Follow this and additional works at: http://digitalcommons.wku.edu/theses
Part of the American Politics Commons, Political History Commons, and the United States History Commons

Recommended Citation
http://digitalcommons.wku.edu/theses/1887
THOMAS JEFFERSON AND THE WEST

A Thesis
Presented to
the Faculty of the Department of History
Western Kentucky University
Bowling Green, Kentucky

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts

by
Denise Ruth Baker
May 1981
AUTHORIZATION FOR USE OF THESIS

Permission is hereby

☑ granted to the Western Kentucky University Library to
  make, or allow to be made photocopies, microfilm or other
  copies of this thesis for appropriate research or scholarly
  purposes.

☐ reserved to the author for the making of any copies of this
  thesis except for brief sections for research or scholarly
  purposes.

Signed  Denise W. Baker

Date  3-17-81

Please place an "X" in the appropriate box.

This form will be filed with the original of the thesis and will control
future use of the thesis.
THOMAS JEFFERSON AND THE WEST

Recommended [Signature] March 24, 1981

[Signature] [Signature] [Signature]

Approved April 21, 1981

[Signature] Dean of the Graduate College
PREFACE

Although many historians have devoted their scholarship to the various aspects of Thomas Jefferson's genius, surveyed numerous phases of his vast career, and concentrated on comprehensive biographies, Jefferson continues to challenge historical investigators and interpreters. Of the many specialized volumes that have been written, none deal specifically with Jefferson and the West. Since no one has presented either a comprehensive view or an interpretative synthesis of Jefferson and the West, the major purpose of this work is to analyze that area. It relates Jefferson's attitudes and actions concerning the West to his political, social, economic, and philosophical ideas; and it relates Jefferson and the West to the problems and issues of his time. His interests in the West are traced from pre-Revolutionary War times through the purchase, exploration, and incorporation of the Louisiana Territory. Necessarily, much of the familiar is retold. The underlying concept in this study is that Jefferson linked his conception of democracy and agrarianism to the idea of expansion and set America on her course westward.

I am indebted to those who have guided and assisted me in preparation of the manuscript. My main debt of gratitude is to Dr. Lowell H. Harrison, Dr. James D. Bennett.
and Dr. Francis H. Thompson, three of my history professors at Western Kentucky University. Their guidance and advice have allowed me to improve and strengthen this study. To my mother, Joyce E. Walker, I must offer a special thank you. Her encouragement and support, her proofreading and typing, have helped me complete this study.
TABLE OF CONTENTS

Preface ........................................ iii
Abstract ....................................... vi
Chapter one--Thomas Jefferson--Father of the West:
   An Introduction ............................. 1
Chapter two--Jefferson Versus the Speculators .... 17
Chapter three--Jefferson and the Western Question
   1783-1795 ................................ 47
Chapter four--Jefferson: the Expansionist ........ 75
Critical Essay on Sources ..................... 112
From his childhood on the fringe of the Virginia frontier until his years of retirement at Monticello, Thomas Jefferson displayed a special interest in the vast expanse of land stretching westward. The land provided the ideal place for the extension of Jefferson's dream of an American empire for liberty. He viewed the continent as the home of an agrarian nation living under the principles of democracy.

Chapter one is introductory in nature, linking Jefferson's ideals to his interest in the West. Chapter two concentrates on his early contributions to the West. Emphasis is placed on land speculation, the western land cession, and Jefferson's plan for a territorial government. Chapter three deals with Jefferson and the western questions developing from the peace negotiations of 1783: the unrestricted navigation of the Mississippi River and conflicts concerning the Northwest Territory. Chapter four covers the exploration of the West and the acquisition of Louisiana. Chapters are developed along topical lines. Into these broad, familiar areas are incorporated other related ideas and issues that reveal Jefferson's views of both the trans-Allegheny West and the trans-Mississippi West.
CHAPTER ONE

THOMAS JEFFERSON—FATHER OF THE WEST:

AN INTRODUCTION

The West, that frontier area of land lying beyond the fringe of civilization, has been an everchanging region in American history. From the settling of Jamestown in 1607 to the end of the nineteenth century, expansion was a major part of the history of the United States. For years settlement rested between the Atlantic Coast and the Appalachian Mountains. Gradually the mountain barrier was broken, and settlers pushed into the West: Kentucky, Tennessee, Ohio. Only after the Revolutionary War, however, did a steady flow of settlers migrate into the areas known as the Old Northwest and the Old Southwest. In 1803 the United States doubled in size with the Louisiana Purchase, which extended the country's boundary to the Rocky Mountains. In the following years the United States gained Florida, Texas, the Mexican Cession, and the Oregon Territory. In 1867 Alaska was acquired; and in 1898, Hawaii and the Philippines. With these acquisitions the United States had extended from the Atlantic to the Pacific and beyond; it had followed the course of an empire.

This imperial thrust westward has been interpreted in different ways by various historians. Some have preferred
to use the term expansion rather than imperialism in describing the mid-nineteenth century. This view depicts a peaceful American people penetrating the West; America, relying on neither militarism nor power politics, expands by chance, encountering little opposition and causing little harm. Others have viewed the westward advance as imperialism and have considered it a major theme, a determining force, in the history of the United States. These scholars maintain that, from the beginning, the leaders of the Republic possessed the imperial urge and intended the United States to secure adjacent, and perhaps distant, lands.1

Alexander DeConde's interpretation of the imperial thrust fits American expansion into an even wider context. The origin, he says, began in the colonial period. Powerful European nations sought "imperial greatness" in America by establishing colonies. The descendants of the early American settlers inherited not only their culture, language, religion, and politics, but also that western covetousness that compelled them forward in the search for empire.2

Though the colonists hugged the coast for decades, they were intrigued by the interior lands; they dreamed of valuable stones and furs, rich mines and unlimited acres, and the fabled passage to the South Sea which would lead to the riches of the East. Just as Virginia had been the first

1Alexander DeConde, This Affair of Louisiana (New York, 1976), 242.
2Ibid., 242-243.
successful trans-Atlantic experiment of England, her settlers became the first to move across the Appalachians. In 1642 the House of Burgesses passed an act encouraging the exploration of the West. Throughout the seventeenth century sporadic expeditions were made into the western country.

The imperial ideology that was part of the colonial experience later was expressed by a number of the Revolutionary leaders: George Washington, Benjamin Franklin, John Adams, Thomas Jefferson, and others. After the victorious results of the war, the imperial view of the future intensified, becoming a part of the new nation's heritage. These American leaders envisioned an empire designed like the British empire. Though they never used the term "great power," their goal for the newly formed nation was a status of this type; consequently, the first fifty years of the nineteenth century was a period of empire building.

Thomas Jefferson was one of these founding fathers who clearly thought in imperial terms. He has been called the "greatest American expansionist," the "architect of orderly expansion," the "grand agrarian imperialist," the "expansionist"

---

3W. Waller Hening, ed., The Statutes at Large: Being a Collection of all the Laws at Virginia, from the First Session of the Legislature in the Year 1619 (13 vols., Richmond, 1821-1823), 1, 262.

4DeConde, Affair of Louisiana, 245.

5Richard W. van Alstyne, "The Significance of the Mississippi Valley in American Diplomatic History, 1686-1890," Mississippi Valley Historical Review, XXXVI (September 1949), 215-216. This journal will hereafter be referred to as MVHR.
zionist for freedom, not empire." He was one of the first to wed the ideas of expansion and freedom and to set America on her destined course. Thus the purpose here is to examine the role of Thomas Jefferson in the westward expansion of America by tracing his western ideas and accomplishments from pre-Revolutionary War times through the purchase, exploration, and incorporation of the Louisiana Territory.

Jefferson grew up in the beautiful but wild surroundings of Virginia on the fringe of civilization. Though aware of the wilderness, he did not experience directly the life of a frontiersman. He was never a romantic adventurer or a rugged pioneer blazing the wilds of Virginia; actually, he never traveled west of the Shenandoah Valley, not more than fifty miles from his birthplace of Shadwell or his country estate of Monticello. There are those, however, who depict him as a wilderness child, the son of an unlettered backwoodsman, who was later cultivated into a gentleman by his mother and sisters.

Though he never blazed the wilderness trails, Jefferson gained knowledge of the outlying areas from maps, from accounts that were published occasionally, and from discussions with Indians and explorers. The country to the west

---

6 DeConde, *Affair of Louisiana*, 249.

was a "vivid reality" in his mind, a favorite topic of conversation. He had an insatiable appetite for knowledge of the western lands.

Jefferson read incessantly. His writings indicate that he was interested in the sciences, arts, religion, history, husbandry. These he extended to his interest in the West—an interest that was both personal and patriotic, both scientific and political. All his interests were subordinate to his ultimate objective, for in the West lay Jefferson's hope for America. Beneath any visionary and romantic views there were realistic and political motives as he envisioned an American nation of free farmers expanding across the continent.

Jefferson's first contest for the western lands came during the Revolutionary War. The fight in the West was unique. The western man fought against the Indians; he fought to gain independence from Great Britain; he fought to conquer land which the British did not recognize as colonial territory; and he fought against the syndicated land companies which continually tried to seize the frontier land. In an effort to help these struggling westerners, Jefferson found it necessary to oppose continental solidarity as a means of forestalling the land companies' representatives who moved within the inner circles of Congress. For two years he avoided continental aid for the harassed westerners so that Congress might have no claim to Virginia's lands.\(^8\)

An analysis of Jefferson's plans and ideas for expansion indicates that his attention was first drawn to the Pacific Northwest and was focused on that area for some time. He greatly feared the competition of the British in that area. But no matter what Jefferson was considering, control of the Mississippi always remained an important issue. Spanish and possibly French control of the river through the strategic port of New Orleans threatened the view of America that was developing in his mind.

In 1781, before the surrender of General Charles Cornwallis at Yorktown, Jefferson retired to Monticello to collect data for Notes on Virginia, a book that would suggest the importance of the Mississippi for transportation and trade to the United States through the bottleneck at New Orleans. As a member of Congress in 1783 his concern about New Orleans increased when he realized that Spain was closing the Mississippi to the United States, establishing a river patrol, and ending the right of deposit. Merchants from the frontier area (Kentucky and Tennessee) would no longer be allowed to store their cargoes without paying a fee. The right of deposit, having been granted in the Treaty of Paris in 1763 as a permanent condition when France transferred Louisiana to Spain, had passed to the United States in the Treaty of 1783. The issue over the Mississippi remained aflame from 1783 to 1795 when Spain acknowledged

the United States' right. The issue was settled only temporarily. Not until 1803 when Jefferson purchased Louisiana was the conflict resolved.

During many of the years of dispute, 1783-1803, attempts were made to attach the West to Spain. In 1801 two events occurred, again bringing furor to the West. Spain returned Louisiana to the French and the Spanish intendent withdrew the right of deposit. There were rumors of strong movements among the Kentucky settlers to secede from the United States and to establish their own nation or to join with the Spanish. The Kentucky and Tennessee frontiersmen were angrily reacting to the New England congressmen who expressed the idea that the developing frontier was a threat to the business of the eastern states. The New Englanders were calling for a halt of the frontier at the Appalachians to prevent the further drawing off of the cheap labor supply from the eastern factories, stores, and banks. West-erners believed New England was willing to sacrifice the West

---


for the commercial welfare of the East.

Jefferson's expansionist ideas for furthering a democratic, agrarian society caused him to view with suspicious eyes any movement from within or from without that threatened the western areas. In 1786 he wrote to Archibald Stuart from Paris:

I fear that . . . the people of Kentucky think of separating not only from Virginia (in which they are right,) but also from the confederacy. I own I should think this a most calamitous event, and such a one as every good citizen on both sides should set himself against. Our present federal limits are not too large for good government, nor will the increase of votes in Congress produce any ill effect. On the contrary it will drown the little divisions at present existing there. Our Confederacy must be viewed as the nest from which all America, North and South, is to be peopled. . . . The navigation of the Mississippi we must have.12

Though the threats concerning the Mississippi were immediate concerns, Jefferson kept his eyes on the trans-Mississippi West. In London in 1787, Jonathan Carver, a former British army surveyor from Massachusetts, finally succeeded after eight years in publishing his book of western exploration. *Travels through the Interior Parts of North America in the Years 1766, 1767, 1768* was an account of the exploration of the upper Mississippi by Carver and Major Robert Rogers, who had fought with General James Wolfe in Quebec during the French and Indian War. Carver prophesied that mighty kingdoms would emerge from the wilderness that he had explored, and his maps supplied answers to the many unanswered questions about the area; however, some of the

---

answers were erroneous. 13

In 1783 another book came to Jefferson's attention. This one, A Journal of Captain Cook's Last Voyage in the Pacific, was by John Ledyard, who had planned to become a missionary to the Indians but left for an exciting life of world-wide roaming. He became a mariner on Captain James Cook's famous ship, the Resolution. In the book, Ledyard revealed his surprise at finding English hardware among the seafaring Indians who lived in the Nootka Sound area, just off present Vancouver Island. The British goods had been transported overland to Nootka Sound from the forts near Winnipeg. This meant that British traders would soon follow across the Rockies and close the land gap between the Atlantic and the Pacific, thus blocking any continental aspirations that the newly formed United States might have. 14 This fear of such British action made the Pacific Northwest Jefferson's target for exploration and settlement. Though several attempts were made at exploration, not until twenty years later was Jefferson to succeed with an exploring party.

Jefferson's interest in the West was entwined with his basic philosophical and political views since the western lands were necessary for the kind of America he dreamed of,
an agrarian society of free farmers. The basic concept underlying Jefferson's philosophical ideology was that all men are created free and equal, that they possess the individual rights of life, liberty, and the pursuit of happiness. He believed in the basic goodness of man, and that with no restraints on him, man would bring blessings to himself and to posterity. However, man could be severely restrained by political, economic, and social barriers. Thus a way of life must be established that would eliminate these barriers. The chief obstacle, Jefferson believed, was political. Strong central control by an aristocracy led to the exploitation of the general populace.\footnote{Jefferson is generally comprehended in fragments, for he never reduced his philosophical ideology to a system. \textit{Notes on the State of Virginia} was the only book he wrote. The rest of his philosophy must be pieced together from reports, addresses, letters, etc.}

He regarded the business leaders along the Atlantic seaboard with suspicion and believed they controlled affairs in their own interests. Their commercial, urban society was a threat to human liberty. Economics and politics worked hand in hand. While some were becoming wealthy, the city workers were cast into abject poverty and the free farmers became peasants. This intolerable economic order could be prevented only when an agrarian society of free farmers existed. Thus, to break up this eastern seaboard power, Jefferson favored an agrarian society in which every American owned his own land. If an individual could not afford to buy land from private companies, the government should
help him acquire it. Democracy would be strengthened and national problems would be solved as a nation of independent farmers filled the lands in the West. 16

As Minister to France, Jefferson witnessed first hand a commercial economy with its extremes of wealth and poverty. With the tragic example of wretched European slum dwellers before his eyes, he hoped that America would never succumb to the temptations of commerce and the evils that accompanied it. He sympathized with the poor city dwellers but distrusted them. A homeless and landless people could not know about liberty as could the man who owned his land and worked in the open. Tillers of the soil could be free and know the blessings of life as the city dwellers could not. 17

From his youth Jefferson had been an ardent agrarian.

16 Jefferson to John Jay, August 23, 1785, in Boyd, ed., Papers of Jefferson, VIII, 426. Although Jefferson is generally portrayed as an agrarian in his economic views, he has been called an ardent commercial expansionist who believed that the wealth and power of the nation depended on the development of foreign navigation and commerce, since the ties with the British trading empire were severed in 1776. Britain was holding America "in economic bondage after . . . the political bondage was broken." Peterson, "Introduction," in Portable Jefferson, xxv. Another historian comments that Jefferson did not remain a pure agrarian. His dream of an agrarian nation was shattered when a quarter century of wars, blockades, impressments, piracies, and embargoes taught him that economic isolation was unsound. For Jefferson to place the manufacturer side by side with the agriculturist was a mental revolution. Saul K. Padover, Jefferson (New York, 1942), 376-377.

and his diplomatic experiences as Minister to France made him dread even more the idea of an America involved in shipping and international competition for markets. In tribute to the tillers of the soil and in denunciation of industry, he wrote:

Those who labour in the earth are the chosen people of God, if ever he had a chosen people, whose breasts he has made his peculiar deposit for substantial and genuine virtue. It is the focus in which he keeps alive that sacred fire, which otherwise might escape from the face of the earth. Corruption of morals in the mass of cultivators is a phenomenon of which no age nor nation has furnished an example. It is the mark set on those, who not looking up to heaven, to their own soil and industry, as does the husbandman, for their own subsistence, depend for it on the casualties and caprice of customers. . . . While we have land to labour then, let us never wish to see our citizens occupied at a work-bench . . . . Carpenters, masons, smiths, are wanting in husbandry; but, for the general operations manufacture, let our workshops remain in Europe. It is better to carry provisions and materials to workmen there, than bring them to the provisions and materials, and with them their manners and principles. The loss by the transportation of commodities across the Atlantic will be made up in happiness and permanence of government. The mobs of great cities add just so much to the support of pure government, as sores do to the strength of the human body.

It was Jefferson the political scientist rather than Jefferson the moralist who eulogized the husbandman in these poetic words. Jefferson was interested in the preservation of distinctive political ideals and institutions, ideals and institutions that could be preserved and promoted through

---


expansion into the western lands. Industry, he reasoned, would corrupt and undermine American democracy. It would also, he feared, lead to war because it would attempt to sell its manufactured goods in a competitive market.

Jefferson believed restraint was the key for proper government planning. The government could be restrained or decentralized by extending democracy and by delegating most of the power to local governments. Jefferson, realizing that the states would have to allow authority to a federal government in certain areas, favored, as a strict constructionist, a constitution that would define these federal powers. Ironically, some view Jefferson with the Declaration of Independence in one hand and the deed to the Louisiana Territory in the other.

