could have been avoided, if Kentuckians could have known that Thomas Pinckney had already signed the treaty of San Lorenzo on October 27, 1795.

Pinckney had gone to Spain with specific instructions from Randolph referring to the

late violence of the Kentuckians who
had as good a reason as any people
ever had to cause them to look upon

1. Innes, MSS, Vol. 19, No. 60, Kentucky Historical Society, Frankfort.

the Mississippi 'as a right to be derived from God.' Hitherto the Government has been able to restrain Kentuckians from such enterprises as that of Genet only by the promise of securing by peaceful negotiation the navigation of the river. The Spanish Court has greatly deceived themselves, by an opinion, that the whole Union are not cordial in their intention to secure the Mississippi to Kentucky. Some parts of it indeed may differ upon the political effect, but I can not suffer my mind to yield a moment to the belief, that any man will be base enough to sacrifice so important a right.¹

Whether or not His Catholic Majesty knew the full text of Jay's Treaty concluded on November 19, 1794, before he signed with Pinckney on October 27, 1795, is a matter of controversy. However, even if the Spanish Government knew "that the treaty was not an alliance with Great Britain or anything approaching it, it nevertheless cleared up the issues between two English speaking countries, and prepared the way for a possible and dreaded Anglo American combination."²

It is unlikely that any treaty agreed to by the United States, aside from the peace and independence has ever been accepted with more satisfaction and approval than that of San Lorenzo. "Its two most

1. Randolph to Pinckney, November 28, 1794, Instructions, Vol. II, p. 245.
Bemis, Op. Cit., p. 289.
2. Ibid., p. 331.

important provisions were the settlement of the southern boundary on the lines claimed by the United States and the right of deposit for the Westerners."¹ The second paragraph of Article XXII reads:-

His Catholic Majesty will permit the Citizens of the United States for the space of three years from this time to deposit their merchandise and effects in the Port of New Orleans, and to export them from thence without paying any other duty than a fair price for the hire of the stores, and his Majesty promises either to continue this permission if he finds during that time that it is not prejudicial to the interests of Spain, or if he should not agree to continue it there, he will assign to them another part of the banks of the Mississippi an equivalent establishment.²

After fifteen years of fruitless negotiation a treaty had at last been made and Kentuckians believed they were to have that "God-given right" to the Mississippi. Great was the excitement. "A bon-fire was built in the main street at Lexington, Kentucky and everyone was wild with enthusiasm."³

The Kentucky Democratic Society's success in arousing indignation over Jay's Treaty and praises of

1. Roosevelt, Vol. VI, Op. Cit., p. 128.

2. Bemis, Op. Cit., p. 340.

3. American State Papers, Foreign Relations, Vol. I, p. 546.
"Robert McAfee's Journal," Kentucky Historical Society
Publications, Vol. XXVII, p. 122.

Pinckney's Treaty was marked. The effect of their many publications, both coarse and spiteful, serious and sincere, kept pamphleteers and news writers hard at work.¹ That these Societies and their resolutions concerning the ratification of Jay's Treaty proved the final blow to Washington's popularity is certain.²

In the beginning, the Democratic Societies of Kentucky were established with the sole purpose of securing the navigation of the Mississippi. Their anti-Federal disposition was caused by the failure of the federal government in protecting them from the Indians and in securing for them the navigation of the Mississippi. Both of these grievances seemed to have been eliminated at the close of 1795. The many resolutions and publications of the Society at Lexington had attracted attention at Philadelphia and they had been heard. In this the Democratic Societies were successful and the skillful way in which they played upon the discontent of the West made them powerful organizations. However, the close of 1795 marked the end of their most active period.

