

THE WHISKEY INSURRECTION: A RE-EVALUATION

BY JACOB E. COOKE*

THE Whiskey Insurrection of 1794 long has been regarded as one of the decisive events in early American history. But on the question of why it was significant there has been a century and a half of disagreement. Fortunately for the historian, however, there have not been many interpretations; indeed, there have been only two. And, as anyone would guess, these have been the Federalist and the anti-Federalist, the Hamiltonian and the Jeffersonian. It is not the purpose of this paper to describe the fluctuating historical reputations of Jefferson and Hamilton; at one period of time (say, the Jacksonian era) Jefferson was in the ascendancy; at another time (say, the post-Civil War period) Hamilton crowded Jefferson out of the American historical hall of fame. But for the past half-century and longer, the interpretation that our historians have given to the American past has been predicated on a Jeffersonian bias, and the Whiskey Insurrection is no exception.

The generally accepted interpretation of the Whiskey Insurrection reads something like this: In March, 1791, under the prodding of Alexander Hamilton and against the opposition of the Westerners and some Southerners, Congress levied an excise tax on whiskey. This measure was an integral part of Hamilton's financial plan, a plan which was designed to soak the farmer and to spare the rich. There was sporadic opposition to the excise in several parts of the country, but the seat of opposition was in the four western counties of Pennsylvania. In this area was found the very incarnation of frontier and democratic virtues: its inhabitants were individualistic, true sons of the American Revolution who opposed the tyranny of the Federalists as they had opposed

*Dr. Cooke is professor of history at Lafayette College and associate editor of *The Papers of Alexander Hamilton*. This paper was read at the dinner meeting of the Association at Allentown, October 19, 1962.

that of the Tories, egalitarians who objected to the Federalist doctrine that government should be by the well-born and able, agrarians who opposed measures which were designed to enrich Eastern speculators at the expense of the farmers. More specifically, this account of the Insurrection argues that the excise tax on whiskey imposed a genuine economic hardship on the four western counties of Pennsylvania. The difficulties of transportation over the mountains to the markets of the East made it impracticable for the Westerner to send his wheat, rye, or other grains to market. The only feasible way for him to market his crops was to distill his grain and ship it over the mountains in the form of whiskey.

Given these ideological and economic grievances, the traditional account goes, it was understandable that western Pennsylvanians should resist the tax on whiskey. Their resistance took the form of remonstrances and petitions (with an occasional attack on revenue officers in the best Western tradition) until 1794. Then, in the summer of 1794, this program of non-violence was followed by a systematic attempt to intimidate excise officers and to drive them out of the Western country. The interpretation which I am here sketching does not evade the question of why violence erupted in 1794. After all, it is necessary to explain that repeated modifications of the excise law (the last of which was in June, 1794) failed to pacify the West. The answer given to the question is that Alexander Hamilton, eager to discredit his political opponents and anxious to show by a test of force that the federal government was truly supreme, maneuvered the West into armed opposition. How did he accomplish this Machiavellian feat? Those who subscribe to the anti-Federalist interpretation assert that he arranged to have subpoenas served on delinquent distillers, ordering them to appear in federal courts in Philadelphia, a long and expensive journey. These writs, it is argued further, were served in violation of a law of June 5, 1794, which had made infractions of the excise law cognizable by local state courts. Incensed by this new evidence of the perfidy of the capitalist-dominated federal government, the fiercely individualistic Westerners, again in good frontier fashion, attacked the federal tax collectors and consulted on means of resisting further federal encroachments. To put down this resistance the federal government called out the army,

which engaged in pillaging and looting on the way west and, once there, busied itself in inhumane punishment of a people who already had capitulated before the army even set out.

Why was the United States Army used to suppress an already abortive insurrection? The anti-Federalist answer to this question is curious indeed. One would expect that the opprobrium would fall on the President, who alone had the power to call out the army and who, it will be remembered, marched with it. And by any usually accepted standard of executive responsibility Washington would be the villain of the anti-Federalist interpretation, for to ignore his role is to suggest that he was not in charge of his own administration. Nevertheless, it is argued that the use of the army was due not to Washington but to Alexander Hamilton, who longed for just such an opportunity to demonstrate the might of the government and to equate opposition to his policies with disloyalty to the government.¹

How valid is this interpretation? For the most part, it is, as I have said, a partisan argument, the one which was made by western Pennsylvanians and by their anti-Federalist sympathizers in 1794 and 1795. A partisan argument is not necessarily inaccurate, but the anti-Federalist interpretation of the Whiskey Insurrection, in my judgment, is historically false at several important points.

If the generally accepted account of the Whiskey Insurrection is inaccurate, what alternative hypothesis can be offered to explain

¹ I am, of course, engaging here in historical license. No historian has given an interpretation of the Whiskey Insurrection exactly like the one I have sketched above. But if one is allowed to spell out the implications of the standard interpretations of this famous uprising, it is not greatly exaggerated. It is, for example, certainly a fair summary of the standard work on the Insurrection, Leland Baldwin, *Whiskey Rebels* (Pittsburgh: University of Pittsburgh Press, 1939). It also summarizes the theses of the best primary accounts of the Insurrection: William Findley, *History of the Insurrection in the Four Western Counties of Pennsylvania in the Year MDCCXCIV* . . . (Philadelphia, 1796), cited hereafter as Findley, *History*; Hugh H. Brackenridge, *Incidents of the Insurrection in the Western Parts of Pennsylvania, in the Year 1794* (3 vols. in 1; Philadelphia, 1795), cited hereafter as Brackenridge, *Incidents*; and James Carnahan, "The Pennsylvania Insurrection of 1794, Commonly Called the 'Whiskey Insurrection,'" *New Jersey Historical Proceedings*, VI, 113-152 (1853), cited hereafter as Carnahan, "Pennsylvania Insurrection." This thesis is also stated succinctly in the best nineteenth century account of the Insurrection. Hugh M. Brackenridge, *History of the Western Insurrection in Western Pennsylvania* . . . (Pittsburgh, 1859), cited hereafter as Brackenridge, *History*.

it? The best way to approach the question is to determine why opposition to the excise law resulted in violence only in Pennsylvania. Opposition to the excise tax was by no means confined to western Pennsylvania. In fact, its opponents in other sections of the United States were just as vociferous in their denunciation of it and just as hostile to its enforcement. Kentucky, along with the rest of the West, was opposed to the excise. Western Virginia opposed it as vigorously as western Pennsylvania did. The back country of the Carolinas and Georgia played an active part in opposition to it, arguing, as did the Pennsylvanians, that whiskey was to them a necessity and not a luxury. In September, 1792, for example, Hamilton reported to George Washington that North Carolina had never submitted to the law "in any degree."² If the opposition was so widespread, the disaffected areas obviously had grievances in common; and unless one is prepared to argue that these grievances were much more serious in western Pennsylvania than elsewhere, they were not the cause of the insurrection. To determine the cause one should ask, "Why only in western Pennsylvania did opposition to the whiskey tax result in violence?" and the corollary question, "Why, in western Pennsylvania, was Washington County the seat of the most active opposition?"³ Before attempting to answer these questions, it is

² Henry C. Lodge, ed., *The Works of Alexander Hamilton* (12 vols., New York: Putnam, 1904), VI, 343.

