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The Federalist Administration and the Whiskey Insurrection

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THE FEDERALIST ADMINISTRATION AND
"THE WHISKEY INSURRECTION"

A Thesis
Presented to
the Faculty of the Department of History
The College of William and Mary

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

by
William Irvine Jack
May 1958
APPROVAL SHEET

This thesis is submitted in partial fulfillment of
the requirements for the degree of
Master of Arts

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May 1958
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Within a year of the termination of the Whiskey Insurrection in Western Pennsylvania in 1794, two accounts of the event were published—both by western Pennsylvanians. Both of these provided vivid descriptions of the course of the insurrection; and, as one might expect, both interpreted the action of the government in meeting the Insurrection from a western point of view. This western opinion of the motives and intentions of the government in dealing with the violence has been generally accepted by American historians; it is reflected, in varying degrees, in such surveys as Morison and Commager, *The Growth of the American Republic*; John D. Hicks, *The Federal Union*; and Charles and Mary Beard, *The Rise of American Civilization*.

This western point of view at the best holds that the government was overhasty, arbitrary, and politically motivated in sending such a large army into the western counties to put down a "rebellion" that had faded into nothingness by the time the force arrived. At the worst it argues that the whole affair was contrived, that the isolated rioting had never reached the status of a constitutional threat or a rebellion; Federalist propaganda had made a mountain out of a molehill in order to gain greater authority and power for the government.

There has never been an investigation of the government's reaction to the Insurrection—either of the administration's motives or of its actual procedure. The only discussion of the Insurrection which has this emphasis at all is a chapter in Bennett M. Rich, *The Presidents and Civil Disorder*, in which he discusses Washington's decision to send the
army. The purpose of this paper is to investigate the reaction of the federal government to the growth of violence in western Pennsylvania. As such it is also an attempt to answer some of the questions first raised by contemporary westerners: Did the government contrive the rebellion, or at least permit it to develop? Was the violence in the West actually a constitutional threat? Did the government act arbitrarily, and for political reasons, in the way it met the Insurrection? These are strong charges, and, I believe, false ones. Perhaps this paper will shed some additional light on the actions of the Federalists in meeting the first violent opposition to the new nation.
CHAPTER I

THE DEVELOPMENT OF INSURRECTION

By the last decade of the eighteenth century southwestern Pennsylvania maintained a pioneer agricultural society. Although the days of frontier forts and trappers had barely passed and the standard of living was still low, the region was developing rapidly. It was an attractive land for both the small farmer and the commercial entrepreneur. The soil was fertile, the land had the rolling topography of the Allegheny Plateau; the still-vast forest provided game as well as timber, the almost countless streams furnished fish and transportation; and the climate with its hot summers and cold winters was close to ideal for grain crops. Towns were growing rapidly, and a business and commercial class was growing with them—for the potential of the section as a gateway to the to rich and vast Ohio Country was beginning to be realized.

Although the raw materials for a new society were abundant, the region was not a Utopia. The youngness of permanent settlements imposed many hardships upon the inhabitants. Most of the early settlers had only recently sifted back into the region from the mountains, where they had retreated from the savage Indian raids of the Revolution. But even in 1790 these raids were by no means a remote possibility; indeed, they were not uncommon in the wild region north of the Ohio and west of the Allegheny Rivers. Life was hard, and most families were thrown onto their own resources in combating the wilderness, the poverty, the bitter
winters, and the loneliness of isolation.¹

Increasing this isolation was the still-formidable Appalachian Mountain barrier, which prevented any easy exchange between the relatively cosmopolitan East and the transmontane wilderness. The mountain range tended to exaggerate an already strong spirit of independence among the Scotch-Irish and English settlers who lived behind them. But the particularism of these backwoods farmers was not passive; under the extremely republican Pennsylvania Constitution of 1776 the inhabitants of the western counties had been accustomed to exerting a considerable, even disproportionate, influence in the state government. By active participation in politics they prevented the state government from interfering with what they believed to be their natural liberties—meaning, in effect, that they could do just about as they pleased. This mode of government, weak and passive as it was, ideally suited the fiercely individualistic frontier farmer, who feared the limitations that an active, centralized government might place on his personal independence—a thing he treasured above all else.²

The western Pennsylvanians were unmoved by the Federalist campaign for a stronger, more centralized government—and as a result were not at all pleased when the new federal Constitution was ratified. They suffered another defeat in 1790 when a new and much more conservative state constitution was adopted. These measures were the more undesirable to the westerner because they not only stripped him of much
of his influence in determining his government, they also seemed to
give this influence to the commercial and business "aristocrats" of
the seaboard. The discomfited frontiersmen feared lest they be sub-
ject to a political and economic tyranny—and the policies of the new
national government under the Federalists seemed to confirm their
worst fears.

When the first Congress under the federal Constitution met it
turned almost immediately to the executive department for guidance,
and quickly found in Secretary of the Treasury Alexander Hamilton a
man who was more than willing to give such leadership. The conserva-
tive Hamilton soon became a dominant figure in the legislative branch
of the new government. Most of the legislation designed to strengthen
the federal government came from his office, and was quickly passed by
a compliant Congress. On January 11, 1790, he communicated his First
Report on the Public Credit to Congress; in it he outlined a portion
of his program to establish the credit of the United States. A pre-
requisite for achieving this, he believed, was the funding of the debt
which the nation had incurred during and since the Revolution. The
interest alone on the public debt had grown to over $2,800,000; to pay
this Hamilton proposed that an excise tax be levied on domestically
distilled liquor.3

As with most of Hamilton's financial measures, the request for a
tax on "Spirituous liquors" was incorporated in a bill which slipped
easily through Congress. There were few men who spoke against the bill;
and only a handful of diehard Western republicans openly opposed the measure, as they had opposed all others sponsored by the proponents of strong government. The fiery Georgia congressman James Jackson and dour William Maclay of Pennsylvania attempted to rally opposition in their respective Houses, but both failed completely. Maclay gloomily paid a lefthanded tribute to the efficiency of Hamilton's Congressional diplomacy in his Journal:

Were Eloquence personified and reason flowed from her tongue, her talents would be in vain in our Assembly; or, in other words, when all the business is done in dark cabals, on the principle of interested management....Congress may go home. Mr. Hamilton is all-powerful, and falls in nothing he attempts.

The excise bill became law on March 3, 1791.

Hamilton chose to place the excise on liquor for a number of reasons. A tax on distilled spirits would not alienate the business and commercial classes which the Secretary was trying to bind to the interests of the government. But, even more, the collection of such a tax would serve the valuable purpose of bringing the authority of the government to the section and group which opposed it most—the small farmers along the frontier. For in that remote but important region home-distilled whiskey played a vital economic and social role, and was produced in abundance. And in no frontier area did the tax meet with more opposition than in the growing but isolated counties of Western Pennsylvania.
The chief crop of the Western Pennsylvania farmer was grain; and he produced much more than the demand for it in that region. It could not be shipped downriver, for the Spanish held the mouth of the Mississippi. The grain was too bulky for easy transportation over the mountains; the freight on a barrel of flour shipped from Pittsburgh to Philadelphia cost as much as the flour would bring in Eastern markets. On the other hand, the market for whiskey was good on both sides of the mountains, and the liquid was much easier and cheaper to ship. Prices for whiskey were twice as high in the East as in the West; selling it on the seacoast provided one of the few ways that cash was brought into the money-short region. Whiskey was also the most acceptable article for barter in the Monongahela country. So it was that about the only way the backwoods farmer could profitably dispose of his crop was to distill it into whiskey; the liquor therefore played a predominant role in the economy of the Western Pennsylvania counties. Almost as important in an explanation of the widespread distillation of whiskey by the small farmers was its importance in their social life. Whiskey was generally regarded as a necessity to help alleviate the rigors of hard work and bitter winters; as such, there was little talk of the evils of drink. The following incident perhaps illustrates this better than anything else. John McMillan, an influential circuit preacher known as the "Presbyterian priest," once stopped with a companion to water the horses at an inn. Each ordered a glass of whiskey, and while McMillan's companion, a devout man, bowed his head and
asked grace over the liquor, McMillan downed both glasses. The minister greeted his companion's surprised stare with the admonition "Brother, you must watch as well as pray!"