CHAPTER V

KENTUCKY AND THE MISSISSIPPI QUESTION FROM 1795 TO THE LOUISIANA PURCHASE

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During the period intervening between the proclamation of Pinckney's Treaty of 1795 and the election of 1800, which made Thomas Jefferson President, the right to navigate the Mississippi and to deposit goods at New Orleans had produced marked results. Trade between Kentucky and the Southern ports had grown with astonishing rapidity¹ and Governor Gerrard, in his message of November 4, 1800, dwelt upon that fact with great satisfaction.² The new Kentucky constitution, which went into effect in 1800, set the State on the high road to progress, and the dawn of the Nineteenth Century found the outlook bright and encouraging.³

But while the Governor was laboring to encourage southern trade, foreign politics were secretly creating conditions to complete its destruction. The treaty of 1795, which forced Spain to retire south of thirty-one degrees gave alarm to Talleyrand, the French Minister.

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1. Madison to Charles Pinckney, November 27, 1802, in Richards, James D., The Messages and Papers of Presidents, Washington, Government Printing Office, 1896, 89, Vol. III, p. 185.
 2. McElroy, Op. Cit., p. 265.
 3. Marshall, Op. Cit., Vol. II, p. 292.

Before the days of Genet and after, France coveted Louisiana and plotted for it. Her policy continued unvaried whether Spain was a friend or an enemy.

"That the United States would some day acquire the Floridas and perhaps so much of the old province of Louisiana as lay west of the Mississippi seemed certain to the far seeing statesman."¹ Spain was not able to prevent it, but Talleyrand believed France was, if Spain would retrocede to her what was left of Louisiana and the United States should never cross the Mississippi. Scarcely had the treaty been signed when Talleyrand proposed that Spain should give back to France what France had given her in 1763. The refusal of the King of Spain, the fall of the Directory and of Talleyrand ended the negotiations for the time being, but no sooner was Talleyrand back in power under Napoleon, First Consul in name, but Emperor in fact, of France, than he began to urge his plan of retrocession.² One of Napoleon's dreams was the reestablishment of a colonial empire in America.³ With this end in view he had little difficulty in persuading the Spanish Queen, Maria Louisa

1. McMasters, Op. Cit., Vol. II, p. 265.

2. Ibid., p. 628.

3. Latane, Op. Cit., p. 101.

of Parma, and her weak, indolent husband Charles IV, to cede the Province of Louisiana back to France. The chief consideration for this transfer made by the secret Treaty of San Ildefonso, October 1, 1800, was the promise to give Tuscany in Italy under the name of the Kingdom of Etruria to the Queen's nephew and son-in-law, the Prince of Parma.¹ The terms of the treaty were to be kept secret until Napoleon was ready to take the province, but within six months, President Jefferson heard rumors of the cession, which, it was supposed, included the Floridas.² A threatening situation was now fast developing. What would happen to the navigation of the Mississippi?

In 1801, the French made their first move toward America, for in that year Napoleon sent an expedition west, under direction of General LeClerc, which was eventually to establish the French in Louisiana. General LeClerc, however, stopped at the Island of San Domingo to subdue its negro inhabitants and to establish a French naval post in the Carribbean. Unfortunately for the French he was not successful. Toussaint L'Ouverture's forces, with the cooperation

1. Latane, Op. Cit., p. 101.

2. American State Papers, Foreign Relations, Vol. II, p. 509.

of the elements of tropical pestilences destroyed 17,000 French troops, and forced the French leader to abandon the field. Instead of the San Domingo episode providing a way station where Napoleonic forces might stretch their limbs before encountering their more determined American opponents, it proved the end of his western dreams.¹

Meanwhile Americans were carefully observing French activities in San Domingo when a veritable bombshell exploded in October 1802, for Morales, the Spanish Indendant in New Orleans, declared that the city would no longer be allowed as a port of deposit for Americans.² This was a staggering blow to Kentucky's prosperity. The State faced an almost utter collapse of her commerce which of necessity demanded the navigation of the Mississippi. Kentucky was perturbed and upset, but instead of Democratic Societies making resolutions and showing uncontrollable impatience, Governor Gerrard laid the important message before the legislature and a list of resolutions was passed.³ This memorial did not reach the President