³ In his *Whiskey Rebels* Leland Baldwin poses these same questions. The answers which he provides are not, in my opinion, wholly satisfactory. He states, in the first place, that "the insurrection was essentially an agrarian movement." It appeared to the small farmers of western Pennsylvania, he explains, "as though the rising commercial and industrial class was allied with the federal government to crush out the small entrepreneur and to cut off the farmers' only source of income. Confronted by this and other injustices, the farmer was moved to revolt and naturally struck at the most tangible evidence of what he regarded as oppression" (p. 106). In answer to this assertion, it is only necessary to point out that other sections were agrarian and that in other sections, as in western Pennsylvania, there was "a rising commercial and industrial class." Baldwin argues, in the second place, that "the distillation of domestic materials was comparatively more important in the Monongahela country than in any other region," and states that approximately 25% of the stills in the country were located in western Pennsylvania (p. 107). The statistics on which this figure is based are fragmentary in the extreme. Furthermore, the statistics used are those of 1800, and the percentage of 25% is based on the assumption that the number of stills in western Pennsylvania remained the same in the 1790's while those in country at large increased enormously. Finally, Baldwin himself concludes "that the number of stills furnished no certain index to capacity or production and that the stills in the East were probably larger than those in the West" (pp. 284-286). In the third place, Baldwin states

necessary to show the inadequacy of traditional interpretations of the Insurrection.⁴

The anti-Federalist account of the western Pennsylvania disturbance does not attribute the insurrection to one cause but rather suggests a number of causes. These causes can be included under the following five heads: 1. The "national origins" argument: that is, the assertion that the ethnic background of the inhabitants of this area, largely Scotch and Irish, were responsible for their indignation at the excise tax. Memories of the cruel abuses of tax collectors in the old country, it is argued, pre-conditioned the people to oppose the whiskey tax. 2. The "revolutionary tradition" argument: that is, the argument that the traditions of 1765 and 1776 were still alive and meaningful on the frontier. The Westerners, according to this interpretation, could not distinguish between opposition to British measures during the Revolution and opposition to federal laws in the 1790's. 3. The thesis that the whole affair was arranged by Hamilton (with the passive compliance of Washington) for partisan political ends. 4. The "judicial" explanation, or the argument that the serving of the processes, described above, precipitated the insurrection.

that "The existence of Democratic societies in Washington County is undoubtedly connected with the virulence of the resistance there, not as an original cause, but as the result of a prior state of mind and then as a contributing cause" (p. 107). He deals with the fact that democratic societies also existed in Kentucky and Virginia by concluding that in the former state "the excise issue was sublimated to the overwhelming demand for the opening of the Mississippi," and that in the latter "population . . . was sparsely scattered through a mountainous region and moreover was probably transitory to a large extent" (*ibid.*). But, as Baldwin himself says, the demand for opening the Mississippi was almost as strong in western Pennsylvania as in Kentucky. As for western Virginia, there is no evidence that the population was more transitory than that of western Pennsylvania, and certainly population in parts of western Pennsylvania was also "sparsely scattered."

⁴ My purpose in this paper is to explain why opposition to the tax on whiskey reached such a pitch in 1794 that the government called out the army to suppress it. There will be no attempt, therefore, to examine in detail the background of the resistance to the excise in western Pennsylvania. The focus of my discussion will rather be the year 1794. That many of the justifications of the Westerners' objections to the excise may have force if applied to the decade preceding the Insurrection is not denied. My primary interest here is to examine their validity when used to criticize or lampoon the intervention of the federal government in the summer and fall of 1794.

§. The economic interpretation, which emphasizes the peculiar economic hardships of the western Pennsylvanians.⁵

The unsatisfactory nature of the first two arguments is obvious. The national origins interpretation is not acceptable because there were descendants of the Scotch and Irish in other sections who did not forcibly resist the excise tax. The "revolutionary traditions" argument is unacceptable for similar and obvious reasons.

An important buttress in the anti-Federalist construction of the Whiskey Insurrection is, as I have said, the role allegedly played by Hamilton. This role was assigned to him by his contemporary political opponents, and the casting obviously has appeared attractive to historians. It was William Findley who first argued that Alexander Hamilton promoted the Whiskey Insurrection to provide the federal government with an excuse for a show of force which would demonstrate its power and create discomfiture for its enemies. Findley, a bitter foe of Hamilton's financial policies, went further than this. Hamilton, he argued, deliberately provoked a rebellion by first refusing to enforce the law and then enforcing it in such a way as to provoke violence. When Hamilton's role is "candidly reflected on," Findley concluded, "the reader will be able to decide for himself, whether there is not as solid ground, as the nature of the case can be supposed to admit, to conclude that the Secretary himself at this period contemplated and planned to promote the violent crisis which took place."⁶

Findley, a fourth of whose book was taken up with an attack on Hamilton, offered no proof of this conspiracy thesis. His charges, indeed, could have appealed only to those who were predisposed to believe that Hamilton was capable of any ruthless action to

⁵ All of these interpretations are offered by Baldwin, *Whiskey Rebels*. They are also to be found, with varying degrees of emphasis, in Findley, *History*, Brackenridge, *History*, Brackenridge, *Incidents*, and Carnahan, "Pennsylvania Insurrection," as well as in most briefer accounts of the Insurrection.

⁶ Findley, *History*, pp. 75, 299-300. Leland Baldwin echoes Findley's charges. "Although Findley's charges cannot be said to be proved," he comments, "it must be admitted that Hamilton's worship of military force and his highhanded and arbitrary, yet at times skillful and effective, methods of dealing with opposition lend presumptive evidence to support the Pennsylvanian's case . . ." (*Whiskey Rebels*, 112). For similar charges against Hamilton see pp. 67-68, 184, 220-221, 234-357. Joseph Charles, *The Origins of the American Party System* (Williamsburg: Institute of Early American History and Culture, 1956), 7, accepts Baldwin's conclusions, as do most writers on the subject.

further his own vaulting ambition. Hamilton did, of course, enforce the excise law to the extent that it was within his power to enforce it. In the late summer of 1792, for example, a crisis similar to the one which erupted two years later took place in western Pennsylvania. At that time, Washington was out of town, having left Philadelphia on July 11 for a three-month long visit to Mt. Vernon. As news of mounting opposition to the excise in western Pennsylvania reached Philadelphia, Hamilton became increasingly convinced that only forceful, prompt, and decisive action by the federal government could deal with what he considered a bold attempt to defy the law by intimidation of federal officials. Early in September, Hamilton wrote to the President recommending that Washington issue a proclamation enjoining those who were resisting the laws to desist on pain of legal proceedings.⁷ Washington needed little encouragement. If persuasion failed to end the disturbance in Pennsylvania, the President wrote to Hamilton, "I have no hesitation in declaring, if the evidence of it is clear and unequivocal, that I shall, however reluctantly I exercise them, exert all the legal powers with which the Executive is invested, to check so daring and unwarrantable a spirit. It is my duty to see the Laws executed—to permit them to be trampled upon with impunity would be repugnant to it; nor can the Government longer remain a passive spectator of the contempt with which they are treated." However convinced Hamilton may have been that the laws of the United States should be enforced, the decision to enforce them thus was Washington's, not Hamilton's. And so it was also in 1794. To assert that Hamilton deliberately provoked the crisis in the summer of that year, is, on the face of it, a preposterous charge. How could he have done so? After all, he was not running the United States government, nor was he solely responsible for the action of federal officials.

The most serious (and most popular) charge against Hamilton is that he was responsible for calling out the militia in order to prove that the federal government was indeed supreme, and to discredit his political enemies.⁸ This charge, as I have said, can

⁷ Hamilton to Washington, September 1, 1792, Hamilton Papers, Library of Congress.

⁸ Washington to Hamilton, September 7, 1792, Washington Papers, Library of Congress.

be made only if Washington's responsibility for ordering the army to march west is ignored. Was Washington responsible? The question of Washington's leadership—whether he was a mere figurehead, with Hamilton as an all-powerful prime minister, or whether he was indeed master of his administration—has been a hotly debated one.¹⁰ But the evidence strongly suggests that Washington was in full control of the federal government from 1789 to his retirement. He frequently adopted Hamilton's policies because he happened to agree with him on most major questions; he did not always do so, and he was certainly capable of vetoing Hamilton's plans when he did not agree with them.