It was inevitable that Hamilton's proposal to tax whiskey would be greeted with howls of protest in Western Pennsylvania—and the howls grew louder still as the backwoods farmers became aware of the details of the tax. The greatest protest was against the apparent discrimination of the tax against the westerners. Hamilton, in a speech on March 6, 1792, argued that the tax was not unfair because the consumer always paid the tax; therefore the western farmers would pay more taxes only if they drank more whiskey. It depended "...on themselves, by diminishing the consumption, to restore equality." But this argument had little success in mollifying the outraged backwoodsman, for they realized that although the tax was no more than from nine to twenty-five cents a gallon, depending upon proof, it constituted a quarter of the selling price in the West but only an eighth of that in the East. The ad valorem rate was highest in the region where specie was scarcest—an economic subtlety quickly grasped by the shrewd farmers. Then there was a tax on the capacity of the stills themselves, in addition to the excise on the product. In a region where most farmers did not see twenty dollars a year in cash, the payment in cash on the stills became a major problem, especially if the whiskey produced was used only for barter.

A less immediate but no less important cause of the westerner's opposition to the excise was an inherent dislike of any sort of taxation.
Most of the small farmers were immigrants from Ulster and North Britain, where the excise system was extensive and oppressive. Many had emigrated because of economic distress intensified by the excise, and they maintained their hatred of it when they came to America.\textsuperscript{12}

That a desire to return the western farmer to economic slavery was the motive behind the tax seemed all the more apparent when the westerners examined the provisions for enforcement of the law. If charges were brought against a distiller he had to attend a federal court because state courts had no jurisdiction over federal excise cases. And the nearest federal court sat at Philadelphia, 350 mountainous miles away. The expense of such a trip in both time and money would make it almost ruinous to be charged with violation of the excise, even if the defendant were later proved innocent. It was certain that as long as this feature of the law was retained there would be opposition.\textsuperscript{13}

The initial reaction in Pennsylvania against the law was not limited to the western part of the state; it extended even to the state legislature. On June 22 that assembly passed a strong resolution censuring the tax as a violation of the rights which were a basis of American government.\textsuperscript{14} But, of course, the greatest discontent was in the Monongahela country, where the frontier farmers were preparing to resist the law by whatever means they could. Three assemblies were held in various localities in the region during the summer of 1791, all of which passed resolutions protesting the excise and urging its quick re-
A more serious indication of the lengths to which some radicals were willing to go was apparent in the almost immediate outbreaks of violent acts against collectors.

But most of the inhabitants of the region stayed within the law, expressing their opposition by passing resolutions and writing their representatives. This course of action did succeed in bringing the excise up for debate in the 1792 session of Congress. An amending bill, which became law on May 8, 1792, reduced the tax on stills and made installment payments possible. The new act also established offices of collection in each county, and set the month of June as the time to register all stills.

But the revisions did not satisfy the westerners. They did not deal with the most bothersome features of the act; the revenue agents would still remain to intrude in the private affairs of the distillers, and worst of all, an accused distiller still had to make the long and expensive trip to Philadelphia to stand trial. The amended act had the end result only of discouraging many from attempting to seek satisfaction by constitutional means. The only remaining remedy, it seemed, was to prevent the execution of the law in the hope that the government would become discouraged in its attempts to enforce it. Many who had been inclined to wait now swung into the ranks of those whose policy was wholehearted opposition and obstruction.

This reaction soon manifested itself in an assembly held at Pittsburgh on August 21, 1792. The radical element of the backwoods farmers,
led by David Bradford of Washington County and James Marshal of Westmoreland, used the agitated temper of the people to good advantage; a very strong resolution was passed, saying that those present would consider excise collectors unworthy of friendship, and would "...withdraw from them every assistance... and upon all occasions treat them with that contempt they deserve...." The resolution recommended further that the people at large follow the same course of conduct.

For the administration, already well aware of the western opposition to the excise, the Pittsburgh resolution was the last straw. Hamilton sent a letter to President Washington on September 1, noting that the "persevering and violent opposition" to the excise gave "the business a still more serious aspect than it has hitherto worn." He desired to defend his program with more "vigorous and decisive measures on the part of the government." Washington quickly gave the Secretary of the Treasury his support, and Hamilton immediately sent the Director of the Pennsylvania Survey to the western counties with instructions to investigate the Pittsburgh meeting, to collect evidence concerning some recent attacks on excisemen, and to point out to the citizenry that the government would not long remain "...a passive spectator of the contempt of its laws." George Clymer, the Director of the Survey, was not the sort of person to relish forsaking the security of his Philadelphia desk for the wild and unfriendly backcountry. He made the journey, but he learned nothing and impressed no one. His mission was to have brought the power
and prestige of the government to the recalcitrant region; but because of the ineptness of the man who carried it out it had exactly the opposite effect.23

The unsuccessful nature of the trip did not change the determination which prompted its undertaking. Hamilton was doing all in his power to bring order to the region and to counteract what he thought was a conspiracy against the government. He believed the Pittsburgh meeting to be the root of the trouble; he regarded this assembly as the cause and not the result of discontent. That this was the case was all the more likely to Hamilton and his fellow Federalists because most of the representatives at the Pittsburgh meeting were the influential men of the region, the leaders of the anti-Federalist faction—and therefore the man who could most effectively give direction and articulation to the general dissatisfaction of the people. Hamilton requested that the Attorney-General investigate the meeting to determine whether an indictable offense had been committed; if one had, Hamilton planned to exert the full force of the law against the "influential malcontents."24

To help bring order to the region, the Secretary requested President Washington to issue a proclamation "...adverting in general terms to the irregular proceedings, and manifesting an intention to put the laws in force against the offenders."25 Hamilton believed that by bringing the weight of the President's name into the matter, the common people would see the serious consequences of following the recommendations of the
Pittsburgh assembly. Hamilton's wishes were quickly carried out. On September 15, 1792, Washington issued a proclamation admonishing all persons to refrain from entering into unlawful combinations and associations for the object of obstructing the law.  

It is obvious that Hamilton completely misjudged the nature of the opposition at this time. Perhaps political motives made it a conscious misjudgement, but there is no evidence to support this contention. The Pittsburgh meeting was not, as Hamilton maintained, a combination whose purpose was obstruction of the law, although the resolution they passed may have given this impression. The influential men of the region were not the greatest malcontents, nor were they supporting the use of violence in opposing the law. On the contrary, they were completely willing to support the enforcement of the excise rather than run the risk of mob rule.  

But these prominent western moderates, by bowing to political expediency and endorsing the product of the Pittsburgh meeting, had sealed their fate as far as Hamilton was concerned. They had injudiciously signed a resolution which advocated "...every...legal measure that may obstruct the operation of the Law until we are able to obtain its total repeal," and had urged the people at large to follow their example. Hamilton answered this resolution and expressed his attitude toward its signers in a report to Congress on August 5, 1794:

The idea of pursuing legal measures to obstruct the operation of a law, needs little comment. Legal measures may be pursued to procure the repeal of a law, but to obstruct its operation presents a contradiction in terms. The operation, or, what is the same thing,
the execution of a law, cannot be obstructed after it has been constitutionally enacted, without illegality and crime. The expression quoted is one of those phrases which can only be used to conceal a disorderly and culpable intention under forms that may escape the hold of the law.29

This distrust of the prominent western republicans is apparent in Hamilton's attitude toward Alexander Addison, the president judge of Pennsylvania's fifth judicial district. In 1794 Addison wrote Governor Mifflin a letter reviewing his early position in regard to the excise tax. Addison believed the tax to be an encroachment of the federal government on the rights of states, and advocated what he termed "constitutional resistance." But, he wrote, he would uphold the enforcement of the tax as long as it remained law. In a later letter, Addison recommended the replacement of certain overbearing excise officials to make the law more acceptable to the distillers.30 When this information was passed on to Hamilton, he postponed making the recommended changes because he believed Addison's advice might have been given "with an insidious view."31

If Hamilton's attitude toward these men and measures was primarily politically motivated, his correspondence does not betray it; on the other hand, his writings do express a real desire for the effective establishment of the laws. Hamilton's attitude toward the western leaders in 1792 was probably nothing more than the result of his misunderstanding the nature of the opposition to the excise. Certainly such misunderstandings were most unfortunate, for they put under suspicion those men who would have had a great deal of local influence in supporting the law. But the misunderstandings were not altogether Hamilton's fault. From the
time of the Pittsburgh resolution, the Federalists could never quite believe that these westerners were sincere in their often-announced willingness to uphold the law; and this distrust deepened as violence increased with the growing economic distress of the small distiller. These moderates had incurred a stigma from which they could never again escape, even after the rebellion was over. It is no wonder that Albert Gallatin referred to his approval of the 1792 resolutions as "my only political sin".32