As author of the Declaration of Independence, as Governor of Virginia, as Minister to France, as Secretary of State, as Vice-President, and finally as President, Thomas Jefferson "proceeded with a fixed conviction--that the land and its independent farmers were the key to national

---


23Peterson, Jefferson Image, 266.
wealth, political stability and the ideal for the republican government he had in mind." Thus the western land with its "glorious scope and variety and promise of ... leading men to a better and freer life" became one of his main interests, one of the dominant influences in Jefferson's life.24

From his childhood on the fringe of civilization, Jefferson had been caught up in the gusto of America's westward move toward the awesome Mississippi. He was aware of the effect the frontier had on that American vanguard that pushed into the wild country. Frederick Jackson Turner noted that Jefferson was the first prophet of American democracy and that the essential features of his gospel from agrarianism to abolition were related to the western democracy that developed on the frontier.25

Jefferson's frontier interests prepared him to be both expansionist and westerner, two primary dimensions of the Jefferson image; yet he was no "backwoods statesman" any more than he was an explorer of the wilds. Jefferson was not truly a "western man." This first prophet of democracy was "too cultivated, too theoretical, too much an eighteenth century man to personify the West."26 Turner refers to him as "the John the Baptist of democracy, not

24Sprague, So Vast, So Beautiful a Land, xix, 216.


26Peterson, Jefferson Image, 249.
its Moses." This privilege was reserved for Andrew Jackson.27

Jefferson never adopted the homespun dress, speech, or manners that were characteristic of many western politicians. He did not tell folksy stories in a southern drawl. Donald Chidsey says that "It seemed that he was instinctively with these people on the far side of the mountain; he understood them and needed no costume to wear when he mingled with them." The westerners sensed his sincerity and good will and believed him inherently to be one of their kind.28

His confidence in the destiny of the American people to expand made him champion of their rights and interests in the West. Though he never went West, all his life he responded to western questions as if he knew the country by heart. As Governor of Virginia he transferred the Northwest Territory after protecting it during the war from land speculators; as President of the United States he purchased the Louisiana Territory. Through these efforts of Jefferson the national domain became imperial in extent and inexhaustible in wealth. Through his plan of government for the trans-Allegheny territory in 1784, and through the transcontinental exploration of Lewis and Clark two decades later,


28 Donald Barr Chidsey, Louisiana Purchase (New York, 1972), 113. A contrasting opinion holds that Jefferson's "interest in the West was not due to any feeling of kinship with frontiersmen . . . (and that) on occasions [he] spoke with scorn of the rank and file of western pioneers . . . ." Thomas Perkins Abernathy, Western Lands and the American Revolution (New York, 1959), 217.
Jefferson forever associated his name with the western wilderness and imprinted his ideals on succeeding territorial policy.
CHAPTER TWO
JEFFERSON VERSUS THE SPECULATORS

In the mid-eighteenth century, though the colonists had long contemplated the western lands, there seemed to be little chance that the American colonies would expand into the trans-Appalachian West immediately. Not much was known about the land across the mountains except that it was infested with dangerous Indians. There was still plenty of land in the East and, too, there was the question concerning exactly who owned the land beyond the mountains. According to the colonial charters, the English king owned the land but granted it to the colonists. Many charters were most generous in their land grants, with the Pacific Ocean being the western-most boundary. The French also claimed the land, by right of exploration. Their trading posts, however, were scattered hundreds of miles apart, and as trappers and traders they posed no major threat to the Indians. During the course of the French and Indian War, 1754-1763, Quebec was captured, and the fate of the French was settled in the new world. The Treaty of 1763 left them without territory on the mainland of America; consequently, any French obstacle to western colonization was ended. By this treaty, Great Britain accepted the Mississippi River as the limit of her colonies, thus giving up claim to the
land further west. In the fall of 1763 the British established the Proclamation Line which prohibited settlement west of the Appalachian Mountains and which recognized the Indians as the owners of the lands they occupied.

Though the colonists were neither allowed to settle the land nor to purchase it from the Indians, they did not oppose the idea too much at this time. The British policy, naturally, was to prevent the foundation of inland colonies, colonies which would contradict the primary purpose of colonizing America. Obviously, the colonies had been intended for the purpose of improving and extending the commerce, navigation, and manufacture of Great Britain. Inland colonies, if allowed to develop, would attract not only the inhabitants of the older colonies, but perhaps British subjects and immigrants from foreign lands as well. There was the real danger of an individual country developing which would no longer be dependent on the home country if further expansion were allowed. Another factor was that the British could not extend their fur trade unless the Indians were left undisturbed in their forests.

Eventually, in spite of the British decree, restless settlers penetrated the Allegheny passes and settled in the territory stretching from the mountains to the Mississippi.


2 Abernathy, Western Lands, 10, 21.
Jefferson began to weave a pattern of policy toward these first westerners even before the formation of the Union, and throughout his public career he maintained frequent communication with them and kept their interests in mind.3 As a Virginia statesman from 1774 to 1781 and as a member of the Continental Congress, 1775-1776, he exhibited proof of his support for the settlers' interests. His primary concern was for the people who settled the land, not the land itself; however, the land was necessary for Jefferson's view of the future America. In the West he saw the opportunity to create a stronger society with an agrarian economy carried on by a nation of free, land-owning farmers. Consequently, Jefferson encouraged the development of Virginia's outlying lands and supported the movement to establish Kentucky as a new county in 1776. He believed that western emigrants should be allowed to acquire and keep whatever land they needed, that paying for the land should not impose a hardship on them, and that the western settlements should be allowed to grow toward political equality and self-government.4

---


The settlers who moved into the unoccupied lands without legal title, however, found themselves victims of the numerous land companies which were making vast claims on the region. Jefferson, deeply sympathetic with the squatters and hostile to the land speculators, defied the powerful British and American land companies which laid their claim to the western lands. American land speculation had actually begun twenty-five years before the Revolution. There were those in England and America who foresaw the possibility of the Americans' hunger for land. In London representatives of land companies dealt with influential ministers who could grant favors in the form of large tracts of land; in America they courted the royal governors who could do the same; and in Philadelphia they found friends of great power.  

In the 1770s when the first petitions concerning land problems arrived from the remote settlements, Jefferson felt compelled to defend the pioneers against the land companies in the West. Continual cries of feudal oppression came from the wilderness areas: increased fees for surveys and entries of deeds, increased prices for land from companies claiming the land under ancient grants or deeds from the Indians.

---

5 Lewis, "Jefferson and Virginia's Pioneers," 557; Abernathy, Western Lands, 7, 13, 218. Abernathy says, "The enormous grants of the early years were justifiable under the theory that the best way to settle the frontier was by means of importation of redemptioners by capitalistic speculators. If the frontier was to be settled by immigrants who came on their own responsibility then the large grants were not only unnecessary they were impolitic."
forced signing for a distinct government, and establishment of the Church of England. Even in 1775 with the threat of Indian wars brewing, the main cry from the outlying areas was against the self-appointed landlords. ⁶

When the westerners began to protest, those in the East had not declared their independence. The leaders of the opposition against the land companies must have believed a declaration of independence was likely for they were certain to get no favors from the royal government if it remained in power. That this sentiment was expressed in the West before it was in the East is not surprising. On May 18, 1776, just a few days after Virginia passed her independence resolution, more petitions arrived from the Harrodsburg pioneers. ⁷

Jefferson had first been inspired to write his views on landholding when the Crown's Land Ordinance of 1774 and the Intolerable or Coercive Acts of Parliament threatened to halt Virginians who were eager to expand into the West. ⁸

---

⁶Abernathy, *Western Lands*, 162-163; Lewis, "Jefferson and Virginia's Pioneers," 559-560. During his legislative career, Jefferson was concerned with most phases of the land question. Malone says that "his concern for the squatters and his hostility to the speculators is probably more significant than his attitude toward outmoded primogeniture and entail," for the issue was more controversial and required a greater vision. Jefferson, however, remembered the abolishment of entail and primogeniture as the great victories over the landed privileged. Malone, *Jefferson*, I, 252-253, 256-257.


⁸These acts called for surveys that enclosed poor land with the good and demanded a minimum rate for lot auctions that was double the previous rate in Virginia. The acts also allowed absentee landlords to secure large quantities of land
In March, 1775, during a convention held in Richmond, Jefferson, with four others, was appointed to examine the Land Ordinance of 1774; he thus began a career of legal and political service to the West. His conviction concerning landholding and his efforts to thwart the British land tactics made him a firm supporter of the western settler. "In this way he performed his greatest service to the West even before the Revolution was over and the Ohio Valley won."9

Jefferson’s first views on landholding were stated in

A Summary View of the Rights of British America:

America was conquered, and her settlement made, and firmly established, at the expense of individuals, and not of the British public. Their own blood was spilt in acquiring lands for their settlement, their own fortunes expended in making that settlement effectual. For themselves they fought, for themselves they conquered, and for themselves alone they have right to hold.10

A few pages later he continued:

From the nature and purpose of civil institution, all of the lands within the limits which any particular society has circumscribed around itself are assumed by that society, and subject to their allotment only. This may be done by themselves assembled collectively, or by their legislature, to whom they have delegated sovereign authority; and if they are allotted in either of these ways, each individual of the society may appropriate to himself such lands as he finds vacant, and occupancy will give him title.11

by granting 100 acres for each person imported, fifty for the settler, and fifty for the landlord.


11Ibid., 19.
Simply stated, Jefferson had said that the Virginia legislature, not the Crown and not the speculators, held title to the land, that the local community could rightfully grant the surrounding lands, and that local citizens could acquire title to the vacant lands by taking possession of them. Since his primary purpose was to destroy the Crown’s claims over the lands in America, he did not intend his views to be a mature comment on landholding, for he later commented that the paper had been hurriedly written and needed revision.\footnote{Jefferson to Pendleton, August 13, 1776, in Boyd, ed., \textit{Papers of Jefferson}, I, 491.}

In defending the squatters he did not intend to be disrespectful to the legislature by calling for limited acreage, but without a fixed price. Jefferson, aware of the restless drive behind the westerners, felt sympathy for their burdens and sufferings: “By selling the lands to them you will disgust them, and cause an avulsion of them from the common union. They will settle the lands in spite of everybody.”\footnote{Ibid., 492.}

In 1776 as the Americans moved closer to independence, the threat of royal land ordinances faded, but the scheming speculators, aiming to promote their own self-interests, remained a threat to the pioneers. The land speculators were mostly American rebels who moved within the innermost councils of the Congress. Among “their promoters were men of the highest integrity . . . who threw a cloak of re-
spectability over their extravagant schemes and entice-
ments. From Maryland there were Governor Thomas Johnson,
Charles Carroll, and Samuel Chase; from Pennsylvania,
Benjamin Franklin, James Wilson, and Robert Morris. These
men combined their official duties with dreams of private
fortunes in the West. By using their influence, the official
policies of their states could be made to conform to
their private interests. In the eighteenth century, land
speculation was the major scheme for getting rich quick.
Companies such as the Ohio, Vandalia, Indiana, Illinois
and Wabash made great claims, challenging the land that
Virginia asserted was hers. Maintaining that the land had
been secured from the Indians through treaty agreements, the
companies were determined to establish feudal domains like
those of earlier times. As grand as the plans were, how-
ever, there was little actual chance they would be realized,
because set against them was the overwhelming desire of the
settlers to occupy the land, as Jefferson said, "in spite
of everybody." 15

These first instances of western settlement and the
conflict with the land speculators complicated the issues
of the Revolutionary War and unity among the colonists.
Virginia was faced with the dilemma of protecting the in-

15 Merrill Jensen, "The Creation of the National Do-
main, 1781-1784," MVHR, XXVI (December 1939), 323-324;
Merrill Jensen, "The Cession of the Old Northwest," MVHR,
XXIII (June 1936), 27-28, 38.
terests of the western settlers and of making the necessary concessions for continental solidarity. Jefferson, ever defensive of the pioneer, yet devoted to continental unity as a necessity for defeating the British, was forced to deal with this predicament for four years.

To hinder the speculators, Jefferson first opposed Virginia’s cession of western lands, even at the sake of continental unity. He believed that the interests of the public would best be served by the state rather than by Congress, which might yield to the pressures of the land speculators. Jefferson’s distrust of the land companies and his awareness of their influence on Congress are the critical factors to understanding the position that he took in Congress in 1776.16

Since the need for a central government was recognized early in the war, a committee drafted the Articles of Confederation in 1776, and in 1777 they were adopted by Congress and submitted to the states for ratification. The implication was that Congress would have control over the western lands and the establishment of the government of new states created from the land. Virginia was one of seven states (North Carolina, South Carolina, Georgia, New York, Massachusetts, and Connecticut were the others) claiming land in the Mississippi Valley. In the midst of the war with England, a dispute concerning these western land claims broke out among the states. The six states without claims

said that the lands were being won by a common effort and that it was unfair for the landholding states to have all the revenue from the western lands. Maryland, taking the lead against Virginia's extensive claims, refused to ratify the Articles until Virginia and the other states ceded their lands to the government.17

Since many of the states held overlapping claims, there were also boundary disputes. New York's vast claims were based on a shadowy treaty with the Iroquois while Virginia pointed out that there were flourishing settlements in the western lands belonging to her. Virginia argued, too, that she held the lands by right of her charter. As the war progressed and Virginia attempted to fight alone in the West, she further argued that the lands were being won at the expense of Virginia alone. The lands were hers by right of settlement, by right of charter, and by right of conquest. Virginia with her massive claims was the most important factor in the issue, but she did not wish to see her lands fall into the hands of speculators. When the proposal concerning Congressional control of western lands was introduced during the debate on the Articles of Confederation, Jefferson, in his effort to protect the westerners, blocked

17Reginald Horsman, The Frontier in the Formative Years, 1783-1815 (New York, 1970), 30-31; Geer, Louisiana Purchase, 50; Jensen, "Cession of the Old Northwest," 36-37; Journals of the Continental Congress, 1774-1789 (34 vols., Washington, 1904-1937), V, 549-551; VII, 196; XIII, 150, 186-188, 236; XIV, 619-622. This work will hereafter be referred to as JCC.
the Confederation: "I protest against the right of Congress to decide upon the right of Virginia."\(^{18}\)

The stand that Jefferson took on the issue of western lands and the subsequent delay of the Articles of Confederation is of historical interest. Local patriotism, the abstract doctrine of states rights, and rivalry among the states over western lands were not the major points of his thinking, for Virginia's extensive western land claims later made it easy for Jefferson to be generous. The issue, then, at the time of his decision to hold firm to the lands, was the susceptibility of Congress to the pressure of the speculators. The struggle was a contest between states claiming western lands for themselves on one side and those claiming the land in the interest of certain land companies on the other. Jefferson was convinced that the interests of the pioneers could best be guarded by the states rather than by Congress. He relied on local self-government for the pioneers, and he was on record as favoring the development of it in Virginia's wilderness areas.\(^{19}\)

\(^{18}\)JCC, V, 682; VI, 1076-1083, 1098-1106; Horsman, 
Frontier in the Formative Years, 31; Geer, Louisiana Purchase, 49; Jensen, "Cession of the Old Northwest," 37.

\(^{19}\)Malone, Jefferson, I, 244. Although the exact degree of intimacy between the land companies and Congress at the beginning of the war is hard to determine, there is evidence to suggest the principal role played by land speculation.

During his first term as a delegate to the Virginia Convention, he contributed to the development of representative government in Virginia's western country when he prepared a draft of a constitution for his state. He proposed that assemblies in the western lands be established under the same laws that the Virginia constitution upheld and that the areas be independent of the state of Virginia and free to accept or reject membership in the Union.20 His efforts to establish self-government in the frontier areas along with his land policies was another means of expanding the nation into a democratic, agrarian society of individual states. So until he was sure of the attitude of Congress toward the small landholders, he must depend on Virginia to protect the westerners settled on the fringe of her outlying lands. Jefferson could be influential in his own state. For two more years in the House of Delegates and for two years as governor of Virginia, he met the crises facing the pioneers.

In the Virginia legislature, Jefferson, George Mason, Richard Henry Lee, Patrick Henry, and George Wythe, as leaders of the liberals, worked to bring some degree of order out of the existing chaos by safeguarding the small landholders and by defeating the excessive claims of the land companies. Jefferson and Mason worked cooperatively on bills which were presented in January 1778. At this

time the western lands were no longer considered just the
seat of settlement but also a source of revenue. The cur-
rency was rapidly depreciating and there was a need to sup-
port the credit of the state by revenue from land sales.21

Jefferson and his supporters were opposed by the con-
servatives who did not choose to support the stream of
settlers moving into the West. Believing the value of
property in the East would be reduced and fearing that
prospective soldiers would be lured into the West, the con-
servatives, with their personal interests at stake and with
their sympathies for the land companies, leaned toward the
private business interests founded in land. Jefferson,
however, interested in the public good, worked toward
actual settlement of the land as always.22

In 1778 the bills that he and his associates drafted
dealt with the establishment of a land office and the set-
tling of land disputes between pioneers and land companies.
The conservatives delayed passage of these measures until
1779 after Jefferson became governor. In 1779 the political
situation changed in favor of the liberals due to a scandal
in 1778 which connected the names of some of the leading
conservatives with some underhanded commercial transactions.
Consequently, the liberals were able to put into effect some

21Malone, Jefferson, I, 258; Abernathy, Western Lands,
217; George Mason to Jefferson, April 3, 1779, in Boyd, ed.,
Papers of Jefferson, II, 250.

22Malone, Jefferson, I, 258; Abernathy, Western Lands,
218-219.
of their land program.\textsuperscript{23}

There had been no land office and no lands granted in Virginia since the end of the colonial regime. The settlers who crossed into the western lands settled upon acres knowing that it was not possible to secure a legal title. These westerners became victims of the vast claims made by the land companies. They lived in danger of eviction whenever the companies dared push their pretentious claims. As expressions of their dissatisfaction reached Virginia, actions were taken on behalf of the settlers; thus the Land Acts of 1779 became law. Unfortunately, the legislation of 1779 was only partially successful.\textsuperscript{24}

Abernathy says that no more than half the demands of the liberals were met. Persons who had moved into the western areas before January 1, 1778, were granted 400 acres at a nominal fee. They also had the privilege of preempting 1,000 more acres. Those who settled after January 1, 1778, were allowed to preempt 400 acres at the regular price. This, however, was all that was done for the settlers. The fatal weaknesses of the bill were that no other provisions were made for settlers after January, 1778, and that future land sales were to be made at regular prices, without limit to the number of acres.\textsuperscript{25}

\begin{thebibliography}{9}

\bibitem{24} Abernathy, \textit{Western Lands}, 218-219.