To understand Washington's decision to call out the militia one must place it in the historical context in which it was made. In the summer of 1794 it must have appeared to Washington that the United States was threatened at every turn by threats of disunion and by flagrant disregard of the laws. In Kentucky, where the attempt of the government to secure navigation of the Mississippi River by diplomatic means was hotly denounced, it appeared that hostility toward Spanish Louisiana might force the government either to repudiate the state, thus courting dismemberment of the Union, or to adopt its policies, thus risking war with Spain. In Georgia, land-hungry citizens were moving onto lands of the Creek Indians in defiance of United States treaties with the Creeks. To Washington it was obvious that such depredations must be ended by energetic action. As if domestic problems were not enough, he was also confronted by seemingly ineluctable foreign problems. England was boldly threatening American commerce, relations with revolutionary France were in the customary state of crisis, Spain was obdurate in negotiation, and Algiers was plundering United States trade.

⁹ Leland Baldwin writes that "It is difficult to escape the suspicion that the headstrong leader of the Federalists saw a heaven-sent opportunity to strengthen his regime by proving the necessity of a standing army and at the same time bringing into disrepute the windy Democratic societies of the East by attacking their weaker western brethren who had been incautious enough to commit overt acts against the laws" (*Whiskey Rebels*, 112).

¹⁰ See, for example, Joseph Charles, *The Origins of the American Party System*; and Richard B. Morris, "Washington and Hamilton: A Great Collaboration," *Proceedings of the American Philosophical Society*, Volume 102, Number 2 (April, 1958), 107-116.

And then, insurrection in western Pennsylvania was added to this host of difficulties. In reacting as he did, Washington was only implementing ideas on government and society which he had long held and which to him were fundamental. He had the "solemn conviction that the essential interests of the Union" demanded respect for law; that "the very existence of Government and the fundamental principles of social order" depended upon it. Flagrant defiance of the law must be met by force. "If the laws are to be so trampled upon with impunity," he said "and a minority (a small one too) is to dictate to the majority there is an end put, at one stroke, to republican government."¹¹

Washington thus did not need the prompting of Alexander Hamilton to call out the troops. But the assumption that he took Hamilton's advice is questionable on yet another ground. On August 2, at a conference on the Insurrection, Washington asked his Cabinet (along with Governor Thomas Mifflin of Pennsylvania) to submit to him written opinions on the course to be followed. To Hamilton, disobedience to the laws in western Pennsylvania already amounted to treason, and he unhesitatingly called for federal intervention. But what of Washington's other advisers?

William Bradford, the attorney general, was more insistent on the need for intervention than was Hamilton. To Bradford "insurgency was high treason, a capital crime, punishable by death," and force must be employed. Henry Knox, the secretary of war, also was in favor of armed intervention, but he asked that certain preparatory steps first be taken. Only Edmund Randolph dissented from the majority of the cabinet, and he objected chiefly

¹¹ John C. Fitzpatrick, ed., *The Writings of George Washington* (39 vols., Washington: Government Printing Office, 1932), XXXIII, 460, 465. Washington had anticipated the possible use of armed force to enforce federal law as early as 1792. Writing to Hamilton about the use of regular troops in western Pennsylvania, he said that ". . . if no other means will effectually answer, and the Constitution and Laws will authorise these, they must be used, in the dernier resort." (Washington to Hamilton, September 17, 1792, Connecticut Historical Society.) Washington incorrectly believed that the Democratic Clubs were responsible for the insurrection in western Pennsylvania. (William Miller, "The Democratic Societies and the Whiskey Insurrection," *Pennsylvania Magazine of History and Biography*, LXII (July, 1938), 324-349.) This conviction partly explains his determination to call out the troops. It is at least probable that had he not seen the disturbance in western Pennsylvania as part of a national conspiracy to undermine the government he would have acted differently.

on the ground of expediency.¹² Thomas Mifflin, on the other hand, believed that military intervention was unnecessary and wished to have the matter left to the state government.¹³ So far as is known, Washington did not comment on Randolph's state paper, but he sent a strongly-worded rejoinder to Mifflin's argument.¹⁴

The written opinions were debated in a cabinet meeting on August 6, and the opinion of Hamilton, and of Bradford, prevailed. They prevailed, it should be emphasized, because they were in accord with Washington's own opinion that the western "counties are in open rebellion."¹⁵ If Hamilton's political opponents believed that the secretary of the treasury alone was responsible for calling out the army, and if some historians have believed that Hamilton had Washington in leading strings, contemporaries who were in a position to know were not so misled. Thus Alexander Dallas, ~~¶~~ who had attended the cabinet meeting mentioned above, explained to Albert Gallatin that "With the President the whole business rests."¹⁶

Whatever influence Washington's cabinet may have had on the President's determination to alert the militia, the order for the army to march west was not made by the cabinet. The President alone made the decision, on the basis of reports which were sent to him by the commissioners whom he had appointed to negotiate with the insurgents. After several interviews with a committee representing the disaffected Westerners, the commissioners reported on August 30, 1794, "that we have still much reason to apprehend, that the authority of the laws will not be *universally* and perfectly restored, without military coercion."¹⁷ It was on the basis of such on-the-scene reports from trusted advisers that

¹² Hamilton submitted two reports, one dated August 2 and the second August 5, both of which are in the Hamilton Papers, Library of Congress. The opinions of Bradford, Knox, and Randolph are in the Washington Papers, Library of Congress. The cabinet opinions are ably summarized in John Alexander Carroll and Mary Wells Ashworth, *George Washington*, volume VII of Douglas Southall Freeman's *George Washington* (New York: Scribner's, 1957), 188-190.

¹³ *American State Papers, Miscellaneous*, I, 97-99.

¹⁴ *Ibid.*, 100.

¹⁵ Washington to Hamilton, August 21, 1794, Washington Papers, Library of Congress.

¹⁶ Dallas to Gallatin, September 26, 1794, *Pennsylvania Archives*, 2d Series, Volume IV, 310. Cited hereafter as *Pennsylvania Archives*, 2: IV.

¹⁷ United States commissioners to Edmund Randolph, August 30, 1794, quoted in Baldwin, *Whiskey Rebels*, 198.

Washington, on September 9, approved orders which Hamilton had prepared for a general rendezvous of militia.¹⁸

Hamilton was not unaware of the possible beneficial results which the suppression of the Insurrection might have on the political fortunes of the Federalist party. He would have been singularly obtuse had he not recognized that the episode was a great opportunity to equate the opposition with resistance to legal authority. That he did so view the Insurrection is demonstrated by a letter which he wrote while he was with the army in western Pennsylvania. "The insurrection," he wrote to his confidante Angelica Church, "will do us a great deal of good and add to the solidity of every thing in this country."¹⁹ But it is a long jump from this statement to the assumption that he advocated the use of force to suppress the Insurrection for partisan reasons. Until someone has proved otherwise, Hamilton's own statement of his motives must be accepted. To Hamilton the question at issue in western Pennsylvania was merely this: "Shall the majority govern, or be governed? Shall the nation rule, or be ruled? Shall the general will prevail, or the will of a faction? Shall there be government, or no government?"²⁰ For Hamilton, as for Washington, the Whiskey Insurrection was "an example fatal in its tendency to everything that is dear and valuable in political society."²¹

To nineteenth-century apologists of the western Pennsylvanians, the single most important cause of the Whiskey Insurrection was the requirement that violations of the excise law be tried in federal courts, a requirement which forced western Pennsylvanians to attend the district court at Philadelphia.²² The immediate cause of the disturbance in the summer of 1794, they argued, was the attempt of Federal Marshal David Lenox to serve summonses on

¹⁸ Hamilton was acting as secretary of war in place of Henry Knox, who was in Maine on personal business.

¹⁹ Hamilton to Angelica Church, October 23, 1794. Letter owned by Judge Peter B. Olney, Deep River, Conn.

²⁰ "Tully," Letter Number 2, Hamilton Papers, Library of Congress.

²¹ Hamilton to Henry Lee, August 25, 1794, Historical Society of Pennsylvania.

²² Brackenridge, *History* 30; Townsend Ward, "The Insurrection of the year 1794, in the western Counties of Pennsylvania," in *Contributions to American History*, 1858 (Philadelphia, 1858), 117-203. Cited hereafter as Ward, "Insurrection." The same viewpoint is echoed by Baldwin, *Whiskey Rebels*, 72-73, 111-113.

delinquent distillers. The details of this story are complicated, but its outline is simple enough.