Although no indictable crime was committed at the Pittsburgh meeting, Hamilton continued to believe it was typical of the real source of violence, the sort of "combination" that was obstructing the enforcement of the law. In 1794 he wrote that the failure to find evidence for prosecution of members of this meeting "...unavoidably defeated the attempt to establish examples of the punishment of persons who engaged in a violent resistance of the laws, and left the officers to struggle against the stream of resistance without the advantage of such examples."33

The only effective action left the Federalists seemed to be to "coat the pill" and make it easier for at least some distillers to pay the tax, hoping that this would bring about a return to order. To this end, an increase in the whiskey purchases by the army was ordered, and the practice was begun of buying the whiskey directly from the registered distillers instead of through a contractor as had been done formerly.34 This created a rich market for those distillers who could supply the liquor in the large amounts demanded; those who owned and registered
large stills obtained more than enough cash to pay the tax and still make a substantial profit. This also gave them an advantage over their small competitors who could not meet the large orders. In doing all this, Hamilton hoped to bind the "respectable" farmers to support of the law and thus encourage compliance. Although the policy was temporarily and partially successful, it also had the undesirable effect of further alienating the small, less well-to-do distillers—the men who were in any case most prone to commit acts of violence. These small distillers recognized their danger and redoubled their efforts, with the result that the first months of 1794 saw an upswing of violence in the western counties directed not only at the excise officials but also at fellow distillers who complied with the law. Their tactics worked; gradually all distillers were forced either into grudging non-compliance or into closing down their still.35

Why was the law not enforced, and protection given those distillers who complied? Contemporary westerners argued that "The presence and authority of a court of justice would have answered every necessary purpose" for the proper enforcement of the law.36 With the nearest federal court 350 miles away the power of government was too remote to be effective. Why, then, did the administration not establish such a court in the affected area? The answer is that the administration had no such authority; Congress alone had the power to establish courts. Hamilton realized the need for a court but could do nothing about it.37
Of course, the army could have been used by the executive to bring peace and order to the region, and both Hamilton and Washington had thought of this possibility as early as 1792. But the issue had not yet reached the proportions of a constitutional threat, and Washington was well aware of the dangers involved in the indiscriminate use of force: "...not only the Constitution and Laws must strictly govern; but the employing of the regular troops avoided if it be possible to effect order without their aid; otherwise there would be a cry at once, 'The Cat is let out; we now see, for what purpose an Army was raised.'"

As a result the administration took the course of action which Hamilton summarized in his report to Washington in August, 1794:

Under the united influence of these considerations, it appeared advisable to forbear urging coercive measures, until the laws had gone into more extensive operation, till further time for reflection and experience of its operation had served to correct false impressions and inspire greater moderation, and till the Legislature had had an opportunity, by a revision of the law, to remove, as far as possible, objections, and to reinforce the provisions for securing its execution.

But such a policy only led to the growth of violence, and the 1794 Congress took steps to strengthen the enforcement of the law. On June 5, 1794, an act was passed giving the state courts jurisdiction over federal excise cases in areas further than fifty miles from a federal court. Perhaps this act, at once eliminating the greatest grievance of the westerners and bringing the power of the courts into the region, might have prevented the Whiskey Insurrection; but whether this procedure would have remedied the situation or not will always remain a matter of conjecture, for circumstances prevented even a trial of the new law.
This bill was still in Congress when the federal court at Philadelphia issued seventy-five warrants against distillers who had not registered their stills the year before. At least sixty-five of these warrants were intended for individuals in the four western counties of Pennsylvania. The writs were entered in the docket on May 31, but for some reason were not served until the middle of July, several weeks after the new law had gone into effect. The writs were not withdrawn and re-entered in accordance with the new law, which would have enabled the accused persons to be tried in their locality.

The fact that these writs were not re-entered under the new law was the main basis for the charges of contemporary Republicans that Hamilton deliberately permitted the insurrection to build up in order to bring the power of the government to bear on the frontier farmers, and at the same time gain a political weapon to turn against the Republicans. They buttressed their argument by pointing out that in Hamilton's August fifth report on the opposition to the excise, the Secretary ignored the fact that the writs had been issued under the old law after the new one had been implemented. It is entirely possible, even probable, that Hamilton did not know of the postponement in the issuance of the writs. There is no indication he was even aware of their existence. That the writs were not re-entered in accordance with the new law was most unfortunate; but there is no acceptable evidence that any one person was to blame.
The marshal serving the writs did not arrive in the western counties until midsummer, when the backwoods farmers were busy harvest- ing their wheat crop. His arrival was ill-timed, for the farmers customarily gathered together to help one another bring in the crop "...and when to the heat of the season and the competition of labour is generally added the stimulus of ardent spirits." Under such circumstances it was almost inevitable that the marshal would meet opposition. On the morning of July 15 the marshal and John Neville, the District Inspector of Revenue, were fired upon while serving the next to last writ. The two officials hastily galloped off to the Neville estate, Bower Hill. A considerable crowd of small farmers and militia gathered that afternoon and in the evening set out for Bower Hill; the next morning they began an unsuccessful seige against the house which lasted until late in the afternoon. That night a detachment of soldiers reinforced the defenders of the house, but even with this aid, Neville was forced to surrender when the attack was resumed the next day. The backwoodsmen did not know quite what to do with their victory; they finally burned Bower Hill to the ground, and permitted its defenders to take refuge in Pittsburgh. But the smoldering opposition of the small farmer to the excise had broken into full flame, and the first violent challenge to the new government was made.
FOOTNOTES—CHAPTER I 18.


6. The Public and General Statutes Passed by the Congress of the United States of America. From 1789 to 1827 inclusive, whether Expired, Repealed, or in Force: Arranged in Chronological Order, with Marginal References, and a Copious Index. To which is added the Constitution of the United States, and an Appendix, Joseph Story, ed. (Boston, 1827), 178-96. Hereafter cited as Statutes.


10. See William Findley to Governor Mifflin, November 21, 1792, in Pennsylvania Archives, second series, John B. Linn and William H. Egle, eds. (Harrisburg, 1874-93), IV, 46-51. All references made hereafter to material in the Pennsylvania Archives will be from the second series unless otherwise noted.


15. William Findley, History of the Insurrection, in the Four Western Counties of Pennsylvania; with a Recital of the Circumstances Specially Connected Therewith; and an Historical Review of the Previous Situation of the Country (Philadelphia, 1795), I-3. Hereafter cited as History. See also the minutes of a meeting at Pittsburgh, September 7-8, 1791, in Pennsylvania Archives, IV, 20-2.


17. See Statutes, 2:3-52.


19. Ibid.


21. Ibid.

22. Ibid.

23. See Baldwin, Whiskey Rebels, 87-9. See also Findley, History, 70-1.


26. Proclamation in George Washington, Writings, John C. Fitzpatrick, ed. (Washington, 1931-44), XXXIII, 150-1. All references to Washington's Writings will be to Fitzpatrick's edition. See also Pennsylvania Archives, IV, 32-3.


32. Gallatin, Writings, III, 6-7.


34. Ibid.

35. Findley, History, 64-5.

36. Ibid., 73.


40. Statutes, 348-50.

41. Baldwin, Whiskey Rebels, 111.

42. Findley, History, 74.

43. Best account of attack on Bower house is in Baldwin, Whiskey Rebels, 110-28, passim.
CHAPTER--II
THE FAILURE OF NEGOTIATION

The advocates of violence had declared themselves openly by the attack on Bower Hill, but the region as a whole was as divided as ever about the feasibility of resistance. The radicals were now faced with the problem of somehow committing the entire population to a stand in opposition to the law, whereas the moderates were more than ever dedicated to keeping clear of a course of violence. This conflict was an internal issue among the inhabitants of the Monongahela country for the remainder of the insurrection, but it was never more serious than in the first weeks of open violence, for the radicals were in power and everyone was forced to give at least lip-service in support of their opposition.

Civil authority in the western country had collapsed, but the federal government took no immediate action. Communications were slow, and even when word of the happenings in the western counties did reach Philadelphia it was only in the form of scraps and bits of information--hardly enough to allow a valid decision as to what course to pursue in meeting the disturbance.