\end{thebibliography}
What amounted to a compromise with the land companies had been worked out. Although the Jefferson coalition did succeed in bringing some order out of the chaos, the results still favored the powerful and the wealthy. Absentee land owners gobbled up land with the depreciated currency. The opportunity to effect a democratic land policy had not succeeded. Jefferson had to sacrifice his long-range goals for the attainment of immediate results. 26

Abernathy maintains that

the land office act of 1779 was a colossal mistake. In 1776 Jefferson had advocated the granting of tracts of fifty acres to each family lacking that amount. . . . it would have been a great aid to the growth of democracy in America. Any democracy . . . must have a sound economic basis, and diffusion of small landholdings among the people is one of the most satisfactory means that has ever been devised to that end. There is an element of historical irony in the fact that Jefferson, the father of democracy, should have helped to draft the act by which democracy was defeated in Virginia at the moment when it might have had its birth. The result was that within a few years Robert Morris came to own one and a half million acres, and Alexander MacCullough a million acres of Virginia's Western lands, and most of that remaining fell into the hands of other absentee speculators who paid, in depreciated currency, a price equivalent in some cases to about fifty cents the hundred acres. Thus the growth of the country was retarded, the resident population forced to protect the property of those who took no part in its defense, and the great public domain was exploited by a few individuals for their private gain. 27

The flaw, the failure to provide for future settlers, was not Jefferson's omission, for the bill as presented to the legislature would have provided for future settlers.


27 Abernathy, Western Lands, 228.
just as they were provided for in Jefferson's drafts of a constitution for his state.\textsuperscript{28} The prospects did not seem hopeless, for at that time there still seemed to be enough land for everybody, and the poor could take advantage of the depreciated currency as well as could the rich.\textsuperscript{29}

Though Jefferson worked against the land speculators to protect the political and economic interests of the pioneers, after 1776 he was gradually forced to direct some of his attention toward the physical protection of their lives and property as the powerful enemy threatened the isolated settlements with extinction. There was no relenting, however, in his goal to block the efforts of the land companies at Philadelphia; these speculators were his chief adversary in his battle with Congress. From 1779 on, the major fight for Virginia's lands was in Congress. Jefferson was apparently suspicious enough of these intriguers to have risked the safety of the harassed westerners for awhile. He refused military aid from Congress in an effort to thwart this enemy. By avoiding an indebtedness to Congress, he also avoided giving the landed interests a claim to Virginia's western lands. Jefferson seemingly believed that the scheming land companies could influence Congress to intervene militarily in the West and thus allow


\textsuperscript{29} Malone, \textit{Jefferson}, I, 259.
Congress to lay claim to the western lands. Such suspicions apparently caused him to deprive the West of badly needed military support from Congress as the British and Indians collaborated to harass the westerners. There is no evidence that Jefferson, in spite of his suspicions of the land speculators in Congress, actually worked against the Virginia Assembly and Congress for cooperation in the West.  

Jefferson was first drawn into a role defensive of the westerners in 1778 during the fall session of the Virginia House of Delegates when George Rogers Clark made a plea for his campaign in the Northwest. Clark was issued two sets of orders. One was a set of public instructions calling for the raising of an army for the defense of Kentucky; the other was a set of secret orders calling for an attack on Kaskaskia and other British posts in the West. While Governor Patrick Henry could offer little more than moral support, Jefferson and his associates helped secure Clark necessary manpower by promising every volunteer 300 acres of conquered land.

As Jefferson fell in with Clark's plans for a northwest campaign in an attempt to defend Virginia's western claims from the physical threats of the British and Indians,


31 Jefferson to George Rogers Clark, January 3, 1778, in Boyd, ed., Papers of Jefferson, II. 133; Patrick Henry to George Rogers Clark, January 2, 1778, in George Rogers Clark, Colonel George Rogers Clark's Sketch of His Campaigns in the Illinois in 1778-1779 (Cincinnati, 1907), 79-81.
he was also working for the advancement of his land programs in the Virginia legislature. At the same time a third struggle was being staged in Congress as Maryland, supported by the speculators, repeatedly protested against Virginia's claims.

In 1777 Jefferson was warned by Richard Henry Lee in Philadelphia that Virginia's claims were being contested by those with landed interests. The landless states considered these disputed lands to have been Crown property, and they argued that since they were being won by common efforts of the states, they must belong to all the states. Clearly, the means of taking Virginia's lands from her was to claim they were being won by common effort. Jefferson, as the leading defender of the Virginia lands, surely must have concluded that Virginia must fight the battle alone in the West at any cost.

When Congress volunteered the assistance of three commissioners in the defense of the West, as Clark continued to wage his campaign against the enemy, Jefferson hardly could have ignored the warning from Lee in Philadelphia. When Jefferson became aware of actual preparations by Colonel Daniel Broadhead to advance against Detroit, he informed Washington that Virginia had decided not to cooperate. His excuse was that Clark and Broadhead were incompatible and could not possibly carry out a joint venture. This could

---

have been true, but "again circumstances call up the hypothesis that Jefferson would not risk obligation to the Continent. In this instance an indispensable military advantage was being sacrificed, probably for the sake of Virginia's freedom to raise her western sons in her own way." Yet, for Virginia to think of advancing on Detroit alone was not totally unreasonable. There was strong indication that the enemy forces at the fort were not numerous. The enthusiasm of George Rogers Clark must also have inspired enough confidence in Virginia to think of advancing alone.  

In 1779 Maryland, the chief state among the landless, and the powerful speculators allied themselves once again and argued before Congress that if western lands were being won from the enemy by a common effort of the states, they should be common property to be disposed of by Congress. The prospective opening of a Virginia land office forced the speculators to take drastic steps if they were to profit from their sales. This was exactly what Jefferson had fought against during the debates over the Articles of

---

34 George Rogers Clark to George Mason, November 19, 1779, in James Alton James, ed., George Rogers Clark Papers, 1771-1781 (Springfield, Ill., 1912), 115-116.
Confederation and what Lee had warned him of in 1777. The renewed attack on Virginia's claims was supported by the majority in Congress, and it was recommended to Virginia that she cease settling and patenting her vacant lands for the remainder of the war. 36

In Williamsburg, Jefferson was in the midst of the furor brought about by the advancements of the speculators in Congress. After receiving the recommendations from Congress, the Virginia House voted unanimously on two resolutions; Congress was informed that Virginia claimed the right to her territories and that she protested an infringement of them by Congress. 37

Events occurring in the fall of 1780 caused Jefferson to reverse his position and at last seek Continental help in defending the West. On September 26, 1780, he wrote to George Washington asking for Continental aid against Detroit. He expected that a decisive blow against Detroit would remove a serious threat to all the states in the Southeast. 38

Actually, a major reason that Jefferson petitioned Congress was that he had to placate the westerners. Outcries from them had persuaded him that such action was


necessary. Many of the new settlers coming into Kentucky were not Virginians. They displayed a hostility toward Virginia as their grievances accumulated. As the government plunged deeper into the war effort, the needs of the frontiersmen had been ignored. The attempt to compensate for their critical neglect by establishing three new counties failed. As the economy suffered and more demands were made for a liberal land policy, the discontent began to center in threats of secession movements. When petitions emerged for the intervention of Congress, Jefferson saw the crucial situation that existed. The settlers could join with the British who could offer them protection from the Indians. His experiment with a free society of free farmers, the major purpose in his attitude toward the West, was in danger of slipping away from the guardianship of Virginia, and perhaps from the Union. The westerners must be placated; he could wait no longer.39

Another factor in Jefferson's decision to ask for Continental aid for the strike against Detroit was that he felt he could do so without exposing the interest of the pioneers to the predatory land companies. There was growing pressure on Virginia to cede her lands, as New York had relinquished her lands to the Congress of the United States in 1780.40 Joseph Jones, a unionist delegate from


40JCC, XIX, 208-209.
Virginia, was one of a committee which prepared a statement for the Virginia Assembly: "The example of New York is worthy of imitation. Could Virginia but think herself as she certainly is already full large for vigorous government, she too would moderate her desires, and cede to the United States, upon certain conditions, her Territory beyond the Ohio." 41

Virginia, at last in 1781, agreed to cede her western land, but with certain conditions. The ceded land was to be laid out into states that would be admitted as equal members of the Federal Union, Virginia was to be reimbursed for the expense of securing the forts of Kaskaskia and Vincennes, and a tract of land was to be reserved for payment to her veterans. Most claims based on private purchases and deeds from the Indians were to be deemed absolutely void. A final condition was that all states would ratify the Articles of Confederation. In the same year, 1781, Maryland ratified the Articles. 42

Even though Maryland had ratified the Articles, she had not surrendered her land interests. Having sought to establish Congressional control over the western land through her refusal to ratify the Articles, her delegates had simply


42 Jefferson to Huntington, January 17, 1781, in Boyd, ed., Papers of Jefferson, IV, 386-388; JCC, XX, 704; XIX, 213-214. Kentucky was not included; the cession included Virginia's lands north of the Ohio.
begun a different approach. Consequently, three years of intense political struggle in Congress followed Jefferson's transmittal of Virginia's Act of Cession in 1781. Of the conditions stipulated, the one that caused most difficulty was the demand that purchases of land from the Indians and royal grants be declared void. The Virginia Constitution of 1776 had disallowed private purchases of land from the Indians; and Jefferson was just as determined that the Illinois-Wabash, Vandalia, and Indiana companies, whose vast claims lay within the charter bounds of Virginia, would still be denied right to the land. These companies had enough influence in Congress to secure a committee report recommending that Congress reject the Virginia cessions because of the conditions attached. By 1783 the Virginia struggle against the land companies began to turn in favor of Virginia, and she submitted a second act of cession. A committee that was basically free of influence by the land companies reported on the Virginia Act of Cession in 1783. Each of the eight conditions was considered, and most of them were agreed to; however, a complete annulment of the land companies' claims was avoided. The second Act of Cession was submitted without conditions attached. Yet, like the committee's report to Congress, it was written in generalities that were designed to preserve the West for the country as a whole. In March, 1784, Congress approved the Virginia cession. After a three year struggle, Virginia and Jefferson won in their attempt to yield in the national interest a vast tract of territory for which
the state had a more defensible title than most other western claims. 43

According to David Muzzey, Jefferson regarded his signing of the resolutions of the Virginia legislature ceding the western land as his most significant act as governor of Virginia. Muzzey adds that the territory "ceded by Virginia was the beginning of an expanding empire in which Jefferson was to continue playing a leading role." 44

Actually the states had agreed to cede their western land to the Union before they owned a single acre, and when ownership did pass from Britain through the Treaty of 1783, there was only a paper title to the West. There were but a few isolated Americans scattered across the mountains in the western lands. Great Britain, Spain, even France might wrest the area from the United States, seemingly too feeble to keep it in her possession either by diplomacy or force.

The problem of securing the West was a serious one for the Confederation. Theodore Pease writes that "The frontiersmen ... stood on a pivot between older states to which they were tied by blood and by old political habit and the great empires to the north and the south which seemingly could offer much more in their economic development." 45

44 David Saville Muzzey, Thomas Jefferson (New York, 1918), 97.
45 Theodore C. Pease, "The Ordinance of 1787," MVHR, XXV (September 1938), 176.
A strong government was necessary to prevent the possibility of the West aligning itself with Great Britain or Spain, or, through some lawless deed, involving the new Confederacy in a confrontation with one nation or the other. There must be control; yet if the East assumed the "stepmother's role" like Great Britain had over the colonies, the West could be lost. Also, there was the possibility that an economic revolution might accompany the political one if the government permitted land speculators to buy the land and sell it for exorbitant prices. 46

As chairman of the committee faced with solving these problems, Jefferson, who served in Congress this time from 1783 to 1784, drafted an ordinance for the government of the Northwest Territory, known in history as the Ordinance of 1784. The historical significance of the Ordinance of 1784 is the principle that the region would be developed into states which would be admitted to the Union as equals to the original states. Jefferson had invested the Ordinance of 1784 with the highest sanctity and authority by inserting articles of compact between the original states and the new ones. 47

This principle, which provided for most of the future continental development of the United States, cannot be credited to any single individual. The idea was widely accepted, but if Jefferson did not originate the idea, he

46 Ibid.
was one of the very first who held it. Even before the Declaration of Independence, he had presented the idea to Virginia when he urged the separation of Kentucky; and during the Revolutionary War it remained a basic element in his political thoughts for the future Republic. Jefferson did not wish to break from the British just to establish an America of thirteen colonies. He envisioned an expanding union of self-governing states joined as a group of equal members. 48

He proposed that fourteen new states be formed from the western lands, both north and south, once proper titles had been secured from the Indians. He drew their boundaries in a rectangular shape and proposed Indian names for some of them: Sylvania, Michigania, Cherronesus, Assenisipia, Metropotamia, Illinois, Saratoga, Washington, Polypotamia and Pelisipia. Both proposals were rejected, but the shape of states later formed from the Louisiana Purchase suggests Jefferson's influence. 49

Through the proposal Jefferson envisioned territories which would organize a temporary government, adopt the constitution of one of the older states, establish local legis-


lative bodies, and grant suffrage to free males of full
age. When a territory had acquired 10,000 free residents,
it would be allowed to send a delegate to Congress who could
debate but not vote. Once the territory had gained as many
residents as the least populous of the original states, it
would be admitted to the Union as an equal to the older
states. These states were to remain forever a part of the
Confederacy, to be subject to the United States and Congress,
and to pay their part of the federal debt. Their govern-
ments were to be republican, citizenship was not to be
granted to anyone holding a hereditary title, and slavery
was to be prohibited after 1800. The provisions forbidding
citizenship to people with hereditary titles and the aboli-
tion of slavery after 1800 were defeated. 50

A companion piece to the ordinance on government was
an ordinance providing for the sale of lands. On April 30,

50 "Report of Committee, March 1, 1784," in "Plan for
Government," in Boyd, ed., Papers of Jefferson, VI, 603-
604; "Ordinance of 1784," in "Plan for Government," ibid.,
613-614; JCC, XXIV, 118-120, 247; Jefferson to Francis
Hopkinson, May 3, 1784, in Boyd, ed., Papers of Jefferson,
VII, 205. If Jefferson's slavery proposal had been adopted,
the course of American history might have been entirely dif-
ferent; the Civil War might have been prevented. The agi-
tation that became a political issue was over the extension
of slavery into the American West. Jefferson's proposal
would not have allowed the opportunity for the extension of
slavery, for his report applied to all western territory,
not just the Northwest. If slavery had been prohibited
throughout the West, there would have been little support
for the institution. The states of Virginia, the Carolinas,
and Georgia would have been too weak to have seriously con-
sidered resisting the rest of the Union. Caleb Perry Patter-
son, The Constitutional Principles of Thomas Jefferson (New
York, 1953), 163.
1784, Jefferson introduced his lengthy report on the manner of disposing of lands. His underlying concept was a system of rectangular plots which the government would sell in small tracts so that a few families, by banding together, could purchase an area without paying tribute to a land speculator. Jefferson's proposal was not debated until after he left Congress. Though many of his provisions for land sales were rejected, his ideas for the ordinance were expanded into the land policy of the United States—the Ordinance of 1785. The changes were not satisfactory to Jefferson. Although it provided for an orderly system of survey and sales, few frontiersmen could buy directly from the government, even at one dollar an acre, since the land had to be purchased in 640 acre sections and auctions were held in the East away from the frontiersmen. Again, advantage had been allowed to the speculators.51

In 1785 Jefferson, having attempted to save the West through his government and land ordinances, departed for France to serve his country in a new capacity. Little by little his plan changed even further. Jefferson sent

51 Pease, "Ordinance of 1787," 177-178; Malone, Jefferson, I, 416; "Report of a Committee to Establish a Land Office," April 30, 1784, in Boyd, ed., Papers of Jefferson, VII, 146-148; JCC, XXVIII, 251-256, 378-381. The Ordinance of 1785 required the land, after it had been obtained from the Indians, to be divided into six miles squares containing thirty-six sections of 640 acres each. Section sixteen was to be reserved for public schools. Other sections were reserved for government purposes, but the idea of reserving a section for religious purposes was abandoned.
protests, but they were unheeded. Delegates from the North distrusted the idea of multiple new western states, "presumably with southern sympathies." Thus a new coalition was formed between the northern delegates and the land speculators. The size of proposed states was enlarged, reducing the number of new states from fourteen to five. Jefferson's plan for self-government was replaced with an authoritarian one. The land speculators and their supporters sought Congressional control over the West so their interests would be protected. Consequently centralized control over the West was established through a government by a governor and judges appointed by Congress. The promoters of a new ordinance were successful in rushing into effect the Ordinance of 1787. At the last minute, however, Jefferson's idea of articles of compact was incorporated into the new ordinances. 52

With the incorporation of this idea into the Ordinance of 1787 survived the idea that for the first time in the world's history, men leaving the mother country to colonize abroad should not lose their full rights of citizenship and

---

52 Pease, "Ordinance of 1787," 178-179; "Plan for Government," in Boyd, ed., Papers of Jefferson, VI, editorial note, 598; JCC, XXXII, 334-343. Under the Ordinance of 1787 a territory having fewer than 5,000 free males was governed by a governor, a secretary, and three judges appointed by Congress. When there were 5,000 free males over twenty-one the territory elected a delegate to the House of Representatives, and Congress selected a council and appointed a territorial governor. Once a territory acquired 60,000 people, a constitution could be adopted; and when approved by Congress, the area was eligible for statehood. Jefferson's ordinance had required a population of only 20,000 for statehood.
enter into a client state. On the contrary their rights of citizenship and rights of self-government were to be put in trust for them . . . they could always, under the Ordinance, look forward to the time when they would be in position once more to exercise their full rights of self-government, and when rights duly held in trust for them would be restored to them. 53

Congress, realizing that the settlements of the West could not be checked, that the sale of western lands could bring in needed revenue, and that the Confederation was safer with new states in it rather than outside it, had devised a plan for admitting them to the Union as equals. Much of the credit for securing the West to the United States goes to Thomas Jefferson. "He was the father of the West and of its form of government prior to statehood. His political philosophy became its creed first and America's second." 54

54 Patterson, Constitutional Principles, 157.
CHAPTER THREE

JEFFERSON AND THE WESTERN QUESTION

1783-1795

After 1783 the West played a key role in diplomatic problems, especially with Spain. Ultimately, Jefferson was to inherit these problems which arose from the diplomacy of the American Revolution and the peace negotiations of 1783. The western question related to the establishment of a peaceful co-existence with the neighboring possessions of European countries on this continent. The newly formed nation was left with two unfriendly neighbors. In the western and southern areas, the United States was fringed by the Spanish colonies of Louisiana, East Florida and West Florida, while the British possessed Canada and held some posts in the Northwest Territory.