By the first excise law all legal proceedings arising thereunder were cognizable only in federal courts.²³ This meant, as I have said, that prosecutions against those who lived at a distance from a federal district court (and there were only 13 of them, one for each state) were particularly burdensome. Recognizing this fact, Hamilton recommended in 1793 that indictments under the excise law be returnable in state courts, a recommendation that was enacted into law on June 5, 1794.²⁴ Presumably this reform of an inequitable system would have obviated one of the Westerners' chief complaints against the whiskey tax. But at this point, William Findley, and with him H. M. Brackenridge and others, uncover a nefarious plot on the part of federal officials, led by Alexander Hamilton, to goad the Westerners into an action that would permit the ordering out of the troops. Let William Findley describe the plot: The law of June 5, 1794, he says, "authorized the State courts to take cognizance of offences against the United States." But "long before it was enacted, the Secretary [of the Treasury] had procured writs to be issued out of the District Court, to compel the appearance of delinquent distillers at Philadelphia, and delayed to have these writs executed until harvest, after the people had been gratified with the reasonable expectations of having their supposed delinquency examined in the vicinity of their residence, and these writs, the execution of which produced the insurrection, were made returnable in a manner, or at a time which rendered them of no effect."²⁵

It is not necessary to dwell on Hamilton's alleged role in the issuing and serving of the processes, for there is no evidence to support it. Hamilton's prosecutors at the court of historical justice reveal a somewhat curious view of the American government in the year 1794. To implicate Hamilton, as has been said, they assume that he was complete master of the federal government, not only bossing George Washington but commanding the

²³ 1 *Statutes-at-Large*, 199-214 (March 3, 1791).

²⁴ 1 *Statutes-at-Large*, 378-381.

²⁵ *History*, 299-300. Baldwin states that "If Hamilton was desirous of promoting the peace and easing the burden on the West, surely he could have waited for the new law before making our processes for offenses nearly a year old . . ." (*Whiskey Rebels*, 111).

federal courts and the federal district attorneys. More properly, it should be assumed that the writs were issued as a routine function by the district judge, Richard Peters, at the instigation of the United States attorney for the Pennsylvania District, William Rawle.

Whatever Hamilton's role may have been, the narrative given by most historians of the events surrounding the issuing and serving of the processes on the western distillers in June, 1794, does suggest a plot by the federal government to foment revolution. They relate that on May 13, 1794, about three weeks before passage of the revised excise law, the District Court of the United States in Philadelphia issued subpoenas against thirty-seven distillers in the counties of Allegheny, Fayette, Westmoreland, and Washington. On July 14, David Lenox, marshal for the United States district of Pennsylvania, arrived in the western counties to deliver these subpoenas. Although almost six weeks had passed since the passage of the law making all actions arising under the excise laws cognizable in state as well as federal courts, the writs directed offenders to appear before the district court in Philadelphia.²⁶ Lenox delivered all but one of the writs without incident, but when he presented a summons to one William Miller, Miller refused to accept it. Some citizens of Washington County, who happened to be nearby, then fired on and pursued the hapless marshal and Inspector of the Revenue John Neville, who fled to the comparative safety of Pittsburgh.

Perhaps a superficial reading of this chain of events supports the contention that the federal government deliberately promoted if it did not precipitate the Insurrection. But a close examination of the facts suggests that the interpretation given to this episode has been directed more by a wish to justify the Pennsylvania frontiersmen than by a desire to find the truth.

In the first place, the issuance of the subpoenas some weeks before the passage of the new law does not suggest a conspiracy. The subpoenas were issued for failure to pay the excise from May to July, 1793. That Congress was considering amendments to the excise laws was scarcely cause for suspending the operation of the laws then in effect. The failure of the district court and

²⁶ One of the writs is printed in Ward, "Insurrection," 157-158.

of federal officials to enforce the law as it stood at the time would certainly have been a dereliction of duty.²⁷ Secondly, the serving of the subpoenas by the federal marshal *after* the passage of the act making such causes cognizable by state courts was not an attempt to produce a revolt. Judge Richard Peters and Marshal David Lenox were abiding by the law, not violating it. The law of June, 1794, did not apply to offenses committed before its passage. The testimony of Albert Gallatin, who certainly cannot be accused of partisanship for the federal government, is conclusive on this point. "It was not thought necessary," Gallatin said in 1795, "that the process should issue from the district courts against distillers who had incurred any penalty before the enacting of the law [of June, 1794] and who were not consequently regarded as objects of the new regulation. Accordingly, the marshal . . ." served the process under the old law.²⁸

Perhaps the single most important point in the anti-Federalist indictment of the federal government's action in 1794 is what I have termed the economic interpretation.

The most succinct statement of this argument was given by H. M. Brackenridge, son of Hugh Henry Brackenridge of Whiskey Rebellion fame:

The farmers having no market for their produce, were from necessity compelled to reduce its bulk by converting their grain into whiskey; a horse could carry two kegs of eight gallons each, worth about fifty cents per

²⁷ Indeed, the court already had delayed for a long time. The month of June was specified by law as the time when the stills were to be entered. The process which Lenox carried west with him, as has been said, concerned infractions of the law in June, 1793.

²⁸ *The Speech of Albert Gallatin . . . in the House of Representatives of the General Assembly of Pennsylvania . . .* (Philadelphia, 1795), 9.

The western Pennsylvanians misunderstood the nature of the processes which the federal marshal served. They were believed to be attachments of property, but they were in fact only initiatory processes. On this point Hugh H. Brackenridge agreed with Lenox. "The Marshall conceived it to be only an initiatory process, on which final order could not be taken; and that there must be another writ, and service of it, before judgment. Mr. Brackenridge was again consulted, and gave an opinion at the instance of the Marshal and Neville, which was to the effect that the process was similar to the subpoena in chancery, which must be first served before issuing the attachment; and that no judgment could be entered without another writ, the present process being merely a summons to show cause" (Brackenridge, *History*, 52).

gallon on this, and one dollar on the other side of the mountains, while he returned with a little iron and salt, worth at Pittsburgh, the former fifteen to twenty cents per pound, the latter five dollars per bushel. The still was therefore the necessary appendage of every farm where the farmer was able to procure it. . . .²⁹

This argument, even to the figures used, has been accepted by most writers on the subject.³⁰ However, it raises several questions which no one satisfactorily has answered. Did the western Pennsylvania farmers in fact have a large market for their whiskey east of the mountains? Unfortunately, we have no reliable figures on this trade, and in the absence of concrete evidence one is entitled to doubt that it was very important. It is obvious that the quantity of grain which could be sold over the mountains was limited by the costs of transportation and by the abundance of the same commodity in other and more accessible regions of the country. But it is not even certain that a sizable market for western whiskey existed in the East. Distilling, for one thing, was not confined to the western part of Pennsylvania—other regions produced large quantities of spirits.³¹ The market for home brew was not so extensive as it has been pictured, for it had to compete with foreign liquors which were greatly preferred. There were, again, ways of converting grain into a marketable commodity other than by distilling whiskey—the manufacture of flour, for example.

There is every reason to assume, finally, that much of the whiskey which was manufactured in western Pennsylvania was consumed locally.³² Most of the authorities on the Insurrection

²⁹ *History*, 17.

³⁰ Carnahan, "Pennsylvania Insurrection," 117; Findley, *History*, 41. See particularly Baldwin, *Whiskey Rebels*, 10, 25-28.

³¹ See *American State Papers, Finance*, I, 250, 280.

³² "We felt its effect in a more sensible manner," a resolution of the township of Fayette said of the whiskey tax, "as consumers because, partly from habits which could not be changed by the mere enacting of a law, and chiefly from our situation from not having yet beer and cyder to use as substitutes, spirits distilled from domestic materials are the only common drink of the mass of the people; and of course they consume more in proportion to their numbers than in most parts of the United States." *Pittsburgh Gazette*, October 4, 1794.