1. Adams, Henry, History of the United States, New York, Charles Scribner and Sons (1889-91), Vol. I, pp. 175, 212.
McMasters, Op. Cit., Vol. III, p. 217.
2. Kentucky Gazette, November 30, 1802.
McElroy, Op. Cit., p. 267.
3. Kentucky Gazette, December 7, 1802.

in time to be mentioned in his Second Annual Message to Congress on December 15, 1802, but on December 22, he sent the Indendant's proclamation together with the Kentucky resolutions to Congress.¹ As soon as Jefferson was satisfied that Louisiana had been ceded to France, he instructed Livingston, his representative at Paris to open negotiations for the purchase of New Orleans and the Floridas, stating that the acquisition of New Orleans by a powerful nation like France would inevitably lead to friction and conflict. On January 18, 1803, Jefferson wrote to keep Governor Gerrard informed and stated "in order to provide against the hazards which best beset our interests and peace in that quarter, I have determined with the approbation of the Senate to send James Monroe to France to help settle the whole question with that country and Spain in such a way as may effectually secure our rights and interests in the Mississippi."² The epochal Purchase of Louisiana and the diplomatic relations which accompanied these negotiations has been elaborately treated in many histories of the

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1. Tucker, George, Life of Thomas Jefferson, Philadelphia, Carey, Vol. II (1837), p. 126.
 2. Kentucky Gazette, February 15, 1803.

United States and no attempt will be made here to set forth reasons and conditions which led to the final acquisition.

Events moved very fast in Europe and Napoleon, through his agent, Marbois, on April 11, 1803, suddenly offered to sell not only New Orleans but also all of Louisiana.¹ Nineteen days later a treaty of cession was signed² and the Louisiana Purchase was ours for \$15,000,000. News of the purchase was slow in reaching Kentucky and at first the Kentucky Gazette published the news with reservations, for the results of America's negotiations seemed too good to be true.³

However, when the final transfer was made on December 21, 1803, and Spain ceased any opposition, which she had planned to make concerning the United States' taking Louisiana, there was great rejoicing.⁴ This was the most momentous event for the west that had ever taken place, and Kentuckians truly appreciated what had happened. Celebrations were held widely throughout the State. In Lexington "the militia

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1. Sloane, W. M., "World Aspects of the Louisiana Purchase," American Historical Review, Vol. IX, p. 507.
 2. Turner, Frederick J., The Frontier in American History, New York, Henry Holt and Company (1920), p. 179.
 3. Kentucky Gazette, November 22, 1803.
 4. Kentucky Gazette, May 15, 1804.

companies paraded the principal street and after going through various evolutions partook of a big dinner prepared by the town and countryside.

John Breckinridge and Harry Innes were the principal speakers."¹

Kentucky felt happy. Her place in the Union was secure. Now she could be free from secret intrigues which had so long darkened her history. The Mississippi River was hers and all the causes which had made her act in opposition to the Federal Government were removed. This State now took the high road of patriotic support of the national government from which even the storms of the Civil War a half century later could not sway her.

1. Kentucky Gazette, May 15, 1804.

CONCLUSION

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Whatever loyalty to France and enthusiasm for liberty, the Kentuckians may have felt in supporting the movement to rid Louisiana of Spanish rule, their dire need to free themselves from conditions forced on them by Spain and Great Britain, was the real motive which gave impetus to their activity during 1793 to 1795. The free navigation of the Mississippi was Kentucky's chief concern and she showed vital interest in Louisiana's liberation because this would break Spain's hold on the Mississippi and open up the river for her trade. Kentuckians felt they had little to hope for from the Federal Government and there can be no doubt whatsoever about their desire for the success of Genet's scheme to liberate Louisiana. That Kentucky should have fostered three Democratic Societies whose general purpose was in keeping with that of the parent organization at Philadelphia, but with the definite impulse to use every possible method for the opening of the Mississippi to navigation, is understandable.

Here was a chance, through such an organization,

for Kentuckians to show their friendliness toward France, their dissatisfaction over the inactivity of the Federal Government to help Westerners, and their determination to get the free use of the Mississippi.