The situation became more serious when a shallow and impressionable man named David Bradford assumed the leadership of the radical cause. On July 26 he had the Pittsburgh-Philadelphia mail robbed, and found several letters denouncing the radicals. Then, on his own authority, he issued a call for the militia to assemble on a field at the site of Braddock's defeat, and from there to march on Pittsburgh. Between five and six thousand men turned out, and it was only a combination of good
fortune and diplomacy on the part of the moderates that brought about the dispersal of this force and perhaps prevented real disaster. After the Braddock's Field incident, the region settled down to an uneasy peace. An assembly had been scheduled to meet on August fifteenth at a place called Parkinson's Ferry to decide what course of action the region should follow, and both radicals and moderates kept busy trying to gain control of it.

Meanwhile, the administration had received enough general information by the end of July to know that the situation in the western counties was very serious, but they had received little specific news. As Governor Mifflin noted later, the only evidence they had was "...the vague narrative of the Post Rider" and several unattested private letters. The government had to be sure of just what was happening across the mountains before it could act; and then it was faced with the problem of determining what action to take. There were no precedents to serve as guides; every step taken would be a new and significant one. Washington was understandably reluctant to use his power to call on the army if the riots were not truly a constitutional threat. Then too, there was the particularly touchy question of determining where the authority of the state ended and that of the federal government began.

In an attempt to resolve these problems, Washington called a meeting of the top federal and state officials on August second at the Morris House, his Philadelphia home. Washington, Secretary of State Edmund Randolph, Secretary of the Treasury Alexander Hamilton, Secretary of War Henry Knox, and Attorney General William Bradford attended for the
national government; Governor Thomas Mifflin, Chief Justice Thomas McKean, Secretary of the Commonwealth Alexander James Dallas, and Attorney General Jared Ingersoll represented Pennsylvania.2

The meeting opened with Washington calling attention to the serious nature of the opposition in the West and proposing that "...spirited and firm measures" be taken to maintain the laws. He expressed at the outset his intention of going to every length that the Constitution would permit in dealing with the matter, but he noted federal action would be slow since the administration had to wait for judicial certification that the situation was out of the hands of the civil authority. Since this was the case, Washington expressed a desire for the co-operation of the State. The President asked Governor Mifflin whether or not he could adopt some preliminary measure under the state laws until the federal government could act. Mifflin did not answer; neither he nor the other state officials regarded this aggressive assertion of federal authority with any degree of enthusiasm. A rather strained discussion then occurred, with the state officials grudgingly admitting that the executive authority did have the right to resort to "ultimate action" when the situation demanded.

At this point, Pennsylvania's Justice McKean interrupted and injected a new line of argument. It was his opinion in this case, he said, that the judicial authority was equal to the task of quelling the riots, and that the use of military force at this stage would be equally as unconstitutional and illegal as anything the rioters had done. Hamilton
answered by first relating the necessity of maintaining the authority of the general government, then giving specific examples of the consistent opposition of the western farmers to the collection of the excise. These examples, he said, added up to the fact that the civil authority could not cope with the problem. Hamilton, believing the problem to be a constitutional threat, insisted upon the immediate use of force. The issue, according to him, was no longer just the collection of a tax; it had become the critical question, could the government maintain its rightful authority? When Secretary of the Commonwealth Dallas reminded Hamilton of Pennsylvania District Judge Alexander Addison's declaration that if the enforcement of the excise had been put in the hands of the state courts, the matter would have been easily solved, Hamilton countered by saying that Addison had already promoted opposition to the excise "in an insidious manner."  

At this point the minutes of this executive conference end, but the positions of the state and federal officials are clearly drawn. Hamilton regarded the issue as beyond the power of the state to settle, and therefore one that necessitated the full exertion of the federal government's authority. He supported his viewpoint a few days later in a long report to Washington describing in detail the history of resistance to the enforcement of the excise. On the other hand, the state officials shared much the same opinions as the western moderates, who, while agreeing that the federal civil authority had proved ineffective, believed that if the state courts were only given a real chance to ex-
exercise jurisdiction the law would be executed without difficulty. They felt this should be done before any military action was taken.

The argument of the state officials was destined for rejection. On August fifteenth Supreme Court Justice James Wilson sent an official statement to President Washington stating that the execution of the laws in certain western counties was "...obstructed by combinations too powerful to be suppressed by the ordinary course of judicial proceedings or by the powers vested in the Marshall (sic) of that district," Armed with this support for their own position, the administration paid scant attention to the arguments of the state officials.

On the same day that Wilson issued his statement, Mifflin wrote the President in compliance with his request that Mifflin inform him of the procedure the state would take until the federal government could act. Mifflin agreed that the situation should be dealt with firmly and energetically by both the state and federal governments, but such conduct did not preclude the exercise of a prudent and humane policy, which Mifflin much preferred. Because he desired to follow a policy of conciliation Mifflin wanted a fair trial of the effectiveness of the state judiciary before he called out the militia. He expressed doubt that public reaction would favor calling the militia until it proved absolutely necessary, and he also affirmed his belief that the militia would not be over-anxious to answer his call if its members were not convinced of the necessity for such action. Until a fuller trial of the courts could be achieved, Mifflin decided to appoint two commissioners to treat with the
westerners and see if the matter could be concluded peacefully by negotiation. If it could not, then he would call out the militia. He closed the letter by stating that he was acting only as chief magistrate of the state; he would give the federal government his wholehearted support in whatever plan they chose to follow.5

Despite his assurances of support, the viewpoint and purposes of Mifflin were not in harmony with those of the administration. Hamilton drafted a reply that was quickly sent to Mifflin over Edmund Randolph's signature. Hamilton wrote that it had been hoped that the executive conference of August second would result in a more precise definition of the relationship of the state and federal governments, but Mifflin's letter indicated that this had not occurred. Pennsylvania, said Hamilton, was acting "...in a light too separate and unconnected."6 Hamilton felt that Mifflin should use the militia immediately. Not to act in an emergency with an energy proportionate to the magnitude of the crisis was dangerous. And in this case, Justice Wilson's statement indicated the magnitude of the crisis, and therefore the necessity of taking ultimate action.

After rebuking Mifflin for his stand, Hamilton went on to outline the plans of the administration for dealing with the insurrection. The President was issuing a proclamation calling out the militia not only from Pennsylvania but also from New Jersey, Maryland, and Virginia. But although the President would not hesitate to use military force, Hamilton declared, he would prefer peaceful means, and Washington, like Mifflin, had decided to send commissioners to the disaffected counties "to make
one more experiment of a conciliatory appeal to the reason, virtue, and patriotism of their inhabitants."

Mifflin's reply on the twelfth expressed his regret that he had been misunderstood in his first letter. He had intended, he wrote, only to comply with Washington's request that he state what action might be taken by Pennsylvania. He noted that since Justice Wilson's certificate had not been issued at the time of his first letter, he could therefore only undertake to act as he himself judged fit—and he had regarded the evidence at hand as insufficient to call out the militia. He politely chided Washington for demanding so much of the state:

While you, Sir, were treading in the plain path designated by a positive law, with no other care than to preserve the forms which the Legislature had prescribed, and relieved from the weight of responsibility, by the legal operation of a Judge's certificate, I was called upon to act, not in conformity to a positive law, but in compliance with the duty which is supposed to result from the nature and constitution of the Executive Office."

The correspondence dragged on for the rest of the month of August, most of the subsequent letters only going over ground already covered. But the correspondence illustrates a significant aspect of the Whiskey Insurrection—the whole problem of defining the vague but vital boundary between state and federal sovereignty.

While this exchange of letters was occurring, the administration was wasting no time in preparing to put down the insurrection now that the executive was backed by Wilson's opinion. On the seventh of August, Washington issued a proclamation calling out the militia of Pennsylvania, New Jersey, Maryland, and Virginia to suppress the "dangerous and criminal"
combinations in the West; he also commanded all insurgents to disperse by the first of September or the militia would march against them. On the eighth of August, Washington made public his appointment of commissioners to meet with the insurgents. Those chosen were James Ross, a prominent Western Pennsylvania Federalist, Attorney General William Bradford, and Pennsylvania Supreme Court Justice Jasper Yeates. On the same day they were appointed, these men were presented with their instructions. The commissioners were to make clear the stand of the government on collection of the tax; the excise had to be considered as any other law. In return for submission, the commissioners were to assure the Westerners that the President was willing to grant an amnesty for any crimes that had been committed in opposition to the collection of the tax. The commissioners were also authorized to assure the Westerners that the state courts would be used as judicial agencies if this could be done without the frustration of justice.