Hamilton's answer to the complaint that the whiskey tax was unduly burdensome is in this context appropriate. In an argument which no one at the time or since has countered successfully, Hamilton suggested that the

agree on this point, an agreement which is attested by their detailed descriptions of the manner in which whiskey served as the area's most popular beverage. It was drunk at political meetings, family gatherings, and church socials. "For these reasons we have found it absolutely necessary to introduce a number of small distilleries into our settlements," said a petition of the inhabitants of Westmoreland County in 1790, "and in every circle of twenty or thirty neighbors one of these are generally erected, merely for the accommodation of such neighborhood, *and without any commercial view whatever.*"³³ As Leland Baldwin has said, if the West had to pay a higher tax on whiskey than other sections of the country, "it was only because it used more whiskey."³⁴

Far more important than the transmontane traffic in whiskey was its sale to the United States Army in the West, and its transportation down the Ohio for sale in Cincinnati or New Orleans.

An important buttress of the economy of western Pennsylvania was the commissariat of the United States. The supply of United States troops, most of whom served on the frontier, was in the hands of contractors who usually purchased locally. The Westerners complained that the army contractors paid with goods rather than specie, and that their ability to pay the excise was in no manner improved. This argument was a rationalization, for as Hamilton pointed out, it was contrary to established facts. "Nor is it a fact," Hamilton wrote in 1792, "that the purchases of the contractors of flour, meat, &c. are wholly with goods. . . . The Secretary can aver that more money has, in the course of the last year, been sent into the Western country, from the treasury, in specie, and bank bills, which answer the same purpose, for the pay of the troops and militia, and for quartermaster's supplies, than the whole amount of the tax in the four western counties of Pennsylvania, and the district of Kentucky, is likely to equal in

excise could not fall unequally on whiskey sold by the western Pennsylvanians because the consumer paid the tax. He thus concluded that "unless the inhabitants of the counties which have been mentioned are greater consumers of spirits than those of other parts of the country, they cannot pay a greater proportion of the tax. If they are, it is their interest to become less so. It depends on themselves, by diminishing the consumption to restore equality." *American State Papers, Finance*, I, 156.

³³ *Pennsylvania Archives*, XI, 671.

³⁴ *Whiskey Rebels*, 69. It should be noted that the tax was not high, no more than \$1.50 annually per family (Baldwin, *Whiskey Rebels*, 74), or 7½c per gallon (*American State Papers, Finance*, I, 156).

four or five years."³⁵ By 1793, furthermore, army contractors were not only paying cash for all purchases but were making extensive purchases of whiskey in western Pennsylvania for cash.³⁶ In the year 1793, it was reported, \$10,000 was spent by one War Department agent for the purchase of whiskey, and the order for a similar expenditure in 1794 was cancelled only because of the insurrection.³⁷

Just as the army provided a market for Western whiskey, so did other areas which were accessible by water transportation. Reliable statistics on the trade between the counties of western Pennsylvania and New Orleans, Cincinnati, and Kentucky are not available, but the evidence suggests that the trade was extensive. Trade with New Orleans was, of course, difficult because no commercial treaty had yet been signed with Spain giving the United States free navigation of the Mississippi and the right of deposit at New Orleans. But it was carried on, whether clandestinely or openly, not only in whiskey but in flour and other products.³⁸ Trade with Ohio and Kentucky also played an im-

³⁵ *American State Papers, Finance*, I, 156-157.

³⁶ Findley, *History*, 63; Baldwin, *Whiskey Rebels*, 70; *Pennsylvania Archives*, 2:1V, 243.

³⁷ *Pittsburgh Gazette*, September 6, 1794.

³⁸ While students of Western Pennsylvania history disagree on the extent of the trade, they agree that it existed. Leland Baldwin, as we have seen, argues that "The real profit came in selling whiskey in the East," but he also states that the back country farmer "bartered his whiskey and other products at a reduced valuation to the storekeeper; the latter sold them to the army or to the Spanish in Louisiana . . . (*Whiskey Rebels*, 26, 70). Carnahan, like Baldwin, gives a contradictory account of the trade of western Pennsylvania. On the one hand he states that the river trade was too risky for anyone to engage in it; on the other, he describes the way in which trade down the river was carried on ("Pennsylvania Insurrection," 117).

Contemporary observers agreed that the trade existed and that it was extensive. As early as December, 1789, a western Pennsylvanian would write to relatives in the East that "The Mississippi River is open at this time and all the wheat, whiskey, bacon, etc., buying up by those concerned in it" (*Pennsylvania Magazine of History and Biography*, LII [1928], 202-204). In 1794, Tench Coxe, for example, stated that "It is supposed that the manufacture of distilled spirits in the country on the waters of the Ohio around Pittsburgh, has occasioned, a surplus be sent down that river of 100,000 gallons" (*A View of the United States of America* . . . [Philadelphia, 1794], 52 n.). Probably the most reliable contemporary statement on this commerce was made by Alexander Addison in September, 1794. "Now a very respectable trade is carried on to the Spanish settlements—our traders are treated with great civility by the Spaniards. The duty in our trade is reduced to a mere trifle, and there is very little difficulty in bringing away dollars in return. We shall soon have the whole supply of that market to ourselves . . . (*Pittsburgh Gazette*, September 6, 1794). The most authoritative

portant part in the economy of western Pennsylvania. By 1794, for example, two keel boats plied regularly between Pittsburgh and Cincinnati carrying flour, iron, whiskey, lumber, and coal, among other products.³⁹

A corollary of the assumption that the economy of western Pennsylvania was dependent on the shipment of whiskey to the East is the assumption that the region was a depressed area, one in which there was an acute shortage of cash, an absence of markets, a dearth of economic opportunity—in brief, a barter economy in which whiskey served as an indispensable item of exchange. Is this an accurate picture of the western Pennsylvania economy? I think not.

In the first place, it is not possible to accept the argument that whiskey was an essential item of barter. By 1793, as we have seen, the War Department was paying cash for whiskey, and purchases were authorized from all distillers who had registered their stills. A sufficient number of distillers did so and enough whiskey was sold to the army to provide cash for the area.

In the second place, the available evidence suggests that the economy, whatever its condition may have been earlier, was not depressed in 1794; it rather was flourishing. Look beyond the Alleghenies, Alexander Hamilton wrote in September, 1794, and "you will find . . . there . . . a scene of unparalleled prosperity."⁴⁰ It may be objected that Hamilton is not a reliable witness, removed as he was from the scene and possessing, as he may have, prejudices against the insurrectionists. Alexander Addison, president judge of the fifth judicial district of Pennsylvania, on the

statement on this trade is by Arthur P. Whitaker. Whitaker states that seven years before Pinckney's Treaty was negotiated the Mississippi was "partly opened" to the American West. He concludes that after 1789, Western produce could . . . reach the West Indies and Europe" (*The Mississippi Question, 1795-1803* [New York: Appleton-Century, 1934]), 83. For statistics on the amount of Western flour shipped to New Orleans see *ibid.*, 84.

³⁹ Pearl Edna Wagner, "The Economic Conditions in Western Pennsylvania During the Whiskey Insurrection," M.A. thesis, University of Pittsburgh, 1926; *Pittsburgh Gazette*, November 2, 1793; Carnahan, "Pennsylvania Insurrection," 118. In explaining why enforcement of the excise law had been difficult, Hamilton stated that one reason was the "non-extension of the law to the territory northwest of the Ohio—into which a larger proportion of the surplus [of whiskey] beforementioned was sent" (Hamilton to Washington, August 5, 1794, Hamilton Papers, Library of Congress).