At the outbreak of the Revolution, the North American continent had been divided between Spain and Great Britain with the Mississippi as the main line of division; Great Britain’s territory lay to the east and Spain’s to the west. At the mouth of the river, Spain also held title to the Isle of Orleans with its strategic port of New Orleans. With the Treaty of Paris in 1783, the United States’ boundaries became the lands won from Great Britain. The British, however, retained some posts in the Northwest Territory, which
had been ceded to the United States. These were held like hostages waiting to be rescued. In reality they were threatening military posts in the back door of the new nation. They were used as centers for influencing the Indians against the United States. From 1783 to 1794 the United States encountered difficulties in negotiating with or defeating the Indians of the Northwest. Through control of these posts and a friendly relationship with the Indians, the British were able to maintain their monopoly on the fur trade in the Northwest.\(^1\) One of Jefferson's goals, an an American statesman, was to rid America of British interference in the Northwest and to secure the fur trade for America.

In 1783 the rights of navigation on the Mississippi, which had belonged to Great Britain since 1763, also passed to the United States by treaty. Spain did not acknowledge the transfer and withdrew the privilege of trade and navigation along the lower Mississippi. Spain argued that the Proclamation of 1763 had established the western limits for the expansion of the United States and that, since the nation should have no territory on the Mississippi, it should have no right to navigate upon it. From 1783 to 1795 Spain and the United States continually disagreed over the Mississippi River.\(^2\)

---


\(^2\)"Treaty of Peace signed at Paris, September 3, 1783," in Miller, ed., Treaties and Other International Acts. II,
Even during the Revolutionary War Spain had witnessed the many Americans pouring into the western lands and suspected they would continue. If the Americans continued to expand, they might advance to the rich Spanish lands on the western bank of the Mississippi. The Spanish suspected exactly what Jefferson envisioned when he said, "Our Confederacy must be viewed as the nest from which all America, North and South is to be peopled." Jefferson believed that all of Louisiana was destined to become American territory, and, as the increased pressures of population forced Americans to advance westward, the land would be acquired "piece by piece."  

Spain intended her lands bordering the United States

155. A second source of ill will between the United States and Spain concerned the Florida boundary. Within a year of the peace negotiations of 1783 Great Britain ceded Florida to Spain. The United States and Britain had agreed that as long as the British possessed the Floridas, the northern boundary would be 32°31' which intersected the Mississippi at the mouth of the Yazoo River near the present site of Vicksburg. If any other power was to have the Floridas, however, the boundary was to be 31°. In 1763 Great Britain had established a province of West Florida which extended northward to 32°31'. In 1783, however, the name was used indiscriminately. When Great Britain ceded the Floridas to Spain, contrary to the United States agreement, 32°31' was used as the boundary. Consequently, the strip of land between 31° and 32°31' became an area of controversy between the United States and Spain. See Frederic Austin Ogg, The Opening of the Mississippi (New York, 1904), 412-415.

3Jefferson to Stuart, January 25, 1786, in Boyd, ed., Papers of Jefferson, IX, 218. The boats coming down the Ohio with western settlers increased periodically. One witness noted that from November 13 to December 22, 1785, there were thirty-nine boats with an average of ten people on each coming down the Ohio to the Falls and that there were others that had stopped at settlements up river. Roosevelt, Winning of the West, III, 15.
to be a barrier between the United States and her more valuable possessions. The area was exposed to military attack and economic penetration since the Americans in the Ohio Valley had easy access to Louisiana by way of the Mississippi. If the Americans could be kept off the river, the settlement of the western lands would be slowed and the danger to Spain would be lessened. If the westerners had chosen to be hunters and trappers, their presence would have been of no great concern, but they had become the farmers of Thomas Jefferson's dream. Their heavy products could not profitably be transported over the mountains to the East, and since the Mississippi River was the natural outlet for most of the western settlers they claimed the right to use it.

Throughout his public career, Thomas Jefferson was the leading American statesman in the nation's struggle for the unrestricted use of the Mississippi River. For several years he pursued a systematic policy toward this goal, although most historians do not make reference to any of the Jefferson material concerning the navigation of the Mississippi River prior to 1790. Jefferson had early recognized the importance of the river system and had predicted its use for the transportation of bulky commodities. He was familiar with the men of the western waters and maintained frequent communications with the West. He believed the interest of the West to be synonymous with national interests.

---

4 Ogg, *Opening of the Mississippi*, 418.
especially so in the case of the Mississippi. 5

As governor of Virginia, Jefferson had his first official contact with the problem of American navigation on the Mississippi. In 1779 he presented the topic to the Spanish officials in New Orleans by offering the prospect of a reciprocal trade. For this commercial advantage, Spain was requested to grant American settlers free entry into the Gulf of Mexico. The letter to the Mexican official outlined Jefferson's early interest in the Mississippi:

Our Vicinity to the State over which you immediately preside; the direct channel of commerce by the River Mississippi, [and] the nature of those Commodities with which we can reciprocally furnish each other, point out the advantages which may result from a close connection, and correspondence. Notwithstanding the pressure of the present War on our people, they are lately beginning to extend their Settlements rapidly on the Waters of the Mississippi; and we have reason to believe, that . . . there will in the Course of another Year, be such a number of settlers, as to render the Commerce an object worth your notice. 6

Jefferson's predictions proved true as thousands of farmers began to settle along the Mississippi waterways, demanding their right to use the river. When the navigation issue developed into both a diplomatic and a domestic controversy, after the Treaty of 1783, Jefferson was in Paris serving as American Minister to France. During this time,


6Jefferson to Galvez, November 8, 1779, in Hemphill, "Jeffersonian Background," 179.
the Spanish had no uniform policy concerning American use of
the Mississippi. In 1783 the river was open to the United
States; in 1784 it was not. The following year it was open
for a time and then closed. Taxes varied with the intendant
in charge, sometimes being as high as twenty-five percent of
the value of the goods. After the taxes had been paid, the
boats had to stop at every port to show papers that would
exempt them from additional taxes. Frequently, Americans
were forced to stop and unload their cargoes at various
military posts established along the river. If a boat re-
 fused to stop, it was fired upon. It was not uncommon for
Americans to be imprisoned for violating the changing navi-
gation ordinances.7

Meanwhile, the Spanish court sent Don Diego de Garboqui
to the United States to discuss the disputed navigation of
the Mississippi and to negotiate a treaty of commerce. The
American Secretary of Foreign Affairs, John Jay, was appointed
to treat with Garboqui. Jefferson was suspicious of both.
Garboqui and Sons, Spanish exporters, had been accused of
selling the British gunpowder during the war while they
were selling it to the United States. And Jay, Jefferson

7For general discussions concerning the Mississippi
River situation see Geer, Louisiana Purchase, 174; Ogg,
Opening of the Mississippi, 416-419; Roosevelt, Winning
of the West, III, 115. A specific case is that of Thomas
Aims, a trader who ventured down the river into Spanish
territory with a cargo of flour, utensils, and farm imple-
ments. These he hoped to sell to the inhabitants there.
Instead he was stopped by the authorities at Natchez where
his boat and cargo were confiscated. Aims himself was set
believed, had the usual commercial bias of easterners. 8

Gardoqui did not yield the Spanish position on the Mississippi; instead, he discussed the commercial advantages America would have through a good relationship with Spain. Spain, as a large consumer of American goods, would agree to a favorable commercial treaty if America would settle the boundary differences over Florida and would surrender her claim to the navigation of the Mississippi. 9

Jefferson was kept informed of the negotiations through James Madison and James Monroe, both of whom were concerned that Jay would forgo the right of navigation on the Mississippi for twenty-five or thirty years in order to secure a favorable commercial treaty for the East. 10

On August 3, 1786, when Congress reviewed the treaty, a sectional controversy arose. The only apparent way to secure the right of navigation was through war. The eastern states, seeing the matter as of little importance, were not willing to go to such extremes. Thus, the treaty relinquishing the use of the Mississippi was highly favored in the East. There was keen opposition to it elsewhere in

---

8JCC, XXXI, 574-576; Sprague, So Vast, So Beautiful a Land, 230.

9JCC, XXXI, 467, 936, 951.

Jefferson, "the agrarian expansionist," viewed the terms of the treaty as a crucial issue in American affairs, a moment of decision which would determine whether the United States would continue to exist as a small cluster of states along the eastern seaboard or would develop into a great power stretching westward across the continent.  

Jefferson, stirred by the proposals of the Jay-Gardoqui Treaty, expressed his opposition in numerous letters. His primary concern was that the men of the West would separate from the Union if their government did not win for them unrestricted use of the Mississippi. In January, 1786, Jefferson wrote from Paris to Archibald Stuart, a newly established Kentucky resident: "I fear . . . the people of Kentucky think of separating . . . from the confederacy. . . . The navigation of the Mississippi we must have."  

11 Jay's speech concerning the negotiations with Gardoqui appear in JCC, XXXI, 473-481. Typical opposition to Jay is that expressed by Charles Pinckney in JCC, XXXI, 935-948. For the numerous motions and proposals that Jay's report elicited see also Secret Journals, IV, 81-127. For some time the people of the West believed a treaty had been concluded. On December 23, 1786, Thomas Green, writing from Kentucky, said, "The commercial treaty with Spain is considered to be cruel, oppressive, and unjust. The prohibition of the navigation of the Mississippi has astonished the whole western country. To sell us and make us vassals to the merciless Spaniards, is a grievance not to be borne. Should we tamely submit to such manacles, we should be unworthy the name of Americans, and a scandal to the annals of its history." Secret Journals, IV, 315-317.


13 Jefferson to Stuart, January 25, 1786, ibid., IX, 218.
On August 11, 1786, he wrote to James Monroe concerning the matter: "The difficulty on which it hangs is a sine qua non with us. It would be to deceive them and ourselves to suppose that an amity can be preserved while the right is withheld." 14

For months the correspondence from Paris continued:

I have had great opportunities of knowing the character of the people who inhabit that country. And I will venture to say that the act which abandons the navigation of the Mississippi is an act of separation between the Eastern and Western country. It is a relinquishment of five parts out of eight of the territory of the United States. . . . I lament their those negotiating the matter want of acquaintance with the character and physical advantages of the people of the West who . . . will suppose their interests sacrificed on this occasion to the contrary interests of that part of the confederacy in possession of present power. If they declare themselves a separate people, we are incapable of a single effort to retain them. 15

A few months later, Jefferson posted a similar letter:

When we consider the temper of the people of that country, derived from the circumstances which surround them, we must suppose their separation possible at every moment. If they can be retained till their governments become settled and wise, they will remain with us always, and be a precious part of our strength and of our virtue. But this affair of the Mississippi by shewing that Congress is capable of hesitating on a question which proposes a clear sacrifice of the western to the maritime states will with difficulty be obliterated. 16

On September 16, 1788, in the midst of the controversy, the Jay-Gardoqui negotiations ceased when Congress revoked Jay's

14 Jefferson to Monroe, August 11, 1786, ibid., X, 223.
15 Jefferson to Madison, January 30, 1787, ibid., XI, 93.
16 Jefferson to Madison, June 20, 1787, ibid., 481.
commission, and the issue remained unsettled. From 1788 to 1795 Spain continued to follow a plan of threat and promise concerning the Mississippi.

Jefferson, while desiring all of Louisiana, was willing to acquire this gradually "piece by piece"; but "the navigation of the Mississippi we must have," he had said in 1786. He believed that the international distress that he witnessed while serving in France from 1784 to 1789 might be used to America's advantage, especially in settling the Mississippi dispute with Spain. Jefferson also relied on the unsettled international situation to help America gain control of the British maintained posts in the Northwest Territory.

With this conviction, Jefferson advised the dissatisfied westerners to be patient and to react in a moderate manner as long as possible.

I should think it proper for the western country to defer pushing their right to that navigation to extremity, as long as they can do without it tolerably; but that the moment it becomes absolutely necessary for them, it will become the duty of the maritime States to push it to every extremity, to which they would have right of navigating the Chesapeake, the Delaware, the Hudson, or any other water. A time of peace will not be the surest for obtaining this object. Those, therefore, who have influence in the new country would act wisely to endeavor to keep things quiet till the western parts of Europe shall be engaged in war.

17 Secret Journals, IV, 447.
The westerners were not patient, and, as Jefferson suspected, many were in the mood to separate. If the federal government was too weak to attain their riparian rights, they would take the matters into their own hands. Some threatened to seize the territory, which would, no doubt, involve the United States in war. Other westerners threatened to form an independent nation or to join with Spain or Great Britain. Spain, having failed in diplomatic measures with the United States, attempted to capitalize on the dissatisfaction of the westerners through intrigue and conspiracy. The Spanish plan was to reconcile the western men of influence, who in turn would influence the frontiersmen to join with Spain.

In the attempt to build a trans-Appalachian Spanish empire in 1789, First Minister Florida Blanca appointed Don Estaban Miro as governor of New Orleans and Manuel Gayoso de Lemos as governor of the Natchez area. Each had implicit in-

---

20One westerner wrote, "In case we are not countenanced and succored by the United States (if we need it) our allegiance will be thrown off, and some other power applied to. Great Britain stands ready with arms to receive and support us. They have already offered to open their resources for our supplies. . . . You are as ignorant of this country as Great Britain was of America." Secret Journals, IV, 320-323.

21During the diplomatic negotiations between Gardoqui and Jay, Spain had known that she must refuse to concede the navigation of the Mississippi to the United States, for the West would be subordinate to the nation securing that coveted privilege for it. Thus Gardoqui had been so instructed. Yet Spain knew also that she must come to some agreement with the westerners, or they might possibly turn to Great Britain. If Spain was successful in attaching the West to her, then there would be an effective barrier between both the United States and the British in Canada and the Spanish Southwest.
structions to encourage conspiracies against the United States by encouraging western dissidents to emigrate to Natchez and Spanish Louisiana, thus building up the insignificant Spanish Mississippi population. Dissenters, separatists, and land speculators, who felt they could advance themselves, fell in line with the Spanish scheme. The arch-conspirator of them all was James Wilkinson, who inspired and directed the others.

In the colonization attempts proposed by Wilkinson and the Spanish officials, settlers migrating to the west bank of the Mississippi were to have unrestricted use of the river and religious freedom, two privileges their neighbors on the east side did not have. Each family was to be granted, free and tax exempt, from 240 to 800 acres of land, depending on the size of the family. Though Wilkinson and the others labored hard, western hatred for the Spanish was so intense that none of their efforts brought about a separation of the West from the Union. Not only had the frontiersmen suffered indignities associated with the navigation of the Mississippi, but they had been victims of Spanish inspired Indian attacks.

President George Washington began preparations to counter both Spanish and British inspired Indian attacks through

---

22Sprague, So Vast, So Beautiful a Land, 233-234.

trained Indian fighters like "Mad Anthony" Wayne. There were other efforts of the new government to halt the continued intrigue and threats of separation. Rather than alienate the western separatist leaders, Washington retained their talents for the United States by assigning them to high offices. Wilkinson was commissioned a lieutenant colonel in the United States Army. And foremost in Washington's mind were frontier interests when he appointed Thomas Jefferson as Secretary of State on September 25, 1789. Jefferson, with his belief in the riparian rights of the western settlers, immediately pursued the western issue with vigor.

In the spring of 1789, just a few months before Jefferson assumed the new post, an episode bearing directly on most of the United States' international problems took place in the bay at Nootka Sound in the Pacific Northwest. Jefferson's attempts to deal with the issues reveal his future policies concerning the western question. The episode stressed the importance of securing a balance of power among the nations in North America. Unrestricted navigation of the Mississippi and continued control of the northwest posts by the British were related to the issue; the incident also foreshadowed both the advantages and disadvantages that the United States would have in the event of a general war in Europe.25

The problem developed when a Spanish warship seized British merchant ships anchored along the Pacific Coast at Nootka Sound, where the British were trying to establish a trading port. Britain had claimed the region since 1579 when Sir Francis Drake voyaged to the area. They reasserted the claim in 1778 when Captain Cook was there. Spain, however, claimed the area by right of discovery in 1493. The core of the controversy between Spain and England was what determined ownership of the great, mostly unexplored, areas of land that European nations had claimed for themselves after 1492. Nootka was to be the trial, but no nation was likely to go to war halfway around the world. Consequently, Louisiana and Florida were to become the testing ground.26

Jefferson realized the danger to the security and independence of the United States. If Britain gained control of the Spanish territory, she would encircle the United States by land and sea with her colonies and her fleets. While he observed the Nootka controversy and listened to rumors of a British invasion of Spanish Louisiana, Jefferson attempted to use American neutrality as a bargaining device to oust the two nations from their positions in trans-Appalachia and win for America the coveted northwest posts and the unrestricted navigation of the Mississippi.

26 Ibid., Sprague, So Vast, So Beautiful a Land, 238-240. For a more detailed summary see Samuel Flagg Bemis, Jay's Treaty: A Study in Commerce and Diplomacy (New Haven, 1923), 52-78.
The letters that he wrote to American representatives in Spain, France, and England represented his goals and the courses of action that he would continue to pursue in answer to the problems of the West.27

On August 2, 1790, Jefferson wrote to William Carmichael in Spain, asserting the American right to the river. He instructed Carmichael to meet with the Spanish minister and to negotiate the matter. He pointed out the urgency of negotiation and bluntly stated that if the river rights were not gained through negotiation, they would be gained by force. Also, embarrassing as it would have been, Jefferson threatened to join with the British if necessary. He argued that the United States had a right to the Mississippi not only by treaties, but also by nature. "It is necessary to us," he said. "More than half the territory of the United States is on the waters of that river. Two hundred thousand of our citizens are settled on them . . . . These have no other outlet . . . ."28

He urged William Short in Paris to secure French support for the American representatives in Spain if a war developed between England and Spain. The necessity of an

27 Jefferson to Carmichael, August 2, 1790, in Bergh and Lipscomb, eds., Writings of Jefferson, VIII, 70-73; Jefferson to William Short, August 10, 1790, ibid., 78-82; Jefferson to Gouverneur Morris, August 12, 1790, ibid., 84-86.