For a period of two years and a half these Democratic Societies served unrelentingly with this one purpose in mind - to free river trade on the Mississippi. They actually acted as an extremely successful propaganda agency, for through their addresses, remonstrances, letters, and resolutions, they kept their grievances constantly before all Westerners and their discontent, dissatisfaction, and disgust before the Federal Government. They helped to influence public opinion and to unite into one group all of those who felt dissension over conditions in the West.

The activity of the Kentucky Democratic Society is actually divided into two phases -- one when they worked for the right of the river, thinking they were supported by France, and the other when they worked alone trying to force the government to take some immediate step to secure the free navigation of the Mississippi. From the beginning their sympathy lay

with helping Clark and Genet because this looked as if it were a means to river trade, but the society as a whole issued no public pronouncements on the subject of aiding the French scheme. However, the members of the Society looked on with undisguised pleasure and hope and according to Clark "made some advances in ammunition" and "gave all the encouragement in their power."¹ Subscriptions of money were also given by members of the Society.² Even after Genet's recall, the Democratic Society labored for some time with the hope of ultimately receiving aid from France to continue her efforts to get control of the river.³

After the abandonment of the Genet scheme, the Kentucky Democratic Society entered into its period of greatest activity, for now Kentuckians were fighting alone without the aid of France. Their Committee of Correspondence continued at work keeping the West united in thought and in the limelight before Easterners. So great were their clamorings and so

1. "Correspondence of Clark and Genet," American Historical Association Annual Report, Vol. I (1896), pp. 930, 1107. American Historical Review, Vol. XVIII (1913), pp. 781, 782.
2. Ibid., pp. 1073-1074.
3. Coulter, E. Merton, "Navigation of the Mississippi," Mississippi Valley Historical Review, Vol. XI (1925), p. 384.

violent their remonstrances that the federal government was forced to do something about their demands, and Washington sent his personal representative, James Innes, in the fall of 1794, to bare the secret diplomacy of the federal government to Governor Shelby and to impart what was being done about the Mississippi. The status of the negotiations at Madrid was detailed and in due time news of the treaty signed in October 1795 and the opening of the Mississippi was received with rejoicing. As the situation which produced the Democratic Societies in the West was now solved, they died down and were soon forgotten.

But the skillful way in which they played upon the discontent of the West made them powerful organizations which under leaders less wise might have produced far reaching results for evil. Their propaganda made their influence felt over all the United States and made Congress well aware of their demands for help.

The Kentucky Democratic Society played its part in world history, too, for it must have had some appreciable effect upon hurrying negotiations with Spain and thus opening up the Mississippi to the West.

Then when Jefferson learned of the secret treaty of San Ildefonso between France and Spain in 1800, he could not forget the activity of the Democratic Society some five or six years previously. He knew the navigation of the Mississippi must be kept open if the nation was to hold together. Through a lucky combination of European and American affairs, the Louisiana Purchase was made possible and the United States, when she accepted that great territory, with all its responsibilities and possibilities, became a world power.

The Kentucky Democratic Society in no way directly influenced the purchase of Louisiana, but since this group had incessantly presented the grave necessity of the free navigation of the Mississippi, the importance of this problem could not be forgotten.

That Kentucky played her role in international history is unquestionable. Likewise it is true that "It was the Ohio Valley which forced the Nation away from a narrow colonial attitude into its career as a nation among other nations with an adequate physical basis for future growth."¹

1. Turner, Frederick J., Frontier in American History, New York, Henry Holt and Company (1920), p. 189.

APPENDIX

APPENDIX

Kentucky Gazette

Sat. Aug. 24, 1793. Vol. VI

Principles, Articles and Regulations

Agreed upon by the Members of the Democratic Society,

In Philadelphia, May 30th, 1793

Principles, Articles and Regulations

The Rights of Man the genuine objects of Society and the legitimate principles of government, have been clearly developed by successive revolutions of America and France. These events have withdrawn the veil, which concealed the dignity and happiness of the human race, and have taught us, no longer dazzled with splendor, or awed by antiquated usurpation, to erect the temple of Liberty on the ruins of Palaces and thrones.