The federal commissioners started for the Monongahela country immediately, and arrived a week later. They found the Parkinson's Ferry conference (held to determine what course the region would follow) already in progress. When the assembly was informed of their arrival, it quickly agreed to meet with the commissioners; but there was a sharp disagreement about how the meeting was to be arranged.

The radicals were not willing to confer unless it was on their terms. They wanted an open meeting, with the commissioners negotiating
with the entire Parkinson's Ferry assembly. The moderates, who had been able to gain and maintain control of the meeting, realized that little could be accomplished under such conditions, and after a long debate they succeeded in having a twelve member "Committee of Conference" appointed to meet with the commissioners in private. This committee was to report on September second, after the negotiations were completed, to an executive committee of sixty members, which had the authority to call another general assembly if it was believed necessary. With this done, the Parkinson's Ferry gathering adjourned.

The federal commissioners established their headquarters in Pittsburgh, and on the seventeenth sent their first communication back to Philadelphia. Their report was a quite accurate description and analysis of the situation in the western counties. They reported that most "reputable citizens" were forced at least to pretend to go along with the radicals since "...the Civil Authority affords them no protection, and...they have no point where they can rally in their own defense." The commissioners also requested additional instructions, since Washington's proclamation stated that the troops would begin their march September first, but a decision would not be reached in the region until the executive committee was to meet on the second.

On the same day, the state commissioners, General William Irvine and Pennsylvania Chief Justice Thomas McKean, arrived in Pittsburgh. When they compared notes with their federal counterparts they found their instructions were fundamentally the same, and they agreed to work together.
Negotiations were to start on the twentieth, but a heavy rain delayed the arrival of many of the westerners, and the first meeting was not held until the next day. The first thing the commissioners did was to state the position and attitude of the federal government. Washington, they said, had received with great pain the reports of the "deviations" from constitutional methods of expressing dissatisfaction. Although the magnitude of the infractions called for the use of military force, the goodwill of the President dictated that the present lenient measures be adopted. But this moderation should not be misconstrued by the westerners; the militia was already in the process of mobilization and would march September first, "...within which time it behooved the people of this country to make up their minds and give answer that the government might know what to expect." The commissioners then advised that all actual negotiations be carried on in writing so that there would be no misunderstandings on either side. 18

The first of these written communications was given the Committee of Conference the next day, August 22. It was a statement of the purpose of the visit and of the powers of the commissioners; they represented the executive and their purpose, therefore, was to find a way that the law might be enforced. They could only demand full compliance and could not promise that the law would be changed, since that was up to the legislative branch of the government. But if satisfactory assurance of acquiescence to the law were given them, they did have authority to suspend all existing prosecutions, to make more agreeable the method of tax collection, and to assure that a general pardon would be
given by the President in the future. Their mission was made for the further purpose of informing the westerners of the seriousness of their actions, and "...to prove to the whole world, that if military coercion must be employed, it is their choice and not [the President's]."

Any attempt at settlement, they warned, had to be preceded by satisfactory assurance of the determination of the people to obey the law.

The conference committee replied to the commissioners on the twenty-second. It did not dispute the right of the President to call on the militia; its primary object, like that of the government, was to compose the disturbance. The committee was satisfied that the executive had gone as far as he could; "It only remains," it declared, "to ascertain your propositions more in detail...." The committee could give no assurance regarding the sense of the people toward submission to the law; but in its opinion it was to their best advantage to accede. The committee also said they would give their report to the executive committee of the Parkinson's Ferry assembly on the twenty-eighth of August, three days before the date set for the march of the army.

Assured of the co-operation of the committee, the commissioners handed them the specific proposals of the federal government the same day. The government expected the executive committee to approve of submission and recommend to the people at large that they follow a similar course. Also, they required that the determination of the people themselves would have to be given "by meetings in election districts or otherwise" before the fourteenth of September. If this were done with satisfactory re-
sults, the government would promise that no existing prosecution for resistance to the laws would be commenced until the next tenth of July, and if all remained peaceful until that date, a general pardon would be granted. The state courts would be given the right to try excise cases, "if it be found that local prejudices do not obstruct the faithful administration of justice."  

These propositions were accepted by the Committee of Conference, and in their message to the federal commissioners on the twenty-third they promised to make a faithful report of the propositions and recommend them to the people. They assured the commissioners that "... however they may be received, we are persuaded nothing more could have been done by you or us to bring this business to an accommodation."  

The report of the Committee of Conference to the executive committee was an attempt to appeal to the sympathies of the region for the French Revolution. Submission to the law was recommended because the tax was needed to fund the debt, and if resistance should spread to other areas of the government's revenue it "might affect a nation of Europe struggling at this moment for life and liberty..."  A second argument advanced was that resistance would lead to internal conflict, and such a convulsion would adversely affect another desire of the region—the opening of the Mississippi.  

On the twenty-seventh assurance was received from Philadelphia that the militia would not march until further information was received from the commissioners.  Everything seemed to be working smoothly for the moderates, and the commissioners believed that a final understanding was
not far away.

However, the radical element was still sullen and discontented. Rumors that the commissioners had come west with government gold to bribe the Committee of Conference did nothing to sweeten the temper of the small distiller. The reception of the committee's report at the meeting of the executive committee reflected this discontent, for there was evident a strong undercurrent of dissatisfaction. The members of the executive committee were not even willing to bring the recommendation for submission to a vote for fear of radical retaliation. When they finally did, it passed by a vote of only 34-23, a majority of only eleven. They decided at the same time to try to get better terms from the commissioners.

The commissioners could not regard such a narrow margin of approval with optimism. If the leaders of the people, supposedly more logical and less subject to emotion, displayed such reluctance to submit, it was not a good omen as to what the general reaction might be--nor did it provide a good example. On the thirtieth, the commissioners reported to Secretary of State Randolph that "...we still have much Reason to apprehend, that the Authority of the Laws will not be universally & perfectly restored, without military coercion." Even the optimism of the state commissioners, always a bit more sympathetic to the western point of view, had vanished. They wrote to Mifflin: "We are extremely grieved, Sir, that our communications can afford you so little hopes of that happy termination to our Embassy which you have so much at heart, and
had such good reason to expect.\textsuperscript{30}

The second conference between the westerners and the commissioners took place on September first and second. No new terms were granted, of course, and most of the time was taken up with making provisions for holding a popular referendum on the eleventh of September to determine the opinion of the people toward submission. In view of the reluctance of the executive committee to approve of submission, the commissioners decided that a decision by simple ballot would produce "an apparent but delusive majority."\textsuperscript{31} They determined that all persons should publicly state their intention of submitting, then sign an oath that they would do so.\textsuperscript{32} This method was grudgingly accepted, and the commissioners left for the East.

The administration soon found that the advocates of violent opposition had been little disheartened by the visit of the commissioners, although their opposition was less well organized than it had been a month earlier. Warnings and threats began again to appear in the \textit{Pittsburgh Gazette}, despite Judge Addison's warnings that a rejection of the government's proposals was a declaration of war, and the more unusual tactics of certain Presbyterian ministers of postponing the date for communion with the intention of barring those who did not sign for submission.\textsuperscript{33}

On the eleventh the vote was taken. Although a great number of people turned out, the results were rather inconclusive. As the official report of the commissioners noted, "no opinions are certified that there is so general a submission in any one of the counties, that an office
of inspection can be immediately and safely established therein...

The reports from Westmoreland and Washington Counties did not state the number of people who took the oath, while Fayette County rejected the recommended method of taking the vote entirely and simply voted by ballot. Nothing at all was heard from Bedford County. There was obviously a good deal of irregularity in the administration of the polls.

The commissioners stated in their official report that "a considerable majority" of the people in the western counties favored submission; but at the same time the commissioners believed

...it their duty explicitly to declare their opinion that such is the state of things in that survey, that there is no probability that the act for raising a revenue on distilled spirits and stills can at present be enforced by the usual course of civil authority, and that some more competent force is necessary to cause the laws to be duly executed, and to ensure to the officers and well-disposed citizens that protection which it is the duty of Government to afford.35

They concluded that, "the civil authority should be aided by a military force in order to secure a due execution of the laws."36 The confusion among the inhabitants of the Monongahela country had discouraged the commissioners, and their report quickened preparations for the use of force.