28 Jefferson to Carmichael, August 2, 1790, ibid., 70-72; "Heads of Consideration on the Navigation of the Mississippi, for Mr. Carmichael," August 22, 1790, ibid., XVII, 302-303.
entrepot was stressed. Jefferson, feeling the Spanish were not ready to concede too much, was at this time willing to settle for a spot other than the desired New Orleans. He was also willing to bargain for American advantage by turning to whichever side he must. If the Nootka controversy should develop into war that brought a British invasion of Louisiana or Florida, Gouverneur Morris was to instruct the British that the United States would "contemplate a change of neighbors with extreme uneasiness; and that a due balance on our borders is not less desirable to us, than a balance of power in Europe had always appeared to them. We wish to be neutral, and we will be so, if they will execute the treaty fairly, and attempt no conquests adjoining us."  

In the end Spain, failing to gain French support, relinquished her claims of sovereignty in the Pacific Northwest, thus aborting Jefferson's attempts to play one country against the other. For the time being Jefferson's reliance on European disasters for American advantage vanished from sight.  

The Nootka affair having passed quietly, the United States proceeded to keep her claims alive in Madrid until another opportunity arose. Meanwhile, Jefferson wrote to Harry Innes in Kentucky in March, 1791: "We are not inat-

---

29 Jefferson to Short, August 10, 1790, ibid., VIII, 79-81.
30 Jefferson to Morris, August 12, 1790, ibid., 85.
31 Sprague, So Vast, So Beautiful a Land, 241.
tective to the interests of your navigation. . . . The move we have now made must bring the matter to issue. . . . The nail will be driven as far as it will go peaceably, and farther the moment that circumstances become favorable.32

About this time Jefferson learned of an earlier incident involving the Spanish officials in New Orleans and an American citizen, Joseph St. Marie. In 1778 St. Marie's ship was seized and the cargo confiscated by Spanish soldiers who claimed they were carrying out the orders of the governor of New Orleans. Jefferson made issue of the incident. He wrote to Carmichael in Madrid, informing him of the St. Marie case: ". . . we are more ready to ascribe the outrage to officers acting at a distance, than to orders from a just sovereign." However, he continued:

we particularly expect that indemnification will be made to the individual injured. . . . We cannot omit this occasion of urging on the court of Madrid, the necessity of hastening a final acknowledgement of our right to navigate the Mississippi. . . . An accident at this day, like that now complained of, would put further parley beyond our power; yet to such accidents we are every day exposed by the irregularities of their officers, and the impatience of our citizens. Should any spark kindle these dispositions of our borders into a flame, we are involved beyond recall by the eternal principles of justice to our citizens, which we will never abandon.33

On the same day Jefferson wrote to William Short in Paris including papers explaining the case of St. Marie and asking Short to secure the "efficacious interference" of the

---


33 Jefferson to Carmichael, March 12, 1791, ibid., 142-143.
French court. Before the year's end, the Spanish court had decided to negotiate the issue of the Mississippi. On December 22, 1791, Jefferson reported to President Washington "that his Catholic Majesty, apprized of our solicitude to have some arrangement made respecting our free navigation of the river Mississippi, and the use of a port thereon, is ready to enter into treaty thereon at Madrid." Jefferson recommended that Carmichael be joined in Madrid by another American representative who was acquainted with the circumstances of the navigation. In 1792 Secretary Jefferson commissioned Short to work with Carmichael on matters of interest between the United States and Spain, especially on the navigation of the Mississippi.

With the Spanish in the mood to negotiate, Jefferson prepared and submitted to Washington a paper outlining the

---

34 Jefferson to Short, March 12, 1791, ibid., 143-144.

35 "Report Relative to Negotiations with Spain to Secure the Free Navigation of the Mississippi, and a Port on the Same," December 22, 1791, ibid., III, 164.

36 Ibid.: Jefferson to Short, January 23, 1792, ibid., VIII, 289-290. There were several reasons why Spain was ready to negotiate. Spain realized that the United States saw the danger of disunion between the East and West if the government relinquished the rights to the Mississippi. The increased national power of the new Constitution was felt abroad and commanded respect. The Spanish feared an Anglo-American combination against Spanish possessions in America, though this was not likely. The incapacity of France as Spain's family ally left the Spanish unable to defend her American possessions. Too, Short was successful in his appeal to the French for support in Madrid as the American representatives tried to gain free navigation of the Mississippi. Samuel Flagg Bemis, Pinckney's Treaty: A Study of America's Advantage from Europe's Distress (Baltimore, 1926), 178-180.
negotiations. Three points of contention between the two nations were to be included: boundary, navigation of the Mississippi, and commerce. Taking the same position that he had assumed during the Nootka crisis, he maintained that the United States had the right of navigation on the Mississippi River through the Treaty of 1763, through the Treaty of 1783, and through the law of nature and nations. He emphasized and elaborated the third of these since it was vague and more open to dispute. Jefferson cited examples to enforce his point of view and commented that

we find this natural right universally acknowledged and protected by laying the navigable rivers open to all their inhabitants. When their rivers enter the limits of another society, if the right of the upper inhabitants to descend the stream is in any case obstructed, it is an act of force by a stronger society against a weaker, condemned by the judgement of mankind.37

The United States, he said, held 600,000 square miles of territory on the Mississippi and its tributaries, while Spain had not one thousandth of this area.38

In concluding the subjects of boundary and navigation, Jefferson listed four conditions that were to be considered as sine qua non: (1) The United States' southern boundary was to remain fixed at the thirty-first degree of latitude on the Mississippi to the ocean. (2) Spain must acknowledge America's right to navigate the Mississippi from its source

37 "Report Relative to Negotiations with Spain," March 18, 1792, in Bergh and Lipscomb, eds., Writings of Jefferson, III, 166-177.

38 Ibid., 177-178, 180.
to the sea. (3) American ships, cargoes, and passengers were not to be stopped nor subject to a duty payment of any kind. (4) The United States was to be granted the necessary conveniences on shore to make the right of navigation practicable and to preserve the peace between the two nations. 39

Short and Carmichael met with the Spanish officials in February, 1793. From the beginning negotiations were unsuccessful. The whole international scene had changed. France was at war with Spain, England, Holland, Prussia, Portugal, and Austria. Don Manuel Godoy had replaced Florida Blanca as the Prime Minister. Godoy had appointed Gardoqui as the Spanish commissioner in charge of the negotiations. Gardoqui held the same position that he had held when negotiating with Jay in America. With England and Spain on friendlier terms and with the French declaration of war on Spain, the American mission struggled fruitlessly for months in the Spanish courts. Short and Carmichael felt it unwise to urge the Spanish to accept the four points which Jefferson had said were absolutely necessary. 40 The only point gained was that the Spanish would not interfere with the efforts of the United States to subdue the Indians

39 Ibid., 188.

40 For documentary material concerning the Short-Carmichael mission see President Washington to Congress, April 15, 1794, in Walter Lowrie and Matthew St. Clair Clark, eds., American State Papers: Foreign Relations (6 vols., Washington, 1832), I, 432-446. This source will hereafter be referred to as ASPFR.
of the Southwest. Jefferson had begun to press this issue while the American representatives were in Spain. 41

The effort to effect a treaty was canceled for the time being. As Secretary of State Jefferson was unsuccessful in his efforts to serve the men of the western waters. "The Secretary of State made out the best case he could for American contentions. Legally and philosophically he may have been on shaky ground, but his patriotism was unquestionable," his major biographer has written. He was "a fervidly patriotic American who sensed the vast future importance of the West." 43 The maintenance of the Union, he believed, depended upon a successful solution to the western question, a solution which bore directly on the advancement of the agricultural interest as compared with the commercial interests of the East.

Before Jefferson retired from the secretaryship, there was another drama enacted that was in part related to the West. While Short and Carmichael had been unsuccessfully struggling with the Spanish officials in 1793, the newly established French Republic ordered Edmund Charles Genet to Philadelphia as Minister Plenipotentiary. The flamboyant

41 On numerous occasions Jefferson communicated with Short and Carmichael concerning the Indian situation in the Southwest. For a discussion of Indian affairs in the Southwest see Jefferson to Carmichael and Short, June 30, 1793, in Bergh and Lipscomb, eds., Writings of Jefferson, IX, 148-160.


43 Ibid., 409.
minister, the hero of freedom over tyranny, was well received by the general public and at first received official support and sympathy from Jefferson.\textsuperscript{44}

The adulation of the Americans apparently went to Genet's head. Genet regarded the United States as a province of France obliged to follow her leadership. He ignored the neutrality proclamation that had been issued on April 22, by President Washington and began soliciting the use of French vessels to capture British and Spanish merchant ships as prizes of war.\textsuperscript{45}

Genet's behavior became more and more arrogant, making Jefferson's position as a friend of France more difficult. Jefferson eventually turned against Genet when he learned that the French sought to gain control of Louisiana by alienating the western population from the United States. In the pretended liberation of Louisiana from Spanish control, Genet arranged to recruit an army to be led by Kentucky leaders commissioned as French generals. The frontiersmen saw in Genet the opportunity to suppress the tyranny on the Mississippi. In letters to Governor Isaac Shelby of Kentucky, Jefferson warned Kentucky frontiersmen not to become involved in such activities since their interests were under consideration in Spain.\textsuperscript{46}

\textsuperscript{44}Jefferson to Morris, August 16, 1793, in Bergh and Lipscomb, eds., \textit{Writings of Jefferson}, IX, 182-185.

\textsuperscript{45}\textit{Ibid.}, 183, 185.

\textsuperscript{46}Hemphill, "Jeffersonian Background," 186-187; Jefferson to Governor Isaac Shelby, August 29, 1793, in Lex-
As the Genet force subsided and Jefferson resigned as Secretary of State, the citizens of the West continued to complain. "... It is the duty of the General government to protect the Frontiers, and that total want of protection which is now experienced by every part of the Western Frontier, is a grievance of the greatest magnitude and demands immediate redress." Another angry westerner argued, "You have an indisputable right to the navigation of the Mississippi. ... Too long, my fellow citizens have you placed an implicit dependence on the impartiality and virtue of the General Government." The protest continued: "What, my countrymen has been done for you by the General Government. After a negotiation of several years your right is not yet acknowledged. Why?"

Finally, in 1794, as the general war in Europe continued, the United States once again had the opportunity to solve the western problems which had been repressing the growth of the nation and suppressing Jefferson's agrarian ideal.

The unnatural Spanish-English alliance was weakening. England was aware of the French interest in Louisiana, and Spain feared an Anglo-American alliance which might be

---

ington Kentucky Gazette, July 19, 1794. Genet was dismissed from his official position in January, 1794, the same month that Jefferson resigned as Secretary of State. From the Genet mission Jefferson learned that France had never adjusted to the ownership of Louisiana by Spain.

47 Kentucky Gazette, May 31, 1794.

48 Ibid., February 15, 1794.
dangerous to Louisiana. There was much anti-British sentiment in the East because of the British harassment of American seamen. The frontiersmen from Kentucky had joined the Indian fighters of the Northwest and were about to subdue the Indians, thus destroying the Indian-British barrier. With the situation thus, John Jay arrived in London, June 12, 1794, to negotiate a treaty with the British along the lines prepared by Jefferson before he resigned as Secretary of State. Jay was to convince Lord George Grenville, the British Prime Minister, that the United States was going to join the League of Armed Neutrality if the British did not end harassment of American seamen and withdraw from the northwest posts.49

Grenville made the decisions that would keep the United States neutral in the war. He believed that the Indians would be defeated; consequently, some territory would be lost. With the Indian barrier broken, further American settlement would drive out the beaver. Two months before the treaty was actually signed, Wayne defeated the northwest tribes at Fallen Timbers, August 20, 1794. Thus the British agreed to abandon the northwest forts by June 1, 1796. However, they were allowed to trade freely with the Indians and to maintain their warehouses anywhere in the evacuated territory. The treaty also stipulated that the British merchants were to be paid by the United States the debts that existed from the Revolutionary War.

49 Sprague, So Vast, So Beautiful a Land, 255-258.
Jefferson, in retirement, was kept informed of the treaty through Madison. When news of the treaty finally reached the public, opposition was strongly expressed where anti-British sentiment was felt and where Republican interest was strong. Jefferson did not participate in the public expression of disapproval, but in his private letters he denounced the treaty strongly. While the defenders of the treaty claimed that it had prevented war, Jefferson wrote, "the eternal truth [is] that acquiescence under insult is not the way to escape war."51

In many respects the treaty amounted to a complete surrender of what Jefferson had advocated. No compensation was offered for the slaves carried off by the British, and the United States assumed the private debts which had legal obstacles imposed upon them. The United States gave a ten

50Ibid., 257-259; "Jay's Treaty signed at London, November 19, 1794," in Miller, ed., Treaties and Other International Acts, II, 246-249, 255. The crucial part of the negotiation concerned the boundary separating Canada from the United States westward to the Mississippi. In 1783 the line described as running west from the northwest corner of the Lake of the Woods to the source of the Mississippi seemed to give the British the same rights of access to the Mississippi as it did the United States. In 1794 that boundary did not exist because the source of the Mississippi was known to be deep within American territory, well south of the Lake of the Woods, not west. Grenville argued that the entire United States-Canadian boundary had to be moved south to give the British access to the river. If the United States had accepted Grenville's proposed boundary, Britain would have gained 30,000 square miles of American territory. The boundary issue was left unsettled for the time, and the British were allowed free access to the Mississippi.

51Jefferson to Henry Tazewell, September, 13, 1795, in Bergh and Lipscomb, eds., Writings of Jefferson, IX, 308.
year guarantee against tariff and tonnage discriminations such as Jefferson had favored. 52

But in another way it was a triumph for Jefferson's ideas. For thirteen years Jefferson had wanted to get the British out of the northwest posts where they were successful in inciting Indian raids and in blocking a large area to American traders. The agreement to leave the posts was the core of the treaty. 53

Still, Jefferson viewed the treaty as a diabolically clever partisan maneuver.

A bolder party-stroke was never struck. For it certainly is an attempt of a party, which finds they have lost their majority in one branch of the legislature, to make a law by the aid of the other branch and of the executive, under color of a treaty, which shall bind up the hands of the adverse branch from ever restraining the commerce of their patron-nation. 54

Jefferson was convinced that the treaty was against the public interest and in defiance of popular opinion. Its advocates, he believed, were willing to trick the people and apply any handy constitutional device to main-

52 Malone, Jefferson, III, 246-247; Jefferson to Hammond, December 15, 1791, in Bergh and Lipscomb, eds., Writings of Jefferson, XIX, 82-86. Beginning in 1791 with the arrival of George Hammond, the first British minister to the United States, Jefferson revived the dispute between the United States and Great Britain. He pointed out that Great Britain had not fulfilled the treaty obligations of 1783. For a summary of the Jefferson-Hammond discussions see Bemis, Jay's Treaty, 122-136.


54 Jefferson to Madison, September 21, 1795, in Bergh and Lipscomb, eds., Writings of Jefferson, IX, 310-311.
tain their power. Jefferson saw the treaty as an "infamous act, which is nothing more than a treaty of alliance between England and the Anglomen of this country against the legislature and the people of the United States."\textsuperscript{55}

During the time that Jay was in London, Washington was seeking a special envoy to send to Spain. Jefferson, who was absent from official duty, was offered the assignment. When he refused, Thomas Pinckney was selected. Pinckney, arriving in Madrid on June 28, 1795, found Godoy to be more conciliatory than he had been to Short and Carmichael. Probably the main consideration that led Godoy to make a treaty with the United States was to offset the Jay Treaty of 1794. The Jay Treaty had not been made public at the time of Pinckney's arrival. Godoy did not foresee the disapproval of both many American citizens and foreign nations, and he could only guess as to the contents of the agreement between America and England and suppose there would be an alliance that placed Spanish possessions in America in danger. Consequently, Godoy was ready to treat.\textsuperscript{56}

The Treaty of Friendship, Limits, and Navigation, signed at San Lorenzo el Real on October 27, 1795, fixed the Florida boundary in the manner stipulated by the United States and

\textsuperscript{55}Jefferson to Edward Rutledge, November 30, 1795, \textit{ibid.}, 313-314.

granted unrestricted navigation of the Mississippi to the Americans. The settlers were to have the right of deposit at New Orleans for three years with the understanding that it would be renewed at the end of that time, either there or at some other place. 57

Though Jefferson did not hold an administrative position in 1795, it was his policy which secured the concession included in the Pinckney Treaty. Much of the credit for the success is Jefferson's. His policy of reliance on the trouble of Europe had at last worked to American advantage in solving the western question. All went well for the next few years in the Mississippi Valley.

CHAPTER FOUR

JEFFERSON: THE EXPANSIONIST

At the beginning of the nineteenth century, the Mississippi River was still the western boundary of the United States, and the land beyond was a foreign territory, a vast and mysterious void to most Americans, a terra incognita. When Jefferson became president of the United States, this was to change. In the back of his mind the new president had plans for the West; consequently, some of the major achievements of his first term had to do with the American West. Jefferson, the champion of the trans-Appalachian settlers, had long understood their needs and the impending crisis concerning the navigation of the Mississippi River. His concern for the West, however, did not end here. He had had a lifelong interest in the mysterious expanse between the Mississippi and the Pacific.

Although Jefferson never traveled more than fifty miles west of Monticello, he had long dreamed of exploring the lands beyond the Mississippi. For at least twenty years he had thought seriously about the land and had wondered about what he had heard. He suspected that prehistoric mammoths might still roam the area; he was curious about the minerals rumored to be in the wilderness, for he had heard of a great mountain of pure salt; he wanted to know
about the plants, animals, fossils, geography, Indians—all there was to know.