⁴⁰ "Tully," letter number 4, *Gazette of the United States*, September 2, 1794.

other hand, had a firsthand knowledge of the four counties of western Pennsylvania, and he agreed with Hamilton.⁴¹ "However necessary . . . an opposition to the excise law might be three years ago," Addison said in a charge to the grand jury of Allegheny County on September 1, 1794, "it is less necessary now. Since that period the progress of this country to wealth has been amazingly rapid. There have been more public and private buildings raised and fewer sheriff sales for debt within this period than for nine years past preceding. Three years ago, I believe, there was hardly a burr millstone in this country, now there are perhaps a dozen. The quantity of money circulating among us is since greatly increased, and the value of all property is thereby greatly increased. . . ."⁴² John Wilkins, Jr., who like Addison certainly was aware of economic conditions in western Pennsylvania, wrote to Clement Biddle on September 5, 1794: "The violences of the people will not permit them to listen to the cool voice of reason—every person of sensibility must feel the dreadful situation this country is reduced to, from a most improving and flourishing condition. . . ."⁴³

In rebuttal to what I have said about the economy of the four counties of western Pennsylvania in 1794, it is possible to argue that what mattered was not the actual economic hardship imposed by the excise but the fact that people *believed* that it was unduly burdensome. But to use this argument is to ignore the reason which the Westerners themselves gave for opposing the whiskey excise. In their petitions and remonstrances, economic grievances did not play the prominent part frequently assigned to them.⁴⁴

⁴¹ Addison's testimony cannot be discounted on the grounds that he was a Federalist. He had been, in fact, a staunch opponent of the excise law. As late as March, 1794, Benjamin Wells, collector of the revenue for Fayette and Westmoreland counties, quoted Addison "as strongly condemning the law as unjust, inequitable, unnecessary and useless . . ." (Baldwin, *Whiskey Rebels*, 100). Furthermore, Hamilton believed that Addison was one of the most treacherous of the instigators of the opposition to the law (see *Pennsylvania Archives*, 2:IV, 144-146).

⁴² *Pittsburgh Gazette*, September 6, 1794.

⁴³ *Pennsylvania Archives*, 2:IV, 222.

⁴⁴ On June 23, 1794, for example, the Democratic Society of the County of Washington met in Washington and adopted four resolutions which expressed their grievances. Not one of them dealt with the whiskey tax (*Pittsburgh Gazette*, July 19, 1794). On April 26, 1794, delegates from Allegheny County expressed their complaints in a series of resolutions no one of which mentioned the excise (*ibid.*, April 26, 1794). The issues which dominated these meetings, as well as others, were: (1) acquiring the navigation of the

The western Pennsylvanians objected to the excise as often on *political* as on economic grounds.⁴⁵ Time and again their remonstrances emphasized the same point: excise taxes were inimical to the freedom which should characterize a free society.⁴⁶ After reading the literature of the insurgents, finally, one is forced to conclude that many of the protestants were using the whiskey tax as a club to strike a mortal blow at all taxes, indeed, at all governmental restraint. A story related by Hugh Henry Brackenridge illustrates this point: "It was not the excise tax alone that was the object with the people; it was with many not the principal object," Brackenridge wrote. "A man of some note, and whose family had been at the burning of Neville's house, was seen on horseback in Pittsburgh, the day of Braddock's Field, riding along with a tomahawk in his hand and raised over his head, saying—'This is not all that I want; it is not the excise law only that must go down; your district and associate judges must go down; your high offices and salaries—a great deal more must be done. I am but beginning yet.'"⁴⁷

The whiskey distillers and the whiskey drinkers certainly objected to the whiskey tax on economic grounds. But their economy was neither so dependent on the transportation and sale of liquor nor their protest against the excise so dominated by economic complaints as historians have assumed. If one believes our historians, he will find it difficult to explain the following extract of a letter written from Pittsburgh in August, 1794: "It is truly singular to remark," the letter stated, "that it is now actually

Mississippi River; (2) retention of Western posts by the British; (3) Washington's refusal to allow Pennsylvania to lay out a town at Presqu'île; (4) insufficient energy in the prosecution of war against the Indians.

⁴⁵ According to Albert Gallatin, "whatever opposition existed, was directed against the *principle* of the law itself . . ." (*The Speech of Albert Gallatin . . .*, 4. As one might expect, the Westerners objected to other taxes also. Thus on March 15, 1794, the single men of Green township met "in order to obtain redress by the legislature of the Batchelor's county tax, assessed on their heads by the assessors and commissioners." "We ought not to submit arbitrarily," their petition concluded, "to unjust and humiliating taxes" (*Pittsburgh Gazette*, April 12, 1794).

⁴⁶ See, for example, the letter from a "Republican," in the *Pittsburgh Gazette*, April 18, 1794.

⁴⁷ Quoted in Brackenridge, *History*, 138. The members of the Democratic Society of Mingo Creek echoed this sentiment. They proposed that after judges and justices of the peace had been abolished they would exercise all judicial authority themselves (*ibid.*).

proposed by the insurgents to lay a duty of one dollar a gallon on whiskey. . . ."⁴⁸

The traditional interpretations thus do not account for the resistance to law, bordering on rebellion, which occurred in western Pennsylvania in the summer of 1794. To account for it, one must look not to economic grievances of the West but to the particular political situation in western Pennsylvania. To put the matter another way, the economic situation, the ethnic background of the people, the tradition of lawlessness were not peculiar to western Pennsylvania; they existed in other sections of the country, for example, in Kentucky, western North Carolina, and South Carolina. But the political situation in western Pennsylvania was unique.

If one man was responsible for the whiskey insurrection it was General John Neville. His agency was inadvertent, but it was nevertheless important. Born in Virginia of well-to-do parents, Neville had had a distinguished career before he settled in western Pennsylvania early in the 1780's. In the course of that decade, he became the most important political figure in the area. His influence was based on his prestige as a military leader, his wealth, his political acumen, and his family connections. Allied to him, by blood and marriage, were some of the most prominent men of the section. "The Neville connection," Hugh M. Brackenridge said, consisted of "four wealthy families, monopolizing public offices, and closely united in interest and relationship."⁴⁹ Presley Neville, John's son, was brigade inspector of Allegheny County and a member of the State Assembly. He was married to a daughter of General Daniel Morgan, who commanded the Virginia troops on their march to western Pennsylvania in 1794. Isaac Craig, John's son-in-law, was a prominent merchant of Pittsburgh and United States quartermaster in the West. Abraham Kirkpatrick, John's brother-in-law, was a Pittsburgh businessman and United States commissary. John Woods, son of George Woods, who had been land agent for the Penn family in western Pennsylvania, was the attorney for the Neville family. James Ross, United States Senator from Pennsylvania, was married to John Woods's sister.⁵⁰

⁴⁸ *The Baltimore Daily Intelligencer*, August 16, 1794.

⁴⁹ *History*, 31.

⁵⁰ Brief accounts of members of the "Neville Connection" can be found in Russell J. Ferguson, *Early Western Pennsylvania Politics* (Pittsburgh: University of Pittsburgh Press, 1938), 114-116.

Neville, like most successful politicians, reflected to a large extent the prejudices and interests of his constituents. On January 22, 1791, for example, he voted in the Pennsylvania legislature for an unsuccessful resolution, offered by Albert Gallatin, which stated that "every species of taxation, which shall operate, directly or indirectly, as a duty on articles exported from any state, is unconstitutional,"⁵¹ and in June of the same year he supported a resolution of the legislature which condemned the federal excise tax.⁵² Even when his opinion differed from that of the majority, as did his advocacy of the Constitution in 1787-1788, his popularity was not seriously damaged. But then Neville made a grievous political error. In March, 1792, he accepted an appointment as inspector of the revenue for the western Pennsylvania survey. However great his wish for public office, he would have done well to wait for some other job. As it was, he gave his political opponents a splendid opportunity to discredit him.

The western counties of Pennsylvania were filled with aspirants to public office.⁵³ One way for any of them to succeed was to pander to popular prejudices, and the easiest way to do so was to personify the political opposition in one man. General John Neville, after his acceptance of the inspectorship, was an easy choice.