It is apparent that the government, through the commissioners, made every effort to resolve the problem peaceably. Washington had not needed to send the commissioners; he would have been completely justified legally to have ordered the army to march immediately, especially after receiving Justice Wilson's certificate. The commissioner's instructions were extremely liberal; and these men went to the limit of their authority to
grant the westerners every concession. The government did not want to send the army if the problem could be solved peaceably.

But it could not. The negotiations failed because the western counties were in a state of chaos. The commissioners were right; law and order could not have been implemented because there was too strong a spirit of resistance to the government, even when the commissioners were offering a general pardon for previous crimes. The executive had made every effort to avoid the use of the army, but it was forced to exercise that constitutional power by the continuing resistance of the western radicals.

Perhaps the collection of the force east of the mountains after the commissioners left caused the radicals to realize that the government was not bluffing, or perhaps it was just a quirk of fate, but after the vote had been taken and the commissioners made their report the moderate spirit suddenly solidified in the western region. Seventeen ninety-four was an election year, and both moderate and radical candidates were running. The outcome was a complete surprise, for the moderates—even some Federalists—were swept into office. But it was too late; the army by this time was breaking camp in the East and was beginning its long march across the Appalachians.

2. Minutes of this conference in Pennsylvania Archives, IV, 144-6.

3. Ibid., 144-6.


12. Instructions to the United States Commissioners, August 8, 1794, in ibid., 137-9.


20. Committee of conference to U.S. Commissioners, August 22, 1794, in ibid., 190-1.

21. Ibid., 190-1.


23. Ibid., 191-3.


25. Deliberations of the Committee of Conference, August 23, 1794, in ibid., 204-5.

26. Ibid., 204-5.

27. U.S. Commissioners to the Committee of Conference, August 27, 1794, in ibid., 210-1.

28. Resolutions at Redstone Old Fort, August 28-9, ibid., 211-2.

29. Quoted in Baldwin, Whiskey Rebels, 198.


31. U.S. Commissioners to the Committee of Conference, September 1, 1794, in ibid., 233-7.

32. Ibid., 233-7.

33. Baldwin, Whiskey Rebels, 201-4, 205.


35. Ibid., 348-59.

36. Ibid., 348-59.

III

A FEDERALIST VICTORY

While the commissioners were negotiating with the western insurgents, the administration was supervising the raising of an army of almost 13,000 men from the militia of Pennsylvania, New Jersey, Maryland, and Virginia. At best, this was a complex and difficult task because of the deficiencies in the militia laws; but the complexity was compounded in Maryland and Pennsylvania where an inability to meet the assigned quota forced these states to resort to a draft. This measure, needless to say, was not at all popular, and resulted in rioting in many rural areas. Such disorders were only stopped in Pennsylvania when Governor Mifflin toured the discontented counties and explained the reasons for the draft.¹

By September 25, when Washington issued his proclamation ordering the militia to march westward,² all the states had met their quotas and the army, though scattered, was ready. It was planned that the 3,300 Virginia troops would meet 2,350 Marylanders at Fort Cumberland, and the New Jersey militia, numbering 2,100 would meet the Pennsylvania force of 5,200 at Carlisle. The Virginia-Maryland wing, under the leadership of Governor Henry Lee of Virginia, would march to the Monongahela country via Braddock's Road while the Pennsylvania-New Jersey force, commanded by Secretary of the Treasury Alexander Hamilton, would keep slightly north along the Forbes Road.³
Washington did not know whether to travel with the army or not. He felt it necessary that he be in Philadelphia for the opening of the new Congress in November, but he also felt obliged to be in command if there was real danger of fighting. No one knew whether or not opposition would develop. Washington had already come to Carlisle to inspect the Pennsylvania contingent; there he decided to travel to Fort Cumberland to visit the southern wing of the army, then double back to meet the Pennsylvania-New Jersey force at Bedford. By that time, he believed, he would know whether his presence was necessary in the trans-Appalachian region or not.

While at Carlisle, Washington received word that a second assembly had been held at Parkinson's Ferry on October second and that two commissioners were on their way to Carlisle bearing the resolutions adopted by the meeting. These commissioners, one of whom was William Findley, arrived on October ninth. They presented to Washington and Hamilton the resolutions passed by the second Parkinson's Ferry assembly, which stated that there was a general disposition in the western counties to submit to the laws. The commissioners attempted to convince the President that there was really no need to send the army into the region, for opposition had truly subsided. Washington reminded Findley that the administration had sent commissioners to the western counties, and these had not returned with very satisfactory results. The President realized that sending the army was "inconvenient and distressing in every point of view" but at this stage of affairs
"nothing short of the most unequivocal proofs of absolute submission should retard the March of the Army into the Western counties." The President assured the commissioners that as strict order as possible would be kept within the army, and there would be little to fear on this account.

On the day the commissioners left, the President started for Fort Cumberland. He arrived there on the sixteenth and wrote immediately to Hamilton that he had heard nothing new from the West as to whether any resistance would be offered or not, but that "all accounts agree however, that they are much alarmed at the serious appearance of things...."

Washington was absolutely right; the westerners were indeed "much alarmed." Rumors of atrocities and depredations preceded the march of the army and caused a great deal of anxiety in the Monongahela country. If such actions were committed against people whose only misdeed was to be along the route of the army, what would be the fate of those whom the army was marching against? The reports were gross exaggerations, of course, but they did have some basis in fact. The army, being just a collection of more or less untrained militia, did leave something to be desired in the way of discipline, and there were a number of unfortunate incidents along the march. Efforts were made to punish as strictly as possible all offenders that could be apprehended, but discipline remained a problem throughout the campaign.

Despite this problem, Washington was enthusiastic about the good spirits of the army in general. He wrote Jay that it was quite en-
couraging to see men who possessed "...the first fortunes in the Country, standing in the ranks as private men, and marching day by day with their knapsacks and haversacks at their backs; sleeping on straw, with a single blanket, in a Soldiers tent, during the frosty nights which we have had....These things have terrified the Insurgents, who had no conception such a spirit prevailed...." 14

From Cumberland Washington returned to the northern wing of the army, meeting it at Bedford on October nineteenth. 15 By this time it was apparent that the backwoods farmers would offer no serious resistance. On October 21, Washington turned over his command to Governor Henry Lee of Virginia, and returned to Philadelphia. 16

From this day on, the march of the army into the Monongahela country was for political purposes, rather than military. The opposition to the government had obviously collapsed completely, and from a military standpoint it was useless for the army to enter the region. The motive of the administration now was to use the army to demonstrate to the independent westerners the strength and unity of the federal government. Washington noted in a later letter to John Jay that even though the language of the once boastful frontier farmers "...is much changed indeed...their principles want correction." 17

However, the President was not the only one to realize that the army was no longer a military necessity. The Jacobin editor of the Philadelphia Aurora, Benjamin Franklin Bache, began to hurl his literary darts at the administration. 18 Hamilton and Washington, both very sensitive
to any criticism of their motives, were well aware of this public attention; as a result both took pains to make sure that the army was not misused during its stay in the region. In turning over his command to Lee, Washington noted that the dispensation of justice "...belongs to the civil magistrate, and let it ever be our price and our glory to leave the sacred deposit there unviolated." Hamilton was even more explicit; he wrote to Lee that the duties of the army were restricted "to the attacking and subduing of armed opponents of the laws, and to the supporting and aiding of the civil officers in the execution of their functions." But, understandably, no amount of such assurance could make the inhabitants of the region look forward to the arrival of the army; they grew more and more apprehensive as the force drew nearer. A third meeting held at Parkinson's Ferry on October 21 was completely controlled by the friends of order. The delegates heard the discouraging report of the conference with Washington at Carlisle, then busily passed more resolutions. These were similar to the first, stating that the civil authority was fully competent to enforce the law, and that offices of inspection might be opened in the region without danger of violence. The assembly then appointed a new committee of four commissioners to carry these new resolutions to the commander of the army. Hamilton heard of their coming, and on the twenty-ninth wrote Washington that the new assembly had ended "...in a new appointment of commissioners to deprecate the advance of the army, and in new expressions of pacific intentions. But there is nothing which can
occasion a question about the propriety of the army's proceeding to
its ultimate destination. 22 With their adversaries holding such an
opinion, it was inevitable that the second mission of western
commissioners to the army would fail like the first. The westerners
met with Hamilton and Lee at Uniontown. Lee not only refused to con-
sider halting the army short of its destination, he would not even
give the commissioners any assurance that the army would not be
actively used. He told the commissioners that it was his province as
commander of the army to determine the reason for this sudden change of
heart in the western counties, and he could attribute the present
assurances of submission to no other cause than the fear of the
approaching army. He stated that he could not but think that the
moment the army was removed "...the reign of violence and anarchy will
return." 23 He said he was obligated, "by the trust reposed in me by
the President of the United States, to hold the army in this country
until daily practice shall convince all that the sovereignty of the
constitution and laws is unalterably established." 24 The westerners
would have to support the occupying force, too; Lee told the commissioners
to return and recommend that the people prepare whatever they could
sell for the use of the army. He warned them to charge a fair price,
for any attempt at exaction "would probably produce very disagreeable
scenes." 25 The inhabitants of the region were quite unnerved at this
turn of events; apparently they could only look forward to a military
occupation with everyone suspected of treason until proven innocent.
In his contemporary account of the Insurrection, William Findley was most likely correct in his firm belief that this policy was completely Hamilton's work. Hamilton was by this time consciously in favor of making full use of the army while it was in the region; he was wholeheartedly committed to a demonstration of the government's strength. Two days after his conference with the commissioners, he wrote the President "All announces trepidation and submission....The impression is certainly for the present strong (for obedience), but it will be stronger and more permanent by what is to follow." Meanwhile the two wings of the army were converging on Parkinson's Ferry, and by November first most of the army was encamped there, although detachments were sent to the various population centers in the region.