Already, he had collected information concerning the Missouri-Columbia route across the continent. In 1782 he had talked with a Mr. Stanley who told him that as a captive of the Indians he had been taken to a river flowing westward, perhaps the route of which Jefferson dreamed. Jefferson’s frontier interests had made him familiar with proposals of reaching the Pacific by ascending the Missouri. He knew that once a waterway across Spanish Louisiana had been found the continent would be joined, the conflict of empires would be settled, and Louisiana would be America’s.¹

Jefferson had dreamed of taking the fur trade from the British and of making it an American endeavor and of opening the Mississippi to unrestricted commerce; and through his dreams of western exploration, he envisioned an expanding nation steeped in the principles of democracy and founded on an agrarian economy.

For most of the years that Jefferson dreamed of exploring the Mississippi West, Spain owned the territory, except for a short time when it was in the hands of the French. For a time it had not really mattered that Spain, a weak and declining nation, owned the land, though at times she was a bothersome neighbor. In 1786 Jefferson said of Span-

lish ownership of Louisiana and Florida, "Those countries cannot be in better hands. My fear is, that they are too feeble to hold them till our population can be sufficiently advanced to gain it from them, piece by piece. The navigation of the Mississippi we must have. This is all we are, as yet, ready to receive." In 1801, when there was again trouble in the West, Jefferson said, "With respect to Spain our dispositions are sincerely amiable and even affectionate. We consider her possession of the adjacent country as most favorable to our interest and should see, with extreme pain any other nation substituted for them." 3

Jefferson had known all along that some day America would have to do something permanent about the Mississippi and the land west of it. He, more than most, had understood that the United States must have access to the mouth of the Mississippi and New Orleans or lose everything beyond the Appalachians; and he had pursued a policy to that end. Actually, his concern for the ownership of the trans-Mississippi area had begun during the Revolution. As the war drew to a close, Jefferson was alarmed to learn that the British were planning to explore the Louisiana Territory, beginning at the mouth of the Mississippi and advancing westward to the vague area of California. As long as


the colonies had been a part of the British Empire, British
exploration was no threat; but to the independent United
States of America, British exploration and colonization
would mean danger. Jefferson’s concern was expressed to
George Rogers Clark on December 4, 1783:

I find they have subscribed a very large sum of money
in England for exploring the continent from the Mis-
sisipi to California. They pretend it is
only to promote knolege I am afraid they have
thoughts of colonizing into that quarter. Some of us
have been talking here in a feeble way of making the
attempt to search that country. But I doubt whether
we have enough of that kind of spirit to raise the
money. How would you like to lead such a party? Tho
I am afraid our prospect is not worth the question.4

Clark declined, but Jefferson’s next effort to explore
the West came just three years later. In 1786, while he was
Minister to France, Jefferson met the American adventurer,
John Ledyard, whose writings had had a profound effect on
him. Jefferson urged Ledyard to approach the American West
by traveling across Europe and Asia to Siberia, then over
the Bering Sea to Vancouver Island. From there he was to
tavel down the Pacific Coast and inland to the Mississippi
River. Ledyard undertook the outlandish route and traveled
several thousand miles before Catherine the Great stopped
him. Ledyard was arrested just 200 miles from Kamschatka,
put into a closed carriage, and transported to Poland. His
body was impaired and his constitution broken by the fati-
guing journey. The adventurer later went to Egypt where he
died. In a history of the incident Jefferson commented,

4Jefferson to George Rogers Clark, December 4, 1783,
"thus failed the first attempt to explore the western part of our continent."

By 1792, Jefferson, now Secretary of State, had found another explorer to send into the Far West, Andre Michaux, a French botanist. Jefferson persuaded the American Philosophical Society to finance the expedition, and then he drew up a remarkable letter of instructions for Michaux:

The chief objects of your journey are to find the shortest and most convenient route of communication between the United States and the Pacific Ocean, within the temperate latitudes, and to learn such particulars as can be obtained of the country through which it passes, its productions, inhabitants, and other interesting circumstances. As a channel of communication between these States and the Pacific Ocean, the Missouri, so far as it extends, shall be considered and explored as a part of the communication sought for. You will in the course of your journey, take notice of the country you pass through, its general face, soil, rivers, mountains, its productions—animal, vegetable, and mineral—so far as they may be new to us, and may also be useful or very curious.

Michaux was told to learn all that he could about the inhabitants; their history, names, numbers, dwellings, languages, manners, state of their society, their arts and commerce and their connections with each other. This


6 "Instruction to Andre Michaux for exploring the Western Boundary," January 1793, in Bergh and Lipscomb, eds., *Writings of Jefferson*, XVIII, 335-336.

7 *ibid.*, 336-337.
exploring attempt was aborted when Michaux became involved in the political intrigue of the notorious Citizen Genet, who was organizing proposed raids by Americans on Spanish Louisiana on behalf of France.

During all of these years of thinking and wondering and collecting information about the West, Jefferson had attempted to satisfy his curiosity and, while doing so, to pave the way for American expansion into the West. In 1801 he carried his westering ideas and ambitions with him to Washington. He continued to be disturbed by the British penetration of the American Northwest Territory and of the Upper Missouri. The fort evacuations brought about through Jay's Treaty had not discouraged England from trying to control the Great Lakes country and the land westward. The trading posts scattered across the area, plus the continental crossing of Alexander Mackenzie in 1783, were efforts of the British to circumvent American schemes to close the territorial gap.⁸

After Jefferson became president, reports of another western trek to the Pacific Coast reached him. This one was made in 1797-1798 by the great British explorer David Thompson.⁹ No doubt, in 1801 Jefferson desired such an

---

⁸Sprague, So Vast, So Beautiful a Land, 274; DeVoto, Course of Empire, 345, 348, 355. When Mackenzie’s record was published in 1801, Jefferson read it attentively, for it expressed a plan for transcontinental trade imperialism. Mackenzie completed the journey just as Michaux was preparing for the American exploration. The Northwest Passage found by Mackenzie was by land and not the sought after water route.

⁹Sprague, So Vast, So Beautiful a Land, 274-275. At
exploring party for the United States, and the idea of another attempt at exploring the West must have been formed in his mind. But as disturbing as the British thrust westward was, the president was faced with a more serious issue. The day had come at last for a final decision on the Mississippi question, for the rumor was rife that Louisiana had been ceded to France. To Jefferson the aggressive French nation was not a welcome neighbor, in spite of the friendship he held for the French people.

The supremacy of Napoleon in Europe had sharpened his vision of a colonial empire, and Jefferson knew Louisiana was part of the vision. The French had never adjusted to the loss of Louisiana in 1763, and the opportunity to recover the territory seemed at hand. Louisiana was a burden to the Spanish. There was not much Spanish about it except a few military personnel, civil servants, and representatives of the Catholic Church. Americans outnumbered all others in the area. For a fair sum and the guarantee of protection of their more valuable possessions on the continent, the Spanish officials were willing to turn Louisiana over to the French. ¹⁰

The first treaty of retrocession had been signed in 1796 but was never ratified. From that time on, there was the threat of a French Louisiana. Finally on October 1, 1800, the Treaty of San Ildefonso was signed in secrecy. Louisiana belonged to the French nation once again. The cession was to be kept secret from the United States until Napoleon could fulfill his part of the bargain and then take possession of Louisiana. In exchange for Louisiana, France was to procure for the Duke of Parma, the Spanish king’s nephew, a territory in Italy containing a million inhabitants. France, lacking complete control of the land in question, could not fulfill her treaty obligations immediately; consequently, the Spanish king would not sign the treaty until France surrendered the Italian territory.\(^{11}\) Napoleon was having financial difficulties and affairs were not going well in Santo Domingo, his first attempt at colonization in America. Thus the French did not assume immediate occupancy of Louisiana.\(^ {12}\)

When rumors of the retrocession reached Jefferson eight months later, he was alarmed. By November, 1801, the rumors of the retrocession had been confirmed, though the French Minister of Foreign Affairs, Charles Talleyrand, continued to deny the existence of such a treaty. Jeffe-


son, having received a message containing the terms of the treaty, was convinced that the French were headed for re-occupation of the Mississippi Valley.\textsuperscript{13}

On April 18, 1802, Jefferson wrote to Robert Livingston, American Minister to France, expressing his views of the dangers to the United States and the course to be followed:

The cession of Louisiana and the Floridas by Spain to France works most sorely on the United States. . . . It completely reverses all the political relations of the United States and will form a new epoch in our political course. . . . There is on the globe one single spot, the possessor of which is our natural and habitual enemy. It is New Orleans, through which the produce of three-eighths of our territory must pass to market, and from its fertility it will ere long yield more than one-half of our inhabitants. France placing herself at that door, assumes to us the attitude of defiance. Spain might have retained it quietly for years. . . . Not so can it ever be in the hands of France; the impetuosity of her temper, the energy and restlessness of her character . . . render it impossible that France and the United States can continue long friends when they meet in so irritable a position. The day that France takes possession of New Orleans, fixes the sentence which is to restrain her forever within her low-water mark. It seals the union of two nations, who, in conjunction, can maintain exclusive possession of the ocean. From that moment, we must marry ourselves to the British fleet and nation.\textsuperscript{14}

By the spring of 1802 the citizens of the United States were aware of the treaty and were determined that

\textsuperscript{13}Rufus King to Madison, November 20, 1802, in Lowrie and Clark, eds., \textit{ASPFR}, II, 511-512; Robert Livingston to Madison, December 10, 1801, \textit{ibid.}, 512. Documents concerning the Spanish retrocession of Louisiana to France are found in \textit{Annals of Congress}. 7 Cong., 2 Sess., 1017-1026 (Appendix).

\textsuperscript{14}Jefferson to Livingston, April 18, 1802, in Bergh and Lipscomb, eds., \textit{Writings of Jefferson}, X, 311-313.
French occupation of Louisiana must be prevented; especially in the West was there much anger and concern. Jefferson, confronted with this most delicate and difficult situation, wanted to avoid war and settle the issue through diplomacy. From the beginning of his administration, he had stated his anti-war views as part of his foreign policy:

Determined as we are to avoid, if possible, wasting the energies of our people in war and destruction, we shall avoid implicating ourselves with the powers of Europe, even in support of principles which we mean to pursue. They have so many other interests different from ours that we must avoid being entangled in them. We believe that we can enforce those principles as to ourselves by peaceful means . . . 15

The Federalists, greatly decreased in power, opposed Jefferson's pacifist attitude in the crisis over Louisiana and were clamoring for war. While both the Federalists and the Republicans envisioned a western empire, they differed in their means of acquiring it. The Federalists sought to exploit the Mississippi situation for their political advantage and for expansionist purposes. Jefferson believed they were trying to force the United States into a premature war that would attach the westerners to them and consequently put the Federalists in power. 16

The President believed that it was only a matter of time until hostilities between England and France would be renewed, though the Treaty of Amiens had for the present closed the war between the two nations. From the American

15 Jefferson to Thomas Paine, March 18, 1801, ibid., 223-224.
ministers in Europe came messages that war between France and England was inevitable. On May 13, 1803, Jefferson wrote that "Although there is probably no truth in the stories of war actually commenced, yet I believe it inevitable. England insists on a remodification of the affairs of Europe, so much changed by Bonaparte since the Treaty of Amiens, so that we may soon expect to hear of hostilities." A week later he wrote, "I consider war between France and England as unavoidable." The infant nation, Jefferson believed, could only bide its time while the peace lasted. Thus the keynote of Jefferson's policy was procrastination; he believed that the United States had to "palliate and endure."

This did not mean that Jefferson was ignoring Napoleon's scheme for achieving a colonial empire. Livingston was pursuing every possible means to settle the problem. He was informed by Secretary of State Madison: "The President wishes you to devote every attention to this object, and to be frequent and particular in your communications.

---

17 King to Madison, March 17, 1803, in Lowrie and Clark, eds., ASPFR, II, 548; Livingston to Madison, March 24, 1803, ibid., 549; King to Madison, April 2, 1803, ibid., 551; Madison to Livingston and Monroe, May 28, 1803, ibid., 561.


19 Jefferson to Claiborne, May 24, 1803, ibid., 391.

20 Jefferson to Joseph Priestly, January 29, 1804, ibid., 447.
Later Livingston was informed that should war resume between England and France, "the crisis may be favorable to our just rights and our just objects; and the President assures himself that proper use will be made of it."  

While the President was anticipating the renewal of the British-French war, unexpected news reached him: Don Juan Ventura Morales, the Spanish Intendant, had withdrawn the right of deposit at New Orleans on October 16, 1802. The Treaty of San Lorenzo el Real in 1795 had stipulated that at the end of three years the right of deposit would be renewed at either New Orleans or at some other place. At the end of three years neither country had done anything official, but the westerners had continued to store their goods at New Orleans without conflict. Morales now contended that the United States had forfeited their right. He claimed that Americans were abusing the deposit by bringing in contraband and that New Orleans was losing money by not charging a duty on goods deposited there.  

Governor W. C. C. Claiborne of the Mississippi Territory wrote that the withdrawal "had inflicted a severe wound on the agricultural and commercial interest of this
territory, and will prove no less injurious to all the western country."  

Some historians, however, maintain that suspending the deposit was not economically disastrous to the westerners. They simply had a convenience terminated. Their flatboats could still travel the length of the river without interruption and their cargoes could be transferred directly to sea-going vessels, though not as well as from docks. The depression in the West was not caused by the suspension of deposit but from the loss of overseas markets taken from them by the peacemakers at Amiens.  

The action of Morales intensified western sentiment against Spain and France and lessened chances of a diplomatic solution. Western fervor demanded steps to be taken by the federal government to reopen the Mississippi and to prevent the re-establishment of the French in the Mississippi Valley. Jefferson heard from Governor James Garrard of Kentucky that  

The citizens of this State are very much alarmed and agitated, as this measure of the Spanish Government will, (if not altered) at one blow, cut up the present and future prosperity of their best interests by the roots. To you, sir, they naturally turn their eyes, and your attention to this important subject their  

25Claiborne to Madison, October 29, 1802, in Lowrie and Clark, eds., ASPFR, II, 470. Morales was instructed to grant Americans the right of deposit on March 1, 1803, according to the original terms of 1795. This did not settle the issue, however, since France still owned Louisiana.  

26DeConde, Affair of Louisiana, 119-120; Whitaker, Mississippi Question, 209; Lowell H. Harrison, John Breckinridge: Jeffersonian Republican (Louisville, 1969), 150.
best hopes are fixed. 27

Renewed threats of secession were heard: "... the Western people are in such a state of fury and mad impatience that they will not wait even a few months to see the fate of a negotiation ..." 28 Jefferson had to find some way to stave off disaster at home until England and France were embroiled in war. He had to prevent the westerners from taking secession seriously and to halt the Federalists in their war efforts. If the westerners should join forces with the Federalists, Jefferson's administration would be wrecked.

Jefferson chose the quiet approach in his message to Congress on December 15, 1802. Avoiding a major emphasis on the issue, he stated that "The cession of the Spanish province of Louisiana to France, which took place in the course of the last war, will, if carried into effect, make a change in the aspect of our foreign relations which will doubtless have just weight in any deliberation of legislature connected with that subject." 29 He did not even mention the suspended right of deposit. Though the issue had been understated to Congress, Jefferson realized just

27James Garrard to Jefferson, November 30, 1802, in Lowrie and Clark, eds., ASPFR, II, 471.

28Annals of Congress. 7 Cong., 2 Sess., 118 (February 23, 1803).

how serious it was. It was "a crisis the most important the United States have met since their independence, and which is to decide their future character and career."\textsuperscript{30}

In March of 1803 he wrote to William Dunbar:

The late interruption of our commerce at New Orleans by the Spanish Intendant, combined with the change of proprietors which Louisiana certainly and the Floridas possibly, are immediately to undergo have produced a great sensation here; while some have wished to make it the immediate cause of war which might damage our finances and embarrass the administration of our government, which, in the state of their political passions, would be a countervail for the most serious public extremities, we have pursued what we believe a more certain and more speedy means of restoring permanently the rights and conveniences of our commerce.\textsuperscript{31}

To Robert Livingston he wrote:

Our business was to take the most effectual pacific measures in our power to remove the suspension, and at the same time to persuade our countrymen that pacific measures would be the most effectual and the most speedily so. The opposition caught it [the suspended right of deposit] as a plank in a shipwreck, hoping it would enable them to tack the Western people to them. They raised the cry of war, were intriguing in all quarters to exasperate the Western inhabitants to arm and go down on their own authority and possess themselves of New Orleans, and in the meantime were daily reiterating, in new shapes, inflammatory resolutions for the adoption of the House. As a remedy to all this we determined to name a minister extraordinary to go immediately to Paris and Madrid to settle the matter. This measure being a visible one, and the person named peculiarly proper with the Western country, crushed at once and put an end to all further attempts on the Legislature. From that moment all has become quiet . . . .\textsuperscript{32}

\textsuperscript{30}Jefferson to Dupont de Nemours, February 1, 1803, \textit{ibid.}, X, 348.

\textsuperscript{31}Jefferson to William Dunbar, March 3, 1803, \textit{ibid.}, XIX, 131-132.

\textsuperscript{32}Jefferson to Livingston, February 3, 1803, \textit{ibid.}, X, 352-353.
In a sagacious move, Jefferson nominated James Monroe, friend of the West, as special envoy to aid Livingston. To Monroe, Jefferson explained that his appointment was to keep the westerners loyal and to silence the Federalist warmongers.

The agitation of the public mind on the occasion of the suspension of our right of deposit at New Orleans is extreme. In the western country it is natural and grounded on honest motives. In the seaports it proceeds from a desire for war which increases the mercantile lottery; in the Federalists generally and especially those of Congress the object is to force us into war if possible, in order to derange our finances, or if this cannot be done, to attach the western country to them, as their best friends, and thus get into power. Remonstrances, memorials, etc., are now circulating through the whole of the western country and signing by the body of the people; the measures we have been planning, being invisible, do not satisfy their minds. Something sensible, therefore, has become necessary: . . . You possessed the unlimited confidence of the administration and of the western people; and generally of the republicans everywhere . . . All eyes, all hopes are now fixed on you . . . on the event of this mission depend the future destinies of this republic.

