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JOHN RHEA OF TENNESSEE

By MARGUERITE B. HAMER

The story of Tennessee's unique constitutional beginnings, her pioneer days, her brief existence as the independent state of Franklin, her uncertain political allegiance, her territorial status, her embryonic statehood days, and finally the period of the full blown commonwealth, all are paralleled in the career of John Rhea of Sullivan county.

Like many another Tennessee pioneer, John Rhea was a Protestant Irishman of Scottish lineage. His grandfather, Matthew Rhea (or Reah or Creah), a descendant of the ancient house of Campbell, had fled to Ireland for political security. Matthew's son, Joseph Rhea, was educated in Scotland, became a Presbyterian minister, and preached for many years in Ireland. Here he married Elizabeth McIlwaine, like himself, Scotch-Irish. Of their eight children, John, the eldest and the subject of this sketch, was born in County Donegal in the year 1753. When John was eleven years of age, his family moved to the new world, residing first in Pennsylvania and later in Maryland. In 1775 Joseph Rhea bought lands in East Tennessee near the present Blountville, then an outpost of civilization; he served his community as minister and as Indian fighter. He went back East to transfer his family to the western country, but died in Maryland. His widow and children in February, 1778, moved down to the new lands in Tennessee.¹

John Rhea served in the War for Independence but did not allow his military activities to prevent his receiving in 1780 a degree from Princeton University in the field of classical studies and law. All of his subsequent utterances in the course of a lengthy legislative career attest to his familiarity with the best in literary usage. A letter which he wrote in Latin is still extant. His continued interest in education is evinced by his services as trustee or as incorporator of three of the earliest institu-

¹Rhea papers in the possession of the family at Blountville, Tennessee.

tions of learning west of the Alleghanias: Washington College, Greeneville College (now Tusculum), and Blount College (now the University of Tennessee).

An academic life, however, did not claim Rhea; law and politics proved the greater call. He accepted an appointment as clerk of the court of Sullivan County, then under the jurisdiction of North Carolina. In this capacity Rhea served the parent state loyally; he took no part in the revolutionary movement in Sullivan and the surrounding counties which eventuated in the establishment of the short-lived state of Franklin. As clerk he confirmed with no misgivings the validity of the Acts of Agreement that were drawn up on March 20, 1787, between the mother state and the almost defunct state of Franklin. Sullivan County, re-instated as part of the commonwealth of North Carolina, sent John Rhea and his colleague, John Scott, more than six hundred miles across the mountains to the seat of government to represent their community in the House of Commons of the General Assembly of North Carolina. Rhea attended the full fifty-one days of the session. He served on the joint committee of both houses on finance and as chairman of a committee of five which reported a bill "to pardon and consign to oblivion" the "highly reprehensible conduct" of John Sevier and other Franklinites of the counties of Washington, Greene, Sullivan, and Hawkins.²

While Rhea was a member of the House of Commons of North Carolina, that body adjourned for five days (November 16 to November 21, 1789) to permit many of its members to sit in convention to consider the question of ratifying the Constitution of the United States. Eleven of the thirteen states had accepted the Constitution so that it had already gone into effect. The status of North Carolina was therefore a peculiar one. Her first ratifying convention had met at Hillsboro but had adjourned on August 4, 1788, without accepting the new national government. Rhea was not present in that body. He did attend the sessions of the second convention called to meet in Fayetteville, the seat of the state legislature. On November 22, 1789, Rhea and one hundred ninety-four others voted in favor of accepting the United States Constitution against seventy-seven who voted nay, and North Carolina became one of the several states of the new

²*State Records of North Carolina*, XXI, 193, 285.

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Union. Two days later, November 24, 1789, Rhea and ten others formed a committee from both houses of the legislature to prepare a bill for ascertaining the manner, place, and times of electing representatives from North Carolina to the Congress of the United States. Rhea continued to support the North Carolina connection and voted against the cession to the United States of "certain western lands," the present Tennessee, which embraced Sullivan County. The measure was carried, however, sixty-eight to twenty-nine, and the Tennessee region became the Territory of the United States South of the River Ohio. The office of territorial governor was given to a North Carolinian, William Blount, who licensed Rhea to practice law in the several courts in the territory and commissioned him county attorney for the court of Sullivan.³

In the course of a few years Tennessee emerged from her territorial status and set about to enter the Union as a state. A convention was called to meet in Knoxville early in 1796 for the purpose of framing a constitution for the embryonic state. Rhea, as usual sat for Sullivan County. He was present the full twenty-seven days (January 11-February 6), serving as door-keeper and as a member of the committee which drafted the constitution. In the course of the debates, he proposed that the legislature be unicameral, and that in that single chamber a two-thirds vote be requisite for the passage of every bill and resolution.⁴ Rhea's suggestions, however, did not carry and so formed no part of the new constitution. The completed document was carried to Philadelphia, the seat of the federal government, by Joseph McMinn, later to be governor of the state.