At this propitious period, where the virtue of freedom and equality is thus practically displayed, and when their value (best understood by those who have paid the price of acquiring them) is universally acknowledged, the patriotic mind will naturally be solicitous, by ever proper precaution, to preserve and perpetuate the blessings which Providence hath bestowed upon our country;

for, in reviewing the history of nations, we find occasion to lament, that the vigilance of the people has been too easily absorbed in victory; and that the prize, which has been achieved by the wisdom and valor of one generation has too often been lost by the ignorance and supineness of another.

With a view, therefore, to cultivate a just knowledge of national liberty, to facilitate the enjoyment and exercise of our civil rights, and to transmit unimpaired, to posterity, the glorious inheritance of a "Free Republican Government," the "Democratic Society" of Pennsylvania is constituted and established. Unfiltered by religious or national distinctions, unbiased by party and unmoved by ambition, this institution embraces the interest and invites the support of every virtuous citizen. The public good is, indeed, its sole object, and we think, that the best means are pursued for obtaining it, when we recognize the following, as the fundamental principles of our association.

I. That the people have the inherent and exclusive right and power of making and altering forms of government; and that for regulating and protecting our social interests, a "Republican Government is the

most natural and beneficial form, which the wisdom of men has devised."

II. That the republican constitution of the United States and the State of Penn., being framed and established by the people, it is our duty as good citizens, to support them. And in order to effectually do so, it is likewise the duty of every freeman, to regard with attention, and to discuss without fear, the conduct of the public servants, in every department of government.

III. That, in considering the administration of public affairs, men and measures should be estimated according to their intrinsic merits; and therefore, regardless of party spirit or political connection, it is the duty of every citizen, by making the general welfare the rule of his conduct, to aid and approve those men and measures, which have an influence in promoting the prosperity of the Commonwealth.

IV. That in the choice of persons to fill the offices of government, it is essential to the existence of a free republic that every citizen should act according to his own judgment, and, therefore, any attempt to corrupt or delude the people in exercising the rights of suffrage, either by promising the favour

of one candidate or traducing the character of another, is an offense equally injurious to moral rectitude and civil liberty.

V. That the people of Pennsylvania form but one indivisible community, whose political rights and interests, whose national honor and prosperity must, in degree and duration, be forever the same; and, therefore, it is the duty of every freeman, and shall be the endeavor of the Democratic Society, to remove the prejudices, to facilitate the affections, to enlighten the understanding, and to promote the happiness of all our fellow citizens.

Having united under these principles, we adopt the following rules and regulations for transacting the benefits of the institution.

Article I. The Society shall be co-extensive with the state but for the convenience of the members, there shall be a separate meeting of the group in the city of Philadelphia, and one in each county, which shall choose to adopt this constitution. A member admitted in the city, or in any county, shall of course be a member of the society at large, and may attend any of the meetings wherever held.

Article II. A meeting of the society shall be

held in the city of Philadelphia on the first Thursday of every month, and in the respective counties as often and at such times as they shall by their own rules determine: But the president of each respective society may convene the member on any special occasion.

Article III. The election of new members and of officers of the society shall be by ballot and by a majority of votes of the members present at each respective meeting. But no new member shall be voted for at the same meeting at which he is proposed. The names of any members proposing any candidates for admission shall be entered into a book kept for that purpose. Every member on his admission shall subscribe to this constitution and pay the sum of a half a dollar to the treasurer for the use of the society.

Article IV. The Officers of the Society

1 President
2 Vice-Presidents
2 Secretaries
1 Treasurer

Corresponding committee of five

Article V. Interests of corresponding committee--with other societies.

Article VI. Duties of treasurer--keep monies.

Kentucky Gazette

October 1793

Lexington, Aug. 31, 1793

At a meeting of the Democratic Society at the State House in Lexington on Wednesday the 28th day of August 1793.