On February 16, 1803, Congress adopted a resolution stating "that the United States have an indisputable right  

---

33 Jefferson to Monroe, January 13, 1803, ibid., X. 343-344. The enchantment worked. The quiescence of the westerners is partially explained by their attachment to the Republican administration. Farmers from all sections of the country were turning to the Republican party, and the West was largely a farming community. Jefferson's administration with its simplicity and frugality appealed to the frontier men. He had cultivated their friendship by abolishing the whiskey tax, modifying the territorial government, and facilitating the acquisition of more land from areas in the East where Republicans had been growing in popularity. Many pioneers had ties of blood and friendship with the Eastern Republicans. Many men of influence in the West were Republicans—men like John Breckinridge, a substantial middle-class lawyer.
to the free navigation of the Mississippi and to a convenient place of deposit for their produce and merchandise on the island of New Orleans."34 In subsequent sessions of Congress the problem was left to the President to resolve. He was given power to act in the matter, and $2,000,000 was appropriated by Congress to "defray any expenses which may be incurred in relation to the intercourse between the United States and foreign nations."35

The instructions that Jefferson presented to Monroe before he departed were rather general. The money appropriated by Congress was to be used to purchase New Orleans and West Florida if possible, thus giving the United States control over the river. In the event Monroe and Livingston were unsuccessful, they were to obtain the right of deposit. They were to receive further instructions if both proposals failed.36 The immediate situation forced the President to concentrate on the restricted navigation of the Mississippi, but "It need not be supposed that the administration would have rested content with this minimum even though compelled to accept it at the moment."37

34 Annals of Congress, 7 Cong., 2 Sess., 91-96 (February 16, 1803).
35 Ibid., 370-374, 1560 (January 12, 1803).
By the time Monroe reached Paris, affairs had changed. Talleyrand, Napoleon’s advisor and foreign minister, had astonished Livingston by offering to sell the entire Louisiana area. 38 Napoleon’s sudden decision to sell was a move “in the game of European power politics that centered in the rivalry of France and Britain.” 39 The Treaty of Amiens, negotiated soon after the Treaty of San Ildefonso, had brought a peaceful interval in Europe, but Napoleon knew it would be only temporary. He had hoped to use the lull to consolidate his newly acquired empire. A naval base in the Caribbean was necessary if he were to retain Louisiana. Santo Domingo was the obvious site, but Toussaint L’Ouverture, leader of a successful slave revolt, gained control of the island. French efforts to counter the success of the slaves were halted by an outbreak of yellow fever. Troops that Napoleon had intended to send to Louisiana had to be sent to Santo Domingo, where they too succumbed to yellow fever. Without an able defense, the territory of Louisiana would almost certainly be captured by the British when war broke out again. Thus came Napoleon’s decision to sell Louisiana. 40

There are other possible reasons why Napoleon desired

38 Livingston to Madison, April 11, 1803, in Lowrie and Clark, eds., ASPFR, II, 552.


40 Joe Gray Taylor, Louisiana: A Bicentennial History (New York, 1976), 44.
to sell; he realized there could be no peace between a powerful nation controlling the outlet of the river and a developing commercial nation on its upper waters; the money was needed for the impending conflict in Europe; and he foresaw a time when America might be a commercial threat to Great Britain.  

About two weeks after Monroe's arrival, he and Livingston signed the treaty placing Louisiana under American control. Instead of $2,000,000 they had spent $15,000,000. Instead of New Orleans and Florida, they had purchased the entire Louisiana Territory which amounted to some hundred million acres, according to Livingston and Monroe. For a few cents an acre they had doubled the size of the United States. They had no power to acquire the territory but believed their decision was for the public good and that the public would support them: "An acquisition of so great an extent was, we well know, not contemplated by our appointment; but we are persuaded that the circumstances and considerations which induced us to make it, will justify us in the measure to our Government and country."  

---

42Livingston and Monroe to Madison, May 13, 1803, in Lowrie and Clark, eds., *ASPFR*, II, 558-559; "Treaty for the Cession of Louisiana, signed at Paris April 30, 1803," in Miller, ed., *Treaties and Other International Acts*, II, 498-505. Since the precise boundaries of Louisiana were not known, Jefferson urged Livingston and Monroe to investigate whenever information could be obtained. Madison to Livingston, July 29, 1803, in Lowrie and Clark, eds., *ASPFR*, II, 566. Other documents concerning the Louisiana Purchase are found in *ibid.*, 506-583.
43Livingston and Monroe to Madison, May 13, 1803, in
Jefferson was overwhelmed when he received word that Napoleon wanted to sell Louisiana. By early July he knew the bargain was made and the treaty would arrive soon.

I consider the acquisition of this country as one of the most fortunate events which have taken place since the establishment of our independence, & the more fortunate as it has not been obtained by war & force, but by the lawful & voluntary cession of the proprietors, a title which nothing can hereafter bring into question. It secures to an incalculable distance of time the tranquility, security, & prosperity of all the Western country.44

Among those congratulating the President was John Breckinridge, Kentucky senator and Jefferson supporter.

The magnitude of the acquisition is not less important than the manner in which it was acquired. To add to our empire more than two hundred millions of acres of the finest portion of the earth, without a convulsion, without spilling one drop of blood, without impairing the rights of interests of a single individual, without deranging in the slightest degree the fiscal concern of the country, & without in short, the expense of a single dollar (for the port of Orleans will itself reimburse the 15 millions of dollars in . . . 15 years) is an achievement of which the annals of no country can furnish a parallel.45

From other inhabitants of the western country came more praise. For example, some residents of the Indiana Territory wrote that

the information recently received of the success of the negotiation instituted between our Government and the French Republic, and its termination in the cession of Louisiana to the United States, had diffused an universal satisfaction & joy inexpressible

Lowrie and Clark, eds., ASPFR. II, 558.


45John Breckinridge to Jefferson, September 10, 1803, ibid., 48.
throughout the Western country, and has excited in
the warmest degree the sense of gratitude due to
those, by whose exertions & anxious solicitude for
the welfare of their country, this important object
has been so happily accomplished . . . 46

Of course, the purchase of Louisiana was met with
the usual Federalist opposition, and in the midst of the
jubilation over the affair of Louisiana another obstacle
arose. Jefferson's principles as a strict constructionist
clashed with his vision of territorial expansion. He wrote
to Breckinridge, "The Constitution has made no provisions
for our holding foreign territory, still less for our in-
corporating foreign nations into our Union. The executive,
in seizing the fugitive occurrence which so much advances
the good of their country, had done an act beyond the Con-
stitution." 47

Jefferson had to reverse his position in order to use
the implied powers of government to justify the acquisi-
tion; however, he believed the end justified the means
and he moved as he did out of expediency to settle the
navigation crisis and to carry out his imperial ideas. He
continued to Breckinridge:

This treaty must of course be laid before both houses,
because both have important functions to exercise re-

46 "Memorial to Congress by Inhabitants of St. Clair
and Randolph Counties to the Honourable Senate and House
of Representatives of the United States in Congress Assem-
bled, October 26, 1803," ibid., VII, 140.

47 Jefferson to Breckinridge, August 12, 1803, in
Bergh and Lipscomb, eds., Writings of Jefferson, X, 410.
Breckinridge exerted a great deal of influence on legis-
lation pertaining to the West.
specting it. They, I presume, will see their duty to their country in ratifying and paying for it, so as to secure a good which would otherwise probably be never again in their power. . . . The legislature . . . like faithful servants, must ratify and pay for it, and throw themselves on their country for doing them unauthorized what we know they would have done for themselves had they been in a situation to do it. It is the case of a guardian, investing the money of his ward in purchasing an important adjacent territory, and saying to him when of age, I did this for your good; I pretend no right to bind you; you may disavow me, and I must get out of the scrape as I can; I thought it my duty to risk myself for you.48

Jefferson did not question the acquisition, nor did he consider relinquishing it. He merely sought the best constitutional means of carrying it out. Thus, he believed an amendment to the Constitution was the answer. "I suppose they [the legislature] must . . . appeal to the nation for an additional article to the Constitution, approving and confirming an act which the nation had not previously authorized."49 He himself worked on one draft after another.50

By August the President had received a message from Paris saying that Napoleon regretted his signing of the

48 Ibid., 410-411.

49 Ibid. When answering the President's letter, Breckinridge kept silent on Jefferson's constitutional question. While the Federalists were in power Breckinridge had been a strict constructionist, but he believed Louisiana was so important for the West that legality of the purchase must not be made a political issue. Lowell H. Harrison, "Some Thomas Jefferson-John Breckinridge Correspondence," The Filson Club History Quarterly, 42 (July 1968), 267.

50 Two drafts of Jefferson's proposed amendment are printed in Ford, ed., Writings of Jefferson, VIII, 241-249.
treaty. Livingston wrote, "I most solemnly press you to get the ratification as soon as possible, and to do all that on our part remains to be done . . . How happy, my dear sir, we are to have concluded a treaty which will forever exclude us from the politics of their stormy quarter of the globe. I hope that you will not let it pass totally through our hands." 51

This, Jefferson realized, was not the time to consider legal scruples. Concerning the constitutional difficulties he commented: "It is best that as little as possible be said . . . ." 52 In view of the French doubt, he would seek ratification of the treaty first and an amendment later. He assumed that Congress would approve the treaty and that all concerned would recognize the purchase as a fait accompli. On October 7, in his message to the Eighth Congress, the President praised the purchase of Louisiana but said nothing of the constitutional issue. Taking approval for granted, he submitted the treaty of cession. The Senate vote on November 3, 1803, was twenty-six to five, and no one voiced a doubt about the constitutionality of such expansion. The House voted eighty-five to seven to appropriate the necessary

51 Livingston and Monroe to Madison, June 7, 1803, in Lowrie and Clark, eds., ASPFR, II, 565; Livingston to Madison, June 3, 1803, ibid., 563.

52 Jefferson to Henry Dearborn, August 23, 1803, in Bergh and Lipscomb, eds., Writings of Jefferson, XIX, 134.
funds for the purchase. Congress had cooperated with the President in setting legal precedent for expansion. Undoubtedly, if the framers of the Constitution had desired to prohibit expansion, they would have made that clear in the Constitution. Instead they had framed it in such a way that the issue concerning expansion might be settled when it became necessary.

Jefferson appointed W. C. C. Claiborne and James Wilkinson to receive the cession. On December 20, 1803, American troops marched into New Orleans where the ceremonial transfer of Louisiana was made. Napoleon had not taken possession of the territory when he sold it to the United States, he had never fulfilled his agreement to provide an Italian throne for the Spanish king’s nephew, and he had broken his promise never to transfer Louisiana to a foreign territory. Yet in November, 1803, just twenty days before the French transfer to America, the indignant Spanish had hauled down the flag of Spain and surrendered Louisiana to France.

Officially Louisiana had been turned over to the United States. The next problem the nation had to face

53 "Third Annual Message to the Senate and House of Representatives of the United States, October 17, 1803,“ ibid., III, 351, 353; Annals of Congress, 8 Cong., 1 Sess., 548 (October 29, 1803).

54 Claiborne and Wilkinson to Madison, December 20, 1803, in Lowrie and Clark, eds., ASPER, II, 581; Jefferson to the Senate and House of Representatives, January 16, 1804, ibid., 581; Geer, Louisiana Purchase, 220; Muzzey, Jefferson, 231.
was how to govern the people. There was extensive and serious debate on the status of the inhabitants of the ceded territory. One provision of the treaty was that the inhabitants of the ceded territory shall be incorporated in the Union of the United States, and admitted as soon as possible according to the principles of the Federal Constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and, in the meantime, they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess.55

In the end it was agreed that not only did the United States have the right to acquire new territory but also that the territory might be incorporated into the Union.

The nature of the population complicated the question of how to govern the territory. Congress decided the Purchase would be divided into two districts—the District of Louisiana north of the thirty-third parallel of latitude and the Territory of Orleans south of that line. The District of Louisiana, though not incorporated into the Territory of Indiana, was joined to it for administrative purposes. The federal officials of the Indiana Territory were to have authority over the District of Louisiana, a vast tract of land with a few scattered Indians and trappers. Thus the district was essentially governed according to the Northwest Ordinance. From this great tract of land could come new states.56

56 Annals of Congress, 8 Cong., 1 Sess., 1054, 1078-
The Territory of Orleans was another matter. The population of this thickly settled and growing country was a mixture of Spanish, French, Americans, Negro slaves, Indians, primarily people with little or no experience in self-government. Jefferson assigned to Breckinridge the task of organizing a temporary government of the territory. Breckinridge consulted closely with Jefferson concerning the matter. After numerous debates the bill proposed by Breckinridge passed the Senate. The territory was relegated to an unorganized status, giving the 50,000 residents no voice in the government. The President appointed a governor and a secretary who served for three years. W. C. C. Claiborne was appointed governor, a position he held for thirteen years. The thirteen members of the Legislative Council were also appointed by the President. Judges were appointed to serve for four years. Restrictions were placed on jury trials and the slave trade. Those familiar with the Northwest Ordinance were dissatisfied with their less democratic status, but suffrage was gradually introduced into the territory. In 1805 Orleans was made into an organized territory and was on the road to statehood.\textsuperscript{57}

\textsuperscript{57}Annals of Congress, 8 Cong., 2 Sess., 1674-1676;
That international complications brought fortune to the United States cannot be denied, and though Jefferson’s dream came sooner than expected, he deserves more honor than simply being president when Louisiana was purchased. Jefferson “believed the event not very distant but acknowledge [sic] that it came sooner than ... expected.”

He was qualified to direct the negotiations, for he had realized longer than any other the value of the Mississippi Basin. For a number of years he had pursued a policy to gain unrestricted use of the Mississippi, and for the future he had envisioned an America expanding beyond the Mississippi waters. The acquisition of Louisiana was the dramatic result of a long struggle. Capitalizing on the westward advance of population and relying on a blend of peace and persuasion, Jefferson kept his objective in sight. With the purchase of Louisiana, Jefferson’s idea of an agrarian empire for liberty became

"An Act for the Organization of the Orleans Territory and the Louisiana District, March 26, 1804, effective October 1, 1804," in Carter, ed., Territorial Papers, IX, 202-213; Harrison, John Breckinridge, 167-168. Those who had been United States citizens for three years and who owned 200 acres were allowed to vote in the first representative election. Requirements were eventually reduced to citizenship of three months and ownership of fifty acres. In 1810 a constitutional convention was held and a constitution adopted. On April 10, 1812, the Territory of Orleans became the eighteenth state—Louisiana. Within nine years a foreign territory had made the transition to statehood. In the years following the purchase, part or all of thirteen other states were carved from the Louisiana Purchase.

a reality. This was the finest achievement of his presidency. Jefferson considered Louisiana a personal and national triumph, a monument to his imperial creed.

On this important acquisition, so favorable to the immediate interests of our Western Citizens, so auspicious to the peace and security of the nation in general, which adds to our country territories so extensive and fertile, and to our citizens new brethren to partake of the blessings of freedom and self-government, I offer to Congress and our country my sincere congratulations.59

Traditionally, historians have believed that Jefferson relied on the diplomatic efforts of his representatives and that he made no other preparations to meet the situations that might develop as a result of the Treaty of San Ildefonso. Consequently, Napoleon's decision to sell Louisiana and Jefferson's to buy appear to stem from expediency rather than from plan; and though he was committed to the doctrine of expansion, Jefferson appears to have acted to placate the aggressive westerners and to maintain Republican power than to carry out his expansionist schemes of a national mission.60

Jefferson, however, did have a definite Louisiana policy which was to secure the nation's interests and to expand America westward.61 He had competent diplomats

59 Jefferson to the Senate and House of Representatives, January 16, 1804, in Lowrie and Clark, eds., ASPFR, II, 581.
60 DeConde, Affair of Louisiana, 250.
handling negotiations in France. But if the diplomatic efforts had failed, Jefferson would have been forced to rely on other measures, for he was determined to gain New Orleans in the near future, one way or another.  

Jefferson had begun military precautions even before the right of deposit was suspended, for he could not ignore the possibility of war. Fort Adams, located just above the Spanish line on the Mississippi, was kept in a state of readiness. As the possibility of the French occupation became evident and the right of deposit was withdrawn, he made further plans. Orders were issued for re-enlisting good soldiers who were ready to be released. Twenty rendezvous points for recruiting were established at strategic sites; the militia and arms were greatly increased at Fort Adams; and the President had been authorized to muster 80,000 militia during the recess of Congress if the situation demanded. Companies along the Mississippi and throughout the West were to have troops and supplies ready to send into the area. Military preparations were made along the northern borders in case there was a British intrusion, and the Atlantic Coast also was placed under guard.  

"Whether the military preparations on the frontier were adequate or inadequate is an unanswerable question.

---


since they were not tested . . . "64 Sympathetic historians and biographers have viewed Jefferson’s military preparations as an attempt to placate the westerners and have believed that he would have avoided war at all costs. They stress his pacifism and, despite his threatening words, say that he would not have gone to war if France had occupied New Orleans. Others see his belligerent words as genuine. Perhaps the bellicosity of the "federalist maniacs," as Jefferson called them, had made his aggressiveness appear to be more moderate than it really was.65

Another phase of Jefferson’s plan for security and expansion included his Indian and land policies. He urged Congress to end the privileges granted to the land speculators and to give aid to the inhabitants settling the West. He began a program of buying lands from the Indians in order to establish a strong white settlement which could defend the Mississippi. He planned to buy a wide strip on the eastern bank of the river extending from the Yazoo northward to the Illinois. To obtain the desperately needed land, he encouraged the Indians to turn to agriculture so they would be willing to exchange their vast forests for farming implements to improve their farmlands. His plan called for the establishment of trad-

64 Malone, Jefferson, IV, 272.
65 DeConde, Affair of Louisiana, 116-117.
ing houses where the Indians would be encouraged to incur large debts which would be paid off with their lands. In addition, he tried to win their friendship by granting them favors and assisting them in any way he could. In 1804, as the plan proceeded, he hastened to establish white settlements by opening land offices in the western areas and by dividing the land into smaller tracts of 160 acres or quarter-sections.66

A final step in Jefferson's plan for national security and expansion was the Lewis and Clark expedition. In light of the political crisis and Jefferson's expansionist objectives, two of the main goals certainly must have been to conduct military reconnaissance and to ascertain whether or not the country was suitable for white settlement.67 A primary purpose for possible conquest was his desire to prevent the British from seizing northern Louisiana if they went to war with France. For this reason, upper Louisiana was vastly important to the United States:

The present aspect of affairs may ere long render it necessary that we should, by taking immediate pos-


session, prevent G. B. from doing the same. Hence
a perfect knowledge of the posts, establishments, and
force kept by Spain in upper Louisiana, and also of
the most proper station to occupy for the purpose of
preventing effectually the occupying of any part of
the Missouri country by G. B. seems important . . . . 68

On January 18, 1803, just five days after the Senate
had approved the appointment of Monroe, Jefferson sent a
secret message to Congress concerning the expedition to
the West. Two months earlier Morales had withdrawn the
right of deposit at New Orleans. Jefferson had begun to
increase military preparedness, and he had instituted a
land and Indian policy that would strengthen national
security and expansion. Jefferson's message was short
and deliberately sketchy. He asked Congress to authorize
a military reconnaissance into the extensive and virtually
unknown lands claimed by the two most powerful nations
in the world, France and Britain, with a third, Spain,
clinging to possessions in the South and Far West. Realiz-
ing that they might view the proposition as risky, he
minimized the risks and used irresistible bait as he
avoided any suggestion of military action and spoke of
rich supplies of furs and of extending United States com-
merce. The clincher was the low cost of the enterprise,
only $2,500.