The newly created commonwealth held its first General Assembly on March 28, 1796, at Knoxville. John Rhea and David Looney represented Sullivan County. Again Rhea acted as door-keeper and characteristically attended the full twenty-seven days of the session. His chief contribution in launching the new government was his service as chairman of the committee which drafted the rules to guide the assembly in its work. The second session of the assembly of the infant state convened on July 30, 1796, and again it met at Knoxville. Once more Rhea was door-keeper and as usual established a perfect attendance record. In

³*Ibid.*, XX, 647; XXI, 198, 209, 432; 36-53.

⁴*Journal of the Convention of 1796* (reprinted, Nashville, 1852), p. 9.

the fall of the following year, Rhea, with John Scott, continued to represent Sullivan County in Tennessee's legislature.⁵

In 1802 Rhea entered the field of national politics. With the exception of one term, he served in the House of Representatives in the eighth to the seventeenth Congress inclusive, that is, from 1802 till 1823 excepting the year 1815-1816. In many respects Rhea impresses us today as the ideal Congressman. His methodical habit of regular attendance continued to assert itself. In April, 1822, he could boast that he had not been absent from the House for a single day. Again he showed himself a model, if not an extraordinary Congressman, in scorning dilatory measures. He protested that "the whole time of the House would be spent about nothing, discussing propositions which could not possibly produce good to the nation." That Rhea was more statesman than politician is evinced in his attitude toward partisan politics. "Party," he declared, "in the political world is like evil in the moral world, a destroyer of the peace and happiness of mankind." Again he said: "The people are sovereign, from them eventuates all power; they are the true rulers."

Despite a non-partisan attitude, Rhea was at all times a faithful adherent to Democratic-Republican principles and policies: that is, he was Jeffersonian in philosophy. He was antagonistic to the renewal of the national bank charter, sympathetic to agrarian as against commercial interest, and hostile to Great Britain. Like Jefferson, he decried "a consolidated government." "This is a government consisting of twenty Confederated states," he said, "all sovereignties, independent of each other, each one having a distinct constitution for its own internal government; but by the constitution of their union bound together as one nation."⁶ To his constituents he wrote: "The republican sovereignties of the respective states are to be maintained pure and inviolate; on their existence does depend the duration of the constitution of the United States." He venerated the constitution as "a free will offering to the happiness of mankind." He wanted the document preserved in its original form, free from change by amendment. "If the constitution is subjected to amendment after amendment," Rhea lamented, "it may finally be amended

⁵Journals of the first two sessions of the legislature of Tennessee (reprinted, Nashville, 1852), *passim*.

⁶*Annals of Congress*, vol. 39, p. 1610 (April 16, 1822).

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so as to be destroyed." Like Jefferson, he favored a strict interpretation of the document. It was "sacred" and not "capable of alteration." He would vote against every resolution which would "torture and twist it out of its proper shape." In conformity with his strict constructionist views, Rhea opposed the re-granting of a charter to the first United States Bank. "If," he explained, "the convention, or the ratifying states had designed to vest Congress with the right to create the Bank of the United States that right would have been expressly enumerated in the Constitution." "So long," he said, "as he had a seat on the floor, he should never vote to make Congress a broker's shop for selling bank charters."⁸

Typical of his party sentiments, Rhea leaned toward agrarian as against commercial interests. The great seal of his own state literally depicts agriculture as above commerce. Rhea felt deeply on the subject. "Agriculture," he said, "is the first and great business of man; he was driven out and commanded to cultivate the earth." In a letter to his constituents, he advised, "Let everything be done to promote agriculture; commerce and manufacture will follow."

The administration policy of hostility to Great Britain was often voiced by Rhea. In January, 1812, he told the House of Representatives that "nothing but the reduction of this nation to a servile state of colonial existence can satiate the appetite of voracious England." Time and again he accused the British of inciting the Indians against the Americans.⁹ By way of reprisal, he even proposed the annexation of British territory. "The Canadas," he said, "will soon or late be an integral part of this confederated union. . . . The peace and happiness of these United States, and the peace and happiness of the British Empire require that the Canadas shall be joined to the United States of America as the great heretofore province of Louisiana has been united to them."¹⁰

Expansionist though he was, Rhea did not favor annexation at the price of war. War was always to be deprecated as "an evil to a nation." "It cannot be proved," he declared in April,

⁵Knowville Register, June 18, 1822.