But Neville's appointment as excise collector had an importance beyond the advantage it gave his political opponents. It also served to intensify opposition to the whiskey tax. According to William Findley, the people of western Pennsylvania "looked on the inspector as giving up his principles for a bribe, and bartering the confidences they had in him for money, and were the more irritated by his speaking so contemptuously of their good opinion, which he had been formerly so solicitous to obtain."⁵⁴

⁵¹ Quoted *ibid.*, 119.

⁵² Baldwin, *Whiskey Rebels*, 66.

⁵³ William Findley gives one interesting reason why so many men of this section desired political office: "The wages of the assemblymen had been raised the year before [1791] and people living at such a distance from market, having the necessaries of life cheap, and not being sensible of the increased expence of living in Philadelphia, were offended. From this circumstance, a greater number than usual wished to bring themselves forward as candidates, not to lower, but to receive, the high wages; to take a lead in committees [opposed to the excise] seemed a probable means of success" (*History*, 46).

⁵⁴ *History*, 80.

Neville's behavior, perhaps, explains why Washington County was the cradle of the insurrection. "It was with these very people," Findley relates, that Neville "had formerly enjoyed the popularity which brought him into the supreme executive council, the Convention, and frequently into the Assembly of the state. . . ."⁵⁵ An incident related by Hugh H. Brackenridge, the Pittsburgh lawyer and novelist, illustrates the extent to which Neville's position as inspector exacerbated opposition to the excise. When Federal Marshal David Lenox, accompanied by Inspector Neville, attempted to serve the last of the writs which he had brought with him from Philadelphia, he met defiance and gunfire. William Miller, on whom Lenox attempted to serve the writ, is reported to have said "That I felt my blood boil at seeing Genl. Nevil along to pilot the officer to my very door. He had been against the excise law as much as any body. When old Graham, the excise man, was caught and had his hair cut off, I heard General Neville himself say they ought to have cut off the ears of the old rascal; and when the distillers were sued some years ago for fines, he talked as much against it as anybody. But he wanted to keep in the Assembly then. . . ."⁵⁶

To understand the importance of Neville's role it must be placed in the context of western Pennsylvania politics. It has been suggested that political division in western Pennsylvania was between Federalists and anti-Federalists.⁵⁷ But this generalization

⁵⁵ *Ibid.*, p. 81.

⁵⁶ Quoted in Brackenridge, *History*, 35-36. That Neville was in part responsible for the resistance to the excise is confirmed by most firsthand accounts of the insurrection. See, for example, Carnahan, "Pennsylvania Insurrection," 120, 123, and a "Republican," *Pittsburgh Gazette*, May 10, 1794. Neville's responsibility was stated most forcefully by an anonymous correspondent writing from Fort Pitt. "We are all in confusion at present, owing to the late contest with general Neville," he wrote ("Extract from a Letter from Fort Pitt," *The Baltimore Daily Intelligencer*, August 16, 1794). A committee of the insurgents which met with the peace commissioners late in August, 1794, related a number of general grievances against the federal government, but only two specific objections to the whiskey tax. They said, in the first place, that it was a hardship to attend courts of the United States "at a distance from the vicinage," and, secondly, they objected to "the appointment of General Neville as inspector of the revenue of the survey, whose former popularity had made his acceptance of that office particularly offensive" (*American State Papers, Miscellaneous*, I, 88). Governor Thomas Mifflin of Pennsylvania also held Neville responsible for the insurrection (Brackenridge, *History*, 21).

⁵⁷ The ablest statement of this thesis is in Ferguson, *Early Western Pennsylvania Politics*.

Ferguson emphasizes the dispute between Federalists and Anti-Federalists

fails to suggest the confused and complex nature of political behavior at a time when parties (in the modern sense) scarcely existed. Not only students of Pennsylvania politics but also students of the 1780's and 1790's have been far too fond of fitting all issues onto the procrustean twin beds of party conflict.

To succeed in politics in western Pennsylvania in the 1790's one had to have a large personal following. Then, as now, the successful politician had to reflect the economic interests and political presuppositions of his constituents, but he was not obligated to any party organization nor confined to any party platform. In 1787 and 1788, for example, it was possible for political leaders like Neville or Hugh H. Brackenridge to support adoption of the Constitution and to retain personal popularity even though a majority of the inhabitants of the western counties doubtless opposed ratification. Popularity with the populace, not issues, was the decisive factor in political success.

and explains the position that men took during the Whiskey Insurrection on that basis. Furthermore, he believes that the Federalist and Anti-Federalist "parties" existed from the time of the dispute over the Constitution (and, indeed, earlier), and that the same "parties" with virtually the same members continued to dominate political life from 1789 on. Ferguson accepts, in one respect, the traditional interpretation of the insurrection. He believes that the Anti-Federalists of western Pennsylvania were closely connected with the Anti-Federalist party in the East, and that the Federalists, similarly, were tied-up with the party of Alexander Hamilton. He argues, again along familiar lines, that the Anti-Federalists were the small farmers, the Federalists, the merchants and industrialists who were centered in the two towns of Pittsburgh and Washington. Ferguson, finally, equates opposition to the excise with "back-woods democracy," and, by implication, support of the excise with opposition to democracy.

Ferguson's emphasis on the Federalist-Anti-Federalist division is belied by his own evidence. Thus, in 1790 James Findley, who is designated an Anti-Federalist, voted against a bill repealing acts relating to collecting of the excise (p. 119). David Bradford, who is considered an ardent Anti-Federalist, was an inveterate political opponent of Albert Gallatin, another Anti-Federalist (p. 120). Thomas Stokley, called by Ferguson a Federalist, opposed the federal excise (120). Alexander Addison, described by Ferguson as a loyal Federalist, was considered by Hamilton an opponent of the federal government. John Woods and Thomas Scott are both categorized as Federalists, yet in 1794 Woods tried to prevent Scott from getting elected to Congress.

I am not convinced that one can explain the Whiskey Insurrection in terms of Federalism and Anti-Federalism. As I attempt to demonstrate in this paper, the political situation was not so simple. Furthermore, Ferguson's thesis does not explain why an insurrection occurred in western Pennsylvania and not in other sections (North Carolina or Kentucky, for example) where there was also vigorous and widespread opposition to the excise. If the Federalist-Anti-Federalist division was sharp in western Pennsylvania in 1794, it was also keen in other disaffected areas.

If political parties, in the modern meaning of the term, did not exist, there were political groups or factions. In the counties we are considering there were three such groups. The first group consisted of the "Neville connection," to which reference already has been made. It included not only John Neville and his relatives but such prominent politicians as John Hoge, member of the Pennsylvania Senate, and James Ross, United States Senator from 1794-1803. It is to this group that most historians have applied the term "Federalist." A second group consisted of rival politicians who because of political acumen and personal appeal succeeded without any political "connections" whatever. For the most part, these men were states' righters, or one should say "area righters," for they were consistent and tenacious in defending what they considered to be the interests of their constituents against both state and federal encroachments. The best known members of this group were John Smilie, Albert Gallatin, David Redick, and William Findley. Their views were not always the same, but their political position was sufficiently similar to allow historians to designate them as "anti-Federalists."

When John Neville accepted the inspectorship, the political situation changed. The fierceness with which his constituents and his neighbors assailed him suggested that political association with him was political death. A third group now appeared, consisting of those who formerly had been loosely allied with Neville⁵⁸ or who, like Neville, had favored adoption of the Constitution and who had supported the Washington administration.⁵⁹ To these men it must have been obvious that political oblivion would be the price of political consistency or political loyalty. The best way to recoup lost ground was to take the lead in opposing the

⁵⁸ Not all of Neville's allies, of course, joined in the opposition to the excise on whiskey, and those who remained loyal were penalized only temporarily. James Ross, for example, remained in the United States Senate until 1803. After Neville returned west with the army, furthermore, he was again in a powerful position because of the confidence placed in him by President Washington.