This Society proceeded to the election of offices when a majority of votes were in favor of:

John Breckinridge, Chairman

John Bradford and Robert Todd, Vice Chairman

Thomas Todd and Thomas Bodley, Clerks

Alexander M'Gregor, Treasurer

Wm. Murray, Jas. Hughes, Jas. Brown, Jas. Moore, and Robert Todd, a committee of correspondence.

Ordered. That the corresponding committee be directed to write a circular letter to the citizens of this state explanatory of the principles and objects of this society.

Extract from the minutes.

Thomas Todd)

C. D. S.

Thomas Bodley)

To the Citizens of Kentucky

"The Democratic Society of Kentucky," are now organized and have committed to us the charge of develop-

ing to you their principles and objects.

They are filled with the sentiment that a Democracy representation is the best made of government, which the wisdom of man hath devised and that all just power can be derived only from the people of consequence the people have the exclusive right of framing and altering their forms of government that in order to preserve the inestimable blessing of Liberty, from the open attacks of avowed tyrants, or more infiduous, the much more destructive machinations of ambitious and inpriging men, it behoves the people to watch over conducts of their officers in every department of government.

Experience has shown, that, the hope of impunity, has tended to the encouragement of crimes in public, even more than in private life. The man who virtue may not restrain from the breach of an important public trust, may be awed by the vigilant and piercing eyes of his fellow citizens. This, however, would be insufficient to preserve, pure and uncontaminated, the best of all possible governments. We ought to be extremely cautious in the choice of men, who are to represent us in the exercise powers of government. Their public characters ought to be examined with strictness and

attention, free from party or religious prejudices and unaffected by their occupation, fortune or connections. The attempt to influence the vote of freeman either by arts of promised favor, or by bare calumny, ought to be spurned at with contempt and abhorrence.

These are, in the abstract, the principles of the society. Their objects are to disseminate these principles, and to conciliate affectionate sentiments towards each other among their Democratic fellow citizens. That those objects may be effected, they propose not only to discuss the proceedings of government, but to examine into the conduct of its officers in every department. They will discuss and examine with candor, but with the firmness and freedom becoming citizens, zealous for the liberties of their country.

The blotted page of history has recorded the fatal effects which the neglect of similar precautions has occasioned. Had the citizens of Athens been attentive to the conduct of their public men, the pitiful stratagem of Pifistratus would not have imposed upon his country an odious tyranny. To recite every similar event with similar consequences would extend

our letter beyond bounds which we propose. Too numerous, indeed, are the instances, which in former times, a like inattention presents for our instruction. What were then called Revolutions, were only a change of tyrants; or if a moment of freedom intervened, - it was, as the transient beams of the sun, between storms. To the present age has it been reserved to witness Revolutions. In America we fought not shelter from the oppression of one tyrant, under the talons of another. The Rights of Man, the principles of a Government formed to protect those rights, and to insure our fellow citizens, and our latent posterity, the blessings of freedom and equality, were the objects of our political deliberations; - France has since caught the glorious flame! Long had her people been deprived of the rights bestowed by their beneficent Creator. At length they have arisen in their strength, and like an inundation, have, at once, swept away their tyrants and their Gothic Structures. May success and freedom reward their merits.

Fellow citizens, we invite you to form meetings in your several counties, to join and to correspond with the Democratic Society of Kentucky. To this Society,

the members of meetings in any county of this state, formed any principles, will have admission. They declare the society co-extensive with this state.

These principles and regulations we have been directed to announce to you; we doubt not that impressed with the justice and importance of the whole principles, you will give them your support.

Thus will you preserve the blessings of freedom and merit the gratitude of posterity.

Wm. Murray)

James Hughes)

James Brown)

James Moore)

Robert Todd)

Committee of Correspondence
for the Kentucky Democratic
Society

Found in Innes MSS - Kentucky State Historical
Society - Frankfort

Resolutions of Nov. 11, 1793

Resolved:

That the free and undisturbed use of the navigation of the Mississippi is the natural Right of the inhabitants of the countries bordering on the waters communicating with that river; and is unalienable except with SOIL and that neither the tyranny on one side nor acquiescence or weakness can ever sanctify the abuse of this right.