In the message Jefferson said

The river Missouri and the Indians inhabiting it are

68 Albert Gallatin to Jefferson, April 13, 1803, in
E. James Ferguson, ed., Selected Writings of Albert Ga-
not so well known as is rendered desirable by their connection with the Mississippi, and consequently with us. . . . An intelligent officer, with ten, or twelve chosen men . . . might explore the whole line, even to the Western Ocean, have conferences with the natives on the subject of commercial interests, get admission among them for our traders . . . and return with the information acquired in the course of two summers. . . . The interests of commerce place the principal object within the constitutional powers and care of Congress. . . . The appropriation of $2,500 "for the purpose of extending the external commerce of the United States," while understood and considered by the Executive as giving the legislative sanction, would cover the undertaking from notice and prevent the obstruction which interested individuals might otherwise previously prepare in its way.69

Congress approved Jefferson's venture on February 18, 1803. His plan to find out about the region, disguised as a means of extending United States commerce, had worked. Jefferson once again was little bothered by the fact that he was preparing to send an expedition into a territory of which not one inch belonged to America. However, as a modern historian has written, "A President making such a proposal could not expect the trade to be permanently conducted in, or the trade route to lead through territory belonging to a foreign power. In effect he is notifying Congress that some day Louisiana will be American."70 It is significant that Jefferson's plan for co-ordinating the problems of Indian holdings east of the Mississippi with the exploration of the upper Louisiana was conceived


70DeVoto, Course of Empire, 419.
almost simultaneously with American attempts to purchase New Orleans, the threshold to Louisiana.

Jefferson's secretary, Captain Meriwether Lewis, and Second Lieutenant William Clark had been selected to lead the expedition. They had assembled the necessary materials and supplies for the trip, and Lewis was in Pittsburg awaiting the completion of a keelboat for the Pacific adventure when he received word of the treaty ceding Louisiana to the United States. The exciting news changed what would have been a semi-clandestine reconnaissance of foreign land into a survey of American-owned territory.  

Jefferson, in a manner reminiscent of his orders to Michaux, instructed the men to explore the Missouri and its streams in an attempt to find the most direct route to the Pacific. They were to make detailed maps and charts and keep other accurate geological records along the way. They were to keep records concerning the soil, vegetation, animals, minerals, and climate. On their journey west they were to acquaint themselves with the inhabitants and be most friendly to them, informing them the land belonged to the United States. Among the gifts to be given to the Indians were medals: some bearing the likeness of Jefferson; others, that of a farmer sowing grain. Their notes on the natives were to include their names, numbers, occupations, customs, and all other such

---

information.\footnote{72}

On May 19, 1804, the Corps of Discovery left the mouth of the Missouri, where they had wintered in a Mandan village. From there they forwarded to Jefferson a collection of various specimens and a map and journal of the trip thus far. The correspondence between Jefferson and Lewis varied according to the difficulties imposed by physical boundaries and conditions. There is no record that letters were sent to Washington after the Corps left the Mandan village in the spring of 1805 until they arrived in St. Louis in September, 1806, at which time Lewis informed Jefferson of their return.\footnote{73}

In the letter Lewis wrote to Jefferson, he said, \footnote{74}

> In obedience to your orders we have penetrated the Continent of North America to the Pacific Ocean and sufficiently explored the interior of the country to affirm that we have discovered the most practicable communication which does exist across the continent by means of the navigable branches of the Missouri and Columbia Rivers.

Lewis spoke of the wealth of fur-bearing animals and the opportunity they would offer America. He commented that "in the course of 10 or 12 years a tour across


\footnote{73}Boston \textit{Centinel}, July 13, 1805, in \textit{ibid.}, 324-326; Jefferson to Constantine Francois de Chasseboeuf Comte de Volney, February 11, 1806, \textit{ibid.}, 327; Lewis to Jefferson, September 23, 1806, \textit{ibid.}, 334.

\footnote{74}Lewis to Jefferson, September 23, 1806, \textit{ibid.}, 334.
the Continent by this route will be undertaken with as little concern as a voyage across the Atlantic is at present." In addition to the voluminous records, Lewis had returned with the skins of numerous animals, collections of plants, Indian vocabularies, and a Mandan chief, whom he had invited to Washington.75

In an answer to Lewis on October 20, Jefferson expressed concern over his safety since he had been so long in hearing from him, the joy of the nation over their return, and his personal gratitude for the wealth of material and information he had gained. The President extended an invitation to Lewis and the Mandan chief to visit Monticello and to see his collection of the materials he had received from the Mandan country.76

In his address to Congress on December 2, 1806, Jefferson commended the work of Lewis and Clark:

The expedition of Messrs. Lewis and Clark . . . had had all the success which could have been expected. They have traced the Missouri nearly to its source, descended the Columbia to the Pacific ocean, ascertained . . . the geography across our continent, learned the character of the country, of its commerce, and inhabitants; and it is but justice to say that Messrs. Lewis and Clark, and their brave companions, have by this arduous service deserved well of their country.77

In addition to the praise of Lewis and Clark,Jefferson—

75Ibid., 334–337.
76Jefferson to Lewis, October 20, 1806, ibid., 345.
son reported the explorations of Thomas Freemont to the Red River and Zebulon Pike to the headwaters of the Mississippi. His message also dealt with other western affairs: Indian relations, defense, settlement, and western conspiracy. Jefferson recommended to Congress that a bounty bill be enacted for an American settlement on the river above New Orleans. He recognized the vulnerability of the territory and believed that a settlement of hardy pioneers was necessary to defend it. For ironically, in 1805, while Lewis and Clark were trekking across the recently acquired territory, Aaron Burr, apparently, was plotting to detach the area from the Union. While historians are uncertain as to Burr's plans, Jefferson believed he was scheming to withdraw Louisiana and perhaps Tennessee and Kentucky, join them with Mexico, and establish himself as the ruler.\(^7^8\)

In 1805 Burr, former Vice-President of the United States, arrived in New Orleans to meet with James Wilkinson and other leading citizens. Within the year Wilkinson denounced Burr to Jefferson, declared martial law and sent officers to arrest Burr as he ascended the Mississippi with a group of armed men. Burr fled across country but was apprehended. He was tried in Richmond and acquitted. If this were a conspiracy, it was a last spark from the old Spanish conspiracies of earlier years. Louisiana showed

\(^{78}\text{Ibid.}\)
no overt interest nor made any move toward separation.79

Jefferson's interest and problems in the West were overshadowed by foreign issues during his second administration. Americans became entangled in foreign affairs as Europe exploded into war. England and France both disregarded American neutrality and began a policy that crippled American trade in the Atlantic. Jefferson attempted to gain recognition of American's neutral rights through economic coercion. Congress passed the Embargo Act in December, 1807. As Jefferson requested, the United States withheld its commerce and closed its markets to foreign trade. The resentment and privations caused in the United States made strict enforcement impossible. As the Embargo failed, so did the other devices that were tried in its place, and the drift toward war was unmistakable. Three years after Jefferson left office the War of 1812 began.80

Western exploration ceased with the War of 1812 and did not resume until 1820 when Stephen Long explored the territory along the Red and Arkansas rivers. He labeled the westward-stretching plains, "the Great American Desert," and thus branded it unfit for settlement. With the excep-

79 The documents relating to Burr were remitted by Jefferson to Congress at various times; see Annals of Congress, 9 Cong., 2 Sess., 1008-1019 (Appendix), and 10 Cong., 1 Sess., 385-779 (Appendix). Much information concerning the alleged Burr conspiracy is found in Carter, ed., Territorial Papers, IX.

80 Annals of Congress, 10 Cong., 1 Sess., 1217-1222 (December 21, 1807), and 12 Cong., 1 Sess., 1637 (June 4, 1812).
tion of the most southern part, the newly acquired and explored territory remained the domain of the fur traders and mountain men.81 Thus Jefferson's agrarian empire for liberty did not come within a year, or a decade. But it did come.

While championing the rights of those hardy people moving ever westward Jefferson stamped his name on the history of the American West. In 1781, as Governor of Virginia, he led his state in the cession of her western lands, the beginning of the great Northwest Territory and an expanding America; in the ordinances he constructed as a member of the Continental Congress, 1783-1784, he initiated both the land policy and the government policy for the growing West; throughout his public career he worked for the unimpeded navigation of the Mississippi, which was so vital to America's westerners; in 1803, as President, he ended the question of the Mississippi and doubled the size of the American Republic as he silenced his constitutional scruples and purchased Louisiana; and with the Corps of Discovery, the first Americans to make the continental trek to the Pacific, he sent out the fore-runners of the successive generations of an empire for liberty--Jefferson's American dream.

---

81 Carter, ed., Territorial Papers, XIX, 4-10.
CRITICAL ESSAY ON SOURCES

Jefferson and the West is a broad area of study requiring the research of material on both Jefferson and the West. The major source of Jefferson's writings is Albert E. Bergh and Andrew Lipscomb, eds., The Writings of Thomas Jefferson (20 vols., Washington, 1903-1905). This collection contains his autobiography, official papers, messages and addresses, and other official papers. Another collection containing letters both to Jefferson and from him, as well as other important papers, is Julian P. Boyd, ed., The Papers of Thomas Jefferson (19 vols. to date, Princeton, 1950-). The nineteen volumes of the projected fifty-odd volumes contain material dating to 1791. A third, but less extensive, collection of Jefferson materials is Paul Leicester Ford, ed., The Writings of Thomas Jefferson (10 vols., New York, 1899). Also used as a source of Jefferson's major letters was Merrill D. Peterson, The Portable Thomas Jefferson (New York, 1975).

Numerous government documents and official records contain invaluable information concerning most phases of Jefferson and the West. William Waller Hening, ed., The Statutes at Large: Being a Collection of all Laws at Virginia, from the First Session of the Legislature in the Year 1619 (13 vols., Richmond, 1821-1823), offers infor-
mation on Jefferson as a Virginia law maker and spokesman for the western pioneers. Volume one was used for the introductory chapter and volume nine was most important for the research of chapter two. Especially important for Jefferson's early contributions to the West, his efforts to halt land speculation while encouraging the development of the western country, and his early interests in the Mississippi River is the *Journals of the Continental Congress, 1774-1789* (34 vols., Washington, 1904-1937). This was an important source for the years of 1775-1776 and 1783-1784. Also important for these years is *Secret Journals of the Acts and Proceedings of Congress, 1775-1788* (4 vols., Boston, 1821). Various letters of private citizens, expressing their sentiments over western issues, are included in this collection.

American involvement with Spain, France, and England over the western country during the years 1790-1795 and 1800-1804 is thoroughly covered in Walter Lowrie and Matthew St. Clair Clark, eds., *American State Papers: Foreign Relations* (6 vols., Washington, 1831). Volume two was used extensively for this study. These volumes constitute a series within Walter Lowrie and Matthew St. Clair Clark, eds., *American State Papers: Documents, Legislative and Executive* (38 vols., Washington, 1832-1861).

The history of the West and Jefferson's involvement from his appointment as Secretary of State through his terms as president may be traced through *Annals of Congress*
(42 vols., Washington, 1834-1856). Much of the information is the same as that in the American State Papers: Foreign Relations.


Another official source of information is Clarence Edwin Carter, ed., The Territorial Papers of the United States (26 vols., Washington, 1934-1962). The volumes that were most used were volume nine, The Territory of Orleans; volume thirteen, The Territory of Louisiana-Missouri; and volume fourteen, The Territory of Louisiana-Missouri.

The following collections of the writings of Jefferson's contemporaries provided additional information for the study of Jefferson and his western ambitions and actions: James Alton James, ed., George Rogers Clark Papers, 1771-1781 (Springfield, Ill., 1912); George Rogers Clark, Colonel George Rogers Clark's Sketch of His Campaigns in the Illinois in 1778-1779 (Cincinnati, 1907); E. James Ferguson, ed., Selected Writings of Albert Gallatin (New York, 1967); and Meriwether Lewis, Reuben Gold Thwaites, ed., Original Journals of the Lewis and Clark Expedition, 1804-
1806 (7 vols., New York, 1959). Volume one of the *Original Journals of the Lewis and Clark Expedition* has a lengthy introduction that traces Jefferson's attempts at western exploration from the 1790s to the famed Lewis and Clark venture. The appendix to volume seven, the most useful for this paper, consists of the correspondence between Jefferson and Lewis and others, contemporary newspaper accounts, and the president's message to Congress concerning the expedition.

Of the available contemporary newspapers, the Lexington *Kentucky Gazette* was the most useful in establishing the western mind during the crisis over the Mississippi.

Of the several biographies consulted for this study the best is Dumas Malone, *Jefferson and His Time* (5 vols. to date, Boston, 1948-). Malone's definitive biography of Jefferson thoroughly covers the subject of the West. Volume one contains his early services to the West; volume four, the Mississippi crisis; volume five, the Lewis and Clark Expedition. Merrill D. Peterson, *The Jefferson Image in the American Mind* (New York, 1960), is a study tracing the changing image of Jefferson through the various stages of American thought. Two other biographies are David Saville Muzzey, *Thomas Jefferson* (New York, 1918), and Saul K. Padover, *Jefferson* (New York, 1942). Muzzey highlights Jefferson's major western achievements as he tells the Jefferson story. The close personal and political relationship that Jefferson maintained with Breckinridge, a loyal
western Republican and a representative man of the West, is covered in Lowell H. Harrison, *John Breckinridge: Jeffersonian Republican* (Louisville, 1969). John Bakeless, *Lewis and Clark: Partners in Discovery* (New York, 1947), is also a biography that was especially useful for the section of the paper dealing with Jefferson's exploration attempts.

In addition to the biographies there were numerous other secondary works and articles. Those sources invaluable to the research of chapter two, "Jefferson Versus the Speculators," were Anthony Marc Lewis, "Jefferson and Virginia's Pioneers, 1774-1781," *MVHR*, XXXIV (March 1948), 551-588; Thomas Perkins Abernathy, *Western Lands and the American Revolution* (New York, 1959); Merrill Jensen, "The Cession of the Old Northwest," *MVHR*, XXIII (June 1936), 27-48; and Merrill Jensen, "The Creation of the National Domain, 1781-1784," *MVHR*, XXVI (December 1939), 323-342.

Lewis' work reveals the beginning of Jefferson's attitudes and policies toward the pioneer and explains his role in the cession of the western land. Abernathy's work is an extended study of complex inter-relationships of politics and land interests. In addition to these sources which deal primarily with the western land question, another source was valuable in establishing Jefferson's role in the development of territorial land and government policies: Theodore C. Pease, "The Ordinance of 1787," *MVHR*, XXV (September 1938), 167-180. General histories of the

Other sources that contribute information for the same time period serve as a prelude to the Louisiana Purchase and provide the necessary information for understanding that momentous event. These works are Marshall Sprague, *So Vast, So Beautiful a Land: Louisiana and the Purchase* (Boston, 1974); Frederic Austin Ogg, *The Opening of the Mississippi: A Study for Supremacy in the American Interior* (New York, 1969); Arthur Preston Whitaker, *The Mississippi Question, 1795-1803: A Study in Trade, Politics, and Diplomacy* (New York, 1934); and Curtis M. Geer, *The
Louisiana Purchase and the Westward Movement (Philadelphia, 1904). Three similar histories used to a lesser extent than the preceding are Joe Gray Taylor, Louisiana, A Bicentennial History (New York, 1976); Donald Barr Chidsey, Louisiana Purchase (New York, 1972); and Bil Gilbert, The Trailblazers (New York, 1973).

The following three sources, dealing specifically with the Louisiana Purchase, analyze the subject from different perspectives, revealing that much more was involved in the acquisition of Louisiana than diplomacy and good fortune: W. Edwin Hemphill, "The Jeffersonian Background of the Louisiana Purchase," MVHR, XXII (September 1935), 177-190; Mary P. Adams, "Jefferson's Reaction to the Treaty of San Ildefonso," Journal of Southern History, XXI (May 1955), 173-188; and Alexander DeConde, This Affair of Louisiana (New York, 1976). Hemphill views the acquisition of Louisiana, at least in part, as the result of the policy that Jefferson had followed for years as he tried to bring about the unrestricted navigation of the Mississippi on behalf of the western settlers and all America. Adams believes that Jefferson was ready for a showdown in the spring of 1803. Her effort to exploit the theory that Jefferson relied solely on diplomacy is written in a spirited fashion. DeConde's work is a narrative account of the Louisiana Purchase built on the thesis that Jefferson was the forerunner of Manifest Destiny. A major point discussed by DeConde is the constitutional issue concerning the
purchase of Louisiana. The legality of the purchase is one of the topics included in several of the sources used for this study. A specific source dealing with Jefferson's constitutional principles is Caleb Perry Patterson, The Constitutional Principles of Thomas Jefferson (New York, 1953). The constitutional question over the purchase is also included in Lowell H. Harrison, "Some Thomas Jefferson-John Breckinridge Correspondence," The Filson Club History Quarterly, 42 (July 1968), 253-277.

Two sources containing excellent accounts of Jefferson's Indian policy, a topic which is not dealt with extensively in this study, are Reginald Horsman, Expansion and American Indian Policy, 1789-1812 (Ann Arbor, Mich., 1967), and R. S. Cotterill, "Federal Indian Management in the South, 1789-1825," MVHR, XX (December 1933), 333-352.