The next step was to bring the leaders of the radical opposition to justice, but this was easier said than done since many of them, including David Bradford, had left the region and fled westward to Spanish territory. Nevertheless, Hamilton and Judge Richard Peters of the United States district court of Pennsylvania, who had accompanied the expedition, spent the first week in November conducting investigations and gathering evidence. By the eighth Hamilton was ready to act, but he was faced with this problem: if the arrests of suspects were made in a haphazard fashion an exodus of those not apprehended might occur. To prevent this, Lee, with Hamilton's approval, determined to strike suddenly and "take hold of all who are worth the trouble in a summary way—that is, by the military arm, and then to deliver them over to the disposition
Lee issued the necessary orders and sent lists of suspects and witnesses to the army officers in the various localities where the arrests were to be made; the orders were to be carried out in the early morning of the thirteenth. No distinction was made between suspects and witnesses on these lists and all those apprehended received the same treatment, which was generally quite bad. There are many accounts of individuals being taken from their homes early in the morning and being driven, ill-clad, at gunpoint for several miles through cold rain and mud to Pittsburgh, where the hearings were to take place. Most of those taken were subsequently released by Judge Peters for lack of evidence. Only twenty were retained for trial in Philadelphia.

Hamilton went from the Parkinson's Ferry camp to the town of Washington on the fifteenth and from there travelled to Pittsburgh the next day, continuing his investigations of the prominent men of the region. Although Hamilton attempted to find charges against individuals like Gallatin and Brackenridge, he was unsuccessful. Hamilton was less concerned with the proper execution of justice than he was with finding individuals who would serve as prominent examples to others of the futility and danger of resisting the government. The fact that this was his prime motive is quite evident in his correspondence of that week. The night before the arrests were made Hamilton wrote the President: "To-morrow the measures for apprehending persons and seizing stills will be carried into effect. I hope there will be found characters fit for examples, and who can be made so. Colonel Hamilton, sheriff, is
now at our quarters....It is not yet certain how much can be proved against him; but otherwise he is a very fit subject." 34 On the fifteenth he wrote: "...a number of persons have been apprehended.... Several of those in confinement are fit subjects for examples, and it is probable from the evidence already collected, and what is expected, that enough for that purpose will be proved." 35 And four days later: "The judiciary is industrious in prosecuting the examination of prisoners--among whom there is a sufficient number of proper ones for examples, and with sufficient evidence." 36

Washington himself was not innocent of desiring examples made before seeing justice done; on his way to Philadelphia he had written this postscript in a letter to Lee: "I hope you will be enabled by Hook, or by Crook, to send B--- and H---- together with a certain Mr. Guthrie, to Philadelphia for their winter Quarters." 37

After making the arrests, the army had served its purpose; it began its homeward journey within three weeks of its arrival in the region. 38 A garrison of 1,500 under the command of General Daniel Morgan remained at Pittsburgh to make sure the backwoods farmers did not forget what their folly had brought upon them. 39

The hearings in Pittsburgh lasted until the end of November; on the twenty-ninth a general pardon was proclaimed. 40 Thirty-three were excluded from this, however, and were to be taken to Philadelphia for trial. Thirteen of these had not yet been apprehended, but the remaining twenty left the region on November 25 and arrived in Philadelphia just one month later, on Christmas Day. 41 About twenty thousand citizens of the
City of Brotherly Love turned out on the holiday to jeer at the bedraggled frontiersmen as they were paraded through the streets before being lodged in jail. The trials for many of them dragged on into the autumn of 1795, but eventually all but two were released for lack of evidence. The two that were convicted were both obviously mentally deficient, and were finally pardoned by the President.

When on January 22, 1795 Washington wrote to Edmund Pendleton that he bel when on January 22, 1795 Washington wrote to Edmund Pendleton that State... (to be) entirely subdued... he was wholly correct; the "Whiskey Rebellion" was over, and the backwoods farmers of Western Pennsylvania were never again to offer serious resistance to the collection of the excise.

Washington has been criticized from the time of the Insurrection to this day for sending such an overwhelming force into the Monongahela country—a force that seemed all the more unnecessary in light of the complete lack of resistance. But a large force originally did seem necessary; when the troops were first called out no one in Philadelphia knew of the height of resistance in the West. As it was, the early rioting could easily have developed into a full-scale rebellion had events taken a slightly different course at Braddock's Field. To risk defeat by meeting this constitutional threat with an inadequate force would have been sheer folly.

The army began its march with the expectation that it would probably meet resistance; this was the reason that Washington accompanied it. But
its journey across the mountains had another and more important purpose—a purpose that made a continuation of the march necessary even after it had become apparent that resistance had vanished. The continuing resistance of the westerners was a constitutional threat; it was the first open opposition to the laws of the young republic. The question of whether or not the new government's power was adequate to meet this threat to its authority had been posed. The Federalists, by proving the government's ability to mobilize such an overwhelming force, demonstrated to the world that the young republic could enforce its own laws, that the democratic government of the United States was not a synonym for anarchy. At the same time, the government asserted its position as the ultimate authority of the nation. Although no one can admire Hamilton's use of the army during its short stay in the Monongahela country as a military police force, there can be little dispute as to the necessity for its journey.

But even though the prime motivation of the Federalists in dealing with the Whiskey Insurrection had been at first to maintain and assert the strength of the Union, they were quick to take advantage of the event as a political tool. The biggest thorns in the side of the administration were the Democratic Societies that had sprung up all over the country since 1793. These had been primarily concerned with composing, passing, and publishing resolutions commenting on the conduct of the government, but they were beginning to play an active and direct role in politics, thereby becoming dangerous to the Federalists. Consequently, many ad-
vocates of one-party government were quick to see the opportunity of blaming the societies with causing the Insurrection. On October 11 Edmund Pendleton wrote to Washington that the Democratic Societies "...may now, I believe, be crushed. The prospect ought not to be lost."\textsuperscript{45} Washington saw the societies as a real indication of faction; and just as bad, he believed them to be anarchical and a real constitutional threat. Nevertheless his attitude toward them fitted in quite well with those whose motives were less sincere. The first indication of the President's acceptance of the belief that the societies did have something to do with the Insurrection appeared in a private letter as early as September 25, 1794. On that date he wrote to Burges Ball that he considered the Insurrection to be "...the first ripe fruit of the Democratic Societies."\textsuperscript{46} His stand was made public in his sixth annual address to Congress on November 19, 1794,\textsuperscript{47} and it touched off a violent argument both in and out of Congress. It has been subsequently proved that the charge of the Federalists, whatever its motivation, was completely false.\textsuperscript{48} But at the time the accusation achieved its purpose; for, though the societies had many supporters, the fact that they were the center of such a furor killed their political effectiveness and their influence soon swindled to nothing.\textsuperscript{49}

Another political use of the Insurrection was the attempt of the Federalists to bar the delegates of the four western counties from their seats in the Pennsylvania House of Representatives on the grounds that they had been elected when their districts were in a state of rebellion.\textsuperscript{50}
Despite a brilliant defense by Albert Gallatin, who was himself one of the affected delegates, the election of the men was declared void and a new election was held. The tactics of the Federalists in this case accomplished nothing, however. The unseated men were all promptly re-elected and resumed their seats in February of 1795.