⁸Annals of Congress, vol. 22, pp. 809-20 (January 24, 1811).

⁹American State Papers, Military Affairs, I, 191. The British agent in 1791 was, as General Knox said, "pretty strenuous in asserting the contrary of Rhea's information," even going so far as to refer to Rhea as "an infamous character."

¹⁰Annals of Congress, vol. 26, p. 1145 (January 26, 1814).

1806, "that the United States have men to spare for the sword." He vigorously opposed military and naval preparedness. "Should Congress maintain," he inquired in January, 1823, "a powerful navy to be prepared to meet a war that may or may not be fifty years hence?" He would be "happy," he said in January, 1812, "to see all the armed ships of the world on fire," for they had been "uniformly destructive of human happiness." Moreover the expense of armaments fell upon all the people alike whereas only the commercial interests were benefited. "If," Rhea reasoned in January, 1812, "we could get a revenue that was not paid by the people at large but by the merchants alone, then there would be some ground for calling upon the people to assist in protecting their commerce." Furthermore, ships of war would benefit only the eastern section of the United States. The western country would not need them "except they meant to use them against the Indians." Rhea might well be familiar with the lasting expense of military and naval armaments and warfare generally, inasmuch as he served for many years as chairman of the committee on Revolutionary pensions.

Rhea's desire for peace embraced domestic as well as international concerns. In 1816 with John Coffee and John McKee he was commissioned to make a treaty with the Choctaw nation. The Indians were to be paid the sum of \$6,000 annually for twenty years and to be given merchandise to the value of \$10,000 in return for their lands east of the Tombigbee River¹¹ Rhea favored the extinguishment of the Indian title in deference to the superior race. In 1822 he declared the ousting of the Indian to be in keeping with "sound policy and economy." He maintained that "the Cherokee claim for land in Georgia and in Tennessee ought to be done away." White persons should be encouraged to settle on unoccupied Indian hunting grounds. Lands from which the Indian title had been extinguished should be granted to "every free white male" who resided "thereon or who should actually reside thereon" within a given number of years. Thus a barrier would be created against the Indian, and the white man would be secure against savage attack, the horrors of which were all too familiar to those like Rhea who inhabited the frontier.

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¹¹*American State Papers, Indian Affairs, II, 95.*

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ant and sympathetic toward the naturally superior class. Slavery he recognized as a great moral evil, but said that the only feeling that the North ought to entertain towards the South was "compassion" that the South was not so fortunate as the North had been in being enabled by circumstances "to get rid of the evil." Furthermore, Rhea upheld the legal rights of the slaveholding states, for he felt that "so long as this property [slavery] was authorized there could be no doubt of the right of the holder to pursue it and carry it back without hindrance to the place from whence it escapes."¹²

The forbearance which Rhea felt for the slaveholder parallels his attitude toward those who differed from him religiously. He believed firmly in a "Mighty Being who raises and depresses nations when he pleases." Yet we find Rhea tolerantly voting in the Tennessee assembly of 1796 against a bill that purported to preclude the admission as witnesses of persons who should "publicly deny the being of a God and a future state of rewards and punishments." Such restraint on the individual, Rhea and his committee denounced as "an inferior species of persecution."¹³

Tolerance was not more characteristic of Rhea than a love of freedom. In the session of the North Carolina legislature of 1789 he voted against a bill that would involve the use of drafted labor. A "Waggon Road" was proposed to be opened from White's Mill in Hawkins County to Bledsoe's Lick in Sumner County. Realizing full well the value of such an improvement to the western country, Rhea yet opposed it, believing that labor should be drafted only in times of war and public emergency. The use of such labor, Rhea contended, would be "a dangerous innovation" and "a restraint on the liberty of freemen." The same spirit of freedom asserted itself in connection with the question of the re-cession of the District of Columbia to the states of Maryland and Virginia. Rhea pointed out that the constitutions of neither of these states contained power to cede away any of its citizens—much less deprive them of the suffrage. He lamented the fact that many thousands of citizens were thus "deprived of rights and privileges, the possession and exercise of which under the republican form of government were

¹²*Annals of Congress*, vol. 31, p. 838 (January 30, 1818).
¹³J. G. M. Ramsey, *Annals of Tennessee*, 663.

solemnly guaranteed to them." Rhea appears not only as the defender of the rights of the people but as well of the liberties of individuals. The role of exonerator was a familiar one to this aggressive statesman. He boldly came to the defence of the accused Wilkinson. "Of what avail," he said, "were a letter or two when put in competition with the general character of this officer?" In the same spirit Rhea came to the defense of Andrew Jackson and justified his conduct in the Seminole War. On the floor of the House he declared that "Jackson was authorised by the supreme law of nature and nations, the law of self-defence."¹⁴