Resolved:

That the inhabitants of the western country had a right to expect that the present Federal Government would before this time have taken effectual measures to obtain from the King of Spain an acknowledgment of their undoubted right to the free navigation of the river Mississippi; that they ought as free men highly interested in the event of that business to have received information of the causes which have hitherto delayed the negotiation and that it was the duty of the Representatives of the people to have called upon the Executive of the Federal Government for the account of what had been done respecting it--

Resolved:

That the inhabitants of the western country have good cause to suspect that the applications for the acknowledgement of their just and invaluable right, have been feeble and that the attainment of it is not wished for by a part of the United States--

Resolved:

That under these circumstances it is the duty which the inhabitants of the western country owe to themselves and their posterity, to demand of the Federal Government that they take such steps as will immediately put them into the free enjoyment of their just right; that to make this demand effectual they should unite in an application for the purpose and that to bring about concert in this application a proper communication ought to be opened between the different settlements of the western country--

Resolved:

That a committee be appointed to prepare an address to the inhabitants of the western country, inviting them to a correspondence on this subject, calling on them to unite in their efforts on the occasion, exhorting them to sacrifice all considerations

to the attainment of the great object; and recommending it to them to be prepared to surmount all obstacles which may be thrown into its way either by amity; and an improper regard to local interests at home; or by the arm of power and tyranny abroad.

Resolved:

That they also prepare in the name of the inhabitants of the western waters, a remonstrance to the President and Congress of the United States on this subject, stating in bold, decent and determined language proper to be used by injured freemen, when they address the servants of the people, that we consider the feeble attempts which have been made by the executive under the present government and the total silence of Congress on this unimportant subject, as strong proofs that most of our brethren in the eastern part of America, are totally regardless whether this our just right is kept from us or not.

That we expect and demand from the government, that they take immediate and effectual steps to procure and secure to us the enjoyment of that right; that we apply to them and to be put into the enjoyment through their intervention. Although we feel a

conviction that we are strong enough to obtain that right by force, yet an attachment to the American union; love to our brethren, respect to the government, and sincere desire of preserving peace and harmony, have determined us to pursue this mode of application through which we hope speedily and effectually to procure it, on the application of government and that we shall not be driven to use those means to effect it with which we have been furnished by God and Nature.

Resolved:

That it will be proper to make an attempt in a peaceable manner to go with an American bottom properly registered and cleared into the sea through the channel of the Mississippi; that we may either procure an immediate acknowledgement of our right from the Spaniards; or if they obstruct us in the enjoyment of that right, that we may be able to lay before the Federal Government such unequivocal proofs of their having done so, that they will be compelled to say whether they will abandon or protect the inhabitants of the western country.

Whereas the criminal laws now in force in the Commonwealth are in their operation sanguinary,

cruel and unjust, from the multitude of inferior crimes which are capitally punished, whereby many offenders are liable to be destroyed who might be reformed and restored good members to society; and whereas the experience of all ages hath shown that cruel and sanguinary laws defeat their own purpose, by engaging the benevolence of mankind to without prosecution to smother testimony, or to listen to it with bias; and by producing in many instances a total dispensation and impunity under the names of pardon and privilege of clergy; when, if the punishment were only proportioned to the injury, men would feel it their inclination, as well as their duty to see the laws observed and the power of dispensation, so dangerous and mischievous, which produces crimes by holding up a hope of impunity, might be totally abolished so that men would see their punishment ensuing as necessarily as effects follow the causes.

Resolved:

That a committee be appointed to draft a memorial to the general assembly requesting that a radical change may be made in our criminal code by erecting a system "whereby punishment may be proportioned

to crime and that such punishment be made analagous as possible to the nature of the offenses" and that the said memorial when drafted may be laid before the society for their approbation.

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