The Federalists paid a price for these political machinations. The frontier farmers were forced to channel their opposition into constitutional methods with the result that a true political party began to take shape in the West. In this manner the Whiskey Insurrection was one of the events which united the anti-Federalist factions into what soon became the Republican Party.

Of course, the significance of the Whiskey Insurrection in American history extends further than its role as an incident that contributed to the growth of political parties. Because the Federalists reacted in the way they did to the lawlessness in the western counties of Pennsylvania, they attained for the federal government new respect and established important precedents. By taking energetic and positive action to meet the threat of rebellion the government proved that it could and would assert the power granted it to enforce its laws. And, at the same time, it gained for itself additional respect which in turn strengthened the fabric of Union. In reacting the way it did to the Whiskey Insurrection, the administration established an important precedent for dealing with future internal threats to the Constitution when Washington called out the army.

In 1794 the aggressiveness of the Federalists was looked upon with suspicion and even fear by all who believed that the only strong governments
were despotic ones. Fortunately this has not proven to be the case; indeed, the manner in which the Federalists met the westerners' defiance of the law provided another basis for the energetic government which is associated today with American democracy. That the Federalists established this sort of government is one of their real contributions to the history of the United States.
FOOTNOTES—CHAPTER III


7. Resolutions of the second meeting at Parkinson's Ferry, October 2, 1794, in Pennsylvania Archives, IV, 389.

8. Washington, Diaries, IV, 214-6. For the western point of view on this conference, see Findley, History, 169-89.


10. Ibid., 217-8.


12. Findley, History, 140.


16. Ibid., 222. See also instructions to General Lee, October 20, 1794, in Pennsylvania Archives, IV, 411-5.


24. Ibid.

25. Ibid. See also Findley, History, 195-9.


29. Baldwin, Whiskey Rebels, 244. See also Lee to General Irvine, November 9, 1794, in Pennsylvania Archives, IV, 447-9.

30. Baldwin, Whiskey Rebels, 244-7.

31. Ibid., 257.

32. Ibid., 249. See also Boyd Grumrine, History of Washington County, Pennsylvania, with Biographical Sketches of many of its Pioneers and Prominent Men, (Philadelphia, 1882), 298.


36. Hamilton to Washington, November 17, 1794, in ibid., 459-60.

38. Baldwin, Whiskey Rebels, 253. See also route of the army on their return, in Pennsylvania Archives, IV, 452.

39. Baldwin, Whiskey Rebels, 255. See also orders of General Morgan, November 30, 1794, in Pennsylvania Archives, IV, 480-1.


41. Baldwin, Whiskey Rebels, 258.

42. Ibid.

43. Ibid., 262-4.


46. Washington to Burges Ball, September 24, 1794, in Washington, Writings, XXXIII, 506.

47. Sixth annual address to Congress, November 19, 1794, in Ibid., XXXIV, 28-37.


49. Ibid.

I. BIBLIOGRAPHICAL AIDS

The Guide to the Manuscript Collections in the Historical Society of Pennsylvania (Philadelphia, 1940) lists all collections owned by the Society and contains an outline of the contents of each. The Pennsylvania Magazine of History and Biography Index, Eugene B. Doll, ed. (Philadelphia, 1951) covers the material in volumes 1-75 (1877-1951). Broader in scope is Writings on Pennsylvania History: A Bibliography, compiled by Arthur C. Bining, Robert L. Brunhouse, and Norman B. Wilkinson (Harrisburg, 1946); its references are arranged by subject. A more recent and up-to-date identical study has been published this year by the Historical Society of Pennsylvania.

II. PRIMARY SOURCES

A. Manuscript Materials

As the scope of this project is limited to that of a Master's essay, it was believed that the relative inaccessibility of the manuscript sources concerning the Whiskey Insurrection far outweighed any advantage that might be achieved from consulting them — particularly since the most important documents have been published in volume four of the second series of the Pennsylvania Archives. But though I have not consulted them in light of these reasons, some additional
information might be obtained from material in the following collections for a broader survey. One of the more important manuscript collections is a two-volume set of the papers of the federal commissioners entitled "Pennsylvania Insurrection," located in the Library of Congress. Another set that could prove valuable is that of the Rawle Family Papers in the Historical Society of Pennsylvania Library. Other manuscript collections in which there is occasional material relating directly to the Insurrection are the Mifflin Documents (Pennsylvania State Library, Harrisburg); the William Irvine Papers (Historical Society of Pennsylvania); and volume nineteen of the Oliver Wolcott Papers (Connecticut Historical Society).

B. Printed Material

The Congressional debates over the various excise bills may be found in the second volume of the Annals of Congress; this official record is complemented by Pennsylvania Senator William Maclay's Journal, which presents a caustic anti-Federalist's point of view toward Hamilton's Congressional leadership. The excise laws themselves may be found either in The Public and General Statutes Passed by the Congress of the United States...from 1798 to 1827, or in The Public Statutes at Large of the United States...from...1789 to March 3, 1815.
There are two published contemporary histories of the Insurrection, both written by westerners; these are William Findley's History of the Insurrection, and Hugh Henry Brackenridge's Incidents of the Insurrection. Findley's History best expresses the point of view of the western Republicans, finding the administration responsible for the riots; Brackenridge's work is a defense of his own actions during the Insurrection, and though politically less biased than Findley is also less well-organized.

The most valuable collection of official and semi-official documents concerned with the Whiskey Insurrection is found in the Pennsylvania Archives, Series 2, volume IV, pages 1-550. This volume contains everything from local militia orders to the proclamations of Washington; it is very nearly indispensable for any investigation of the Insurrection. It is awkward to use, however, for it has no index, no table of contents, nor any explanation of the documents it contains, and it is arranged in a somewhat haphazard chronological fashion. The American State Papers, Miscellaneous, volume I, pages 83-113, contains some of the most important official papers relating to the Insurrection, but adds nothing that is not found in the Pennsylvania Archives.

The two men almost wholly responsible for the administration's policy towards the rebellious westerners were the President and the Secretary of the Treasury; their writings thus constitute an essential source. John Fitzpatrick's edition of Washington's Writings is complete, and therefore the most useful; it is the one cited
throughout this paper. Hamilton's papers are today undergoing much-needed editorial work at Columbia University; of the editions already in print the one most complete concerning the Whiskey Insurrection is that of Henry Cabot Lodge. Fortunately, Lodge included several of Hamilton's less official letters during the period of the Insurrection—a characteristic not common in other sections of this same edition.

Many journals and diaries were kept by members of the army on the march across the mountains, and several have since found their way into print. The most valuable of these for my purposes, of course, is the journal of Washington, which may be found in volume IV of John C. Fitzpatrick's edition of Washington's Diaries.

Not directly concerned with my objective in writing this paper, and immediately unavailable to me, was the account of the trials of those insurgents brought East with the army in Francis Wharton, State Trials of the United States during the Administrations of Washington and Adams... (Philadelphia, 1849). This would prove a valuable source for an investigation of the aftermath of the Insurrection.

The Pittsburgh Gazette was the only newspaper west of the mountains in 1794, and it is a worthwhile source for any investigation of contemporary opinions and events in the West. The newspapers along the seashore also gave a good deal of space to the Insurrection; they
are primarily valuable for the examples they provide of both Federalist and Anti-Federalist propaganda. The principle Federalist paper in Pennsylvania was John Fenno's *Gazette of the United States;* the Republican cause was upheld by Benjamin Franklin Bache's *Aurora* (neither of which I was able to consult). These were both Philadelphia papers. Following is a list of primary materials that were used in writing this paper:


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The Public and General Statutes Passed by the Congress of the United States of America, from 1789 to 1827 inclusive, whether expired, repealed, or in force; arranged in chronological order, with marginal references, and a copious index. To which is added the Constitution of the United States, and an appendix, Joseph Story, ed., Boston, 1827.


Wollford, Robert, "A Diary Kept by Robert Wollford, of Frederickburg, during the March of the Virginia Troops to Fort Pitt to Suppress the Whiskey Insurrection," in William and Mary College Quarterly Historical Magazine, XI (1902-3), 1-19.

III. Secondary Sources

The most detailed study of the Whiskey Insurrection is

Leland D. Baldwin, Whiskey Rebels. The value of this book is further increased by its excellent bibliography. Works consulted:


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