In connection with the Florida campaign, devotion to Andrew Jackson involved Rhea in unfortunate publicity. On January 8, 1818, Jackson wrote to President Monroe suggesting that East Florida should be "seized and held as an indemnity for the outrages of Spain upon the property of our citizens." The letter contained this suggestive statement: "Let it be signified to me through any channel (say Mr. J. Rhea) that the possession of the Floridas would be desirable to the United States, and in sixty days it will be accomplished." About six weeks later, so Jackson afterwards claimed, he received a letter from Rhea containing the President's approval. This letter, Jackson burned at the urgent request of Rhea or, as Jackson claimed later, at the instance of Monroe through the medium of Rhea.¹⁵ Calhoun as Secretary of State had advised Jackson to avoid war with Spain, as that "would involve the Holy Alliance and England."¹⁶

Thirteen years passed; the conquering hero was now president, Calhoun, vice-president. The whole matter as to whether Jackson was or was not authorized to invade East Florida was revived through an intricate train of circumstances, the outcome of which was that Jackson now believed that it was Calhoun rather than Crawford, whom he had formally suspected, who had sought to ruin him politically by casting doubts upon his authority to conquer Florida. The question centered about the fact of the famous letter of January 6, 1818, in which Jackson

¹⁴*Annals of Congress*, vol. 33, p. 867 (January 27, 1819).

¹⁵Jackson to Rhea, June 2, 1831, in J. S. Bassett, ed. *Correspondence of Andrew Jackson*, IV, 289; Jackson to R. G. Dunlap, Washington, July 18, 1831, in *American Historical Magazine*, IX, 85-90.

¹⁶Calhoun to Jackson, September 8, 1818, *American State Papers, Military Affairs*, I, 745.

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¹⁷Rhea to Jackson, *Andrew Jackson*, IV, ¹⁸Bassett, *Correspo*

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had suggested Rhea as a medium for confidential authorization
 from Washington to invade Spanish Florida. It would seem
 from the correspondence of members of Monroe's cabinet that
 the letter in question was received but not officially acted upon;
 that it was not before the cabinet formally, but was privately
 read by certain members who visited Monroe, who was at the
 time ill in bed.

Rhea had no definite recollection of the Jackson letter or of
 his own reply. His nearly four score years weighed heavily up-
 on him. From retirement he wrote to Jackson: "I desire to
 have something to bring matters fully to my recollection,"¹⁷ for,
 as he explained, "at that time [January, 1819] I was
 occupied with the business before the committee of pensions and
 revolutionary claims." Rhea's failure to recollect his answer to
 Jackson which was burned may have been due either to senility
 or, as Bassett suggests, to the fact that Rhea's apparent permis-
 sion to Jackson was in reference to another proposition, the
 question of the immediate responsibility of officers to Jackson
 rather than to the President. So Rhea may not have had in
 mind the conquest of Florida when in 1818 he penned these vague
 lines to the general: "I am gratified that the plan of the Presi-
 dent is satisfactory to you, I am confident that he intended it to
 be so." Aroused to the defence of his friend, Rhea attempted to
 reach ex-President Monroe to enlist his support in the cause of
 the reputation of the fiery general. On June 3, 1831, he pleaded
 with the ex-President, like himself in declining years and uncer-
 tain health: "The Presidents, Jefferson and Madison all had
 confidence in me, and I believe you also had equal Confidence in
 me and so had Mr. Adams." Rhea then quoted the famous let-
 ter in which Jackson named him as the confidential medium be-
 tween the president and his commanding general, and then im-
 plored, "you did receive that letter from Andrew Jackson and
 you will so write to me you did communicate confi-
 dentially to me, you approved of the opinions of Andrew Jack-
 son by him stated in that confidential Letter and did authorise
 me so to write to him. I did accordingly write to him."¹⁸

Rhea's effort was in vain. Monroe was an invalid when he re-

¹⁷Rhea to Jackson, Blountville, January 4, 1831, in Bassett, *Correspondence of
 Andrew Jackson*, IV, 221-2.

¹⁸Bassett, *Correspondence of Andrew Jackson*, IV, 288-9 ft. nt.

ceived the request. He dictated a denial which he signed with witnesses, June 19, 1831, just a fortnight before his death. Rhea died in less than a year, and relatives questioned his ability to make out his own will.¹⁹ He died a bachelor. He rests in the picturesque burial ground at Blountville near his old home. His name is perpetuated in Rhea County and in Rheatown, Greene County, Tennessee.

¹⁹Family papers near Blountville, Tennessee.

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