⁵⁹ In a letter of November 21, 1792, to Thomas Mifflin, William Findley said that opposition to the excise law "does not proceed from anti-federal principles, for the earliest and most zealous friends to the Government have, generally, been among those who have taken a lead, from the beginning, in expressing their disapprobation of the Excise" (*Pennsylvania Archives*, 2, IV, 50).

excise tax;⁶⁰ here was the one issue on which public opinion was united; here was an issue whose agitation might lead to political success. Contemporary witnesses attest that it was so used. "It has hitherto been a favorite theme with several gentlemen somewhat thirsty for popularity," "An Elector" wrote to the *Pittsburgh Gazette*, "to declaim loudly against the excise, and it is well known through the course of two or three years past, as well as upon the late occasions, that many have industriously promoted their own elections upon the committee business etc. with a view of certifying their great zeal in opposing this terrible law. . . ." At least half of the delegates to the Parkinson's Ferry meeting on August 14, he continued, were "looking forward to the election day for public favor; and to this half we may venture to add a considerable number more, who were not so fortunate in the township elections, that will likewise offer themselves as candidates for something or other. . . ."⁶¹ If anyone knew the political situation in the four counties of western Pennsylvania it was William Findley, along with Gallatin the most popular politician of the region. In a letter to a Mr. Petriken of Carlisle, dated September 8, 1794, Findley expressed "his apprehensions that the people over the mountains will not submit to the laws, and that they are stimulated to resist them, by a number of disappointed men, who have been seeking office under the State, or General Government, and hope to succeed better if they can effect another revolution."⁶²

The validity of this interpretation is suggested by the political careers of the men who played the most active part in fomenting resistance to the whiskey tax. The "left wing" of the resistance movement consisted of those who advocated armed resistance.

⁶⁰ "To talk against the law, was the way to office and emolument," Hugh H. Brackenridge said. "In order to be recommended to the government, as a justice of the peace, you must be against the law. To go to the Assembly, you must make a noise against it; and in order to go to Congress, or to keep in it, you must contrive, by some means, to be thought staunch in this respect.—It was the *shibboleth* of society, and the ladder of ambition" (*Incidents*, III, 22).

⁶¹ September 27, 1794.

⁶² "Extract of a Letter from Carlisle, September 8," *Independent Gazetteer*, September 17, 1794. John Wilkins, Jr., also a contemporary witness, wrote to General William Irvine on August 31, 1792, that "the excise conference attempted nothing on the election, there had been so much said that the meeting was for that purpose that they never mentioned it" (quoted in Townsend Ward, "The Insurrection of the Year 1794," 136).

It was this group which signed a circular on July 28, 1794, which called for a rendezvous of the militia of the counties of western Pennsylvania on August 1.⁶³ The purpose of this rendezvous was to attack the United States fort in the area, Fort Pitt, and to sack the city of Pittsburgh, where opposition to the violent course of the insurgents was particularly strong. Seven men signed this circular—John Canon, Benjamin Parkinson, David Bradford, Alexander Fulton, Thomas Spears, L. Lockny, and James Marshall. Of these seven, little is known about Spears and Lockny except that they were political leaders in Washington County. The other five conform exactly to the characteristics of the group which I have been describing. All of them had supported the adoption of the Constitution; all of them, because of public censure of those who shared the political views of John Neville, had faced political annihilation; all of them were from Washington County, a fact whose significance has been mentioned earlier.⁶⁴ Some of them, in a desperate play for political power, had even advocated the formation of a separate state, a state in which they presumably would exercise power.⁶⁵

The extremists would have been less successful⁶⁶ had the better-known politicians of the region—men like Smilie, Findley, and Gallatin—not countenanced resistance to the laws.⁶⁷ They had not

⁶³ The circular is summarized in all accounts of the insurrection and is printed in *Pennsylvania Archives*, 2, IV, 78-79.

⁶⁴ Findley, *History*, 94, 96; Brackenridge, *History*, 79, 94. Findley was puzzled that these men should have taken the lead in opposition to the excise. Of Alexander Fulton, for example, he wrote that initially he was "an open advocate for the excise law . . . and an avowed friend of the inspector. . . . I have never been able to account for the inconsistency of his conduct" (*ibid.*, 94). Oddly enough, Findley himself had explained the inconsistency only two years earlier.

⁶⁵ William Findley, *History*, 94; Baldwin, *Whiskey Rebels*, 169.

⁶⁶ That the opposition in western Pennsylvania ever developed into actual violence is somewhat strange when one keeps in mind that many distillers, particularly those with the greatest number of stills, wished to comply with the law (*Pennsylvania Archives*, 2, IV, 41, 288). That they did not feel free to do so was presumably due to the pressure of public opinion. And this public opinion, as I have said, was reinforced by the attempt of popular leaders to win votes by catering to popular prejudice.

⁶⁷ Speaking of the West in this period, Arthur P. Whitaker has said: "The political leaders of the West were for the most part a prudent, conservative group, exercising power out of all proportion to their numbers and acting as a brake upon the more impetuous and relatively ignorant mass of their fellow backwoodsmen" (*The Mississippi Question, 1795-1803* . . . , 20). The counties of western Pennsylvania obviously were the exception to this generalization. According to Hugh Henry Brackenridge, the popularity of

(disapproved of the protest meeting of August, 1792, which adopted resolutions calling for the creation of committees of correspondence and a boycott of federal tax collectors;⁶⁸ they had not tried to discourage the attacks which were made on the excise collectors in 1792 and 1793; they had, in short, acquiesced in if they had not approved of forcible resistance to the law. By the summer of 1794, they were unable to erect a dike against the surging waves of protest stirred up by ambitious political rivals—men like Canon, Bradford, and Marshall. That even then they played an unwitting part in promoting resistance to excise officials is suggested by the following account of Gallatin's behavior at a protest meeting in August, 1794: "Gallatin endeavored to show that injury to persons and property opposing the excise law could not be done without violating the laws of the State. He alluded to the burning of Kirkpatrick's barn, &c. When he mentioned the burning of the barn, one of the delegates called out, 'What! Do you blame that?' Gallatin was embarrassed, and paused for a moment, and on recovering himself said, 'If you had burned Kirkpatrick in it, it might have been something; but the barn had done no harm! 'Aye, aye,' said the hot-headed men, 'that's right enough.'"⁶⁹ Alexander James Dallas, secretary of the Commonwealth of Pennsylvania, and a close political friend of Smilie, Findley and Gallatin, could scarcely contain his anger at the behavior of his former allies. These men, he said in October, 1794, were "inconceivably obnoxious as the original perpetrators of the doctrines which have eventually produced these violences."⁷⁰ L

leaders like Findley and Gallatin "depended on their being with the people, and consulting their prejudices. The moment they opposed the prevailing feelings of the multitude, they would be politically dead. And it was not enough for them to remain silent; they were charged in the newspaper with the unpardonable neglect of suffering, while members of the State Legislature, an excise law to remain unrepealed on the statute book! To atone for it, they were obliged to redouble their diligence against all excise laws" (quoted in Brackenridge, *History*, 20-21).

⁶⁸ The minutes of the meeting of August 22, 1792, are reprinted in *Pennsylvania Archives*, 2, IV, 30-31. Gallatin and Smilie participated in the proceedings, an act which Gallatin later called his "only political sin."

⁶⁹ Carnahan, "Pennsylvania Insurrection," 133.

⁷⁰ Quoted in Raymond Walters, Jr., *Alexander James Dallas* (Philadelphia: University of Pennsylvania Press, 1943), 62.

The role played by Hugh H. Brackenridge during the Whiskey Insurrection is not inconsistent with the thesis I am suggesting. There is no doubt that Brackenridge was politically ambitious, but, unlike Gallatin and Findley, he did not have the knack of winning and retaining the support of his constituents. (As a member of the Pennsylvania Assembly in 1786-1787,

The political sequel to the Insurrection demonstrates the thesis suggested here. In October, 1794, two congressmen were elected from the four western counties of Pennsylvania. The district of Westmoreland and Fayette counties elected William Findley. The district of Washington and Allegheny counties (it will be remembered that it was in the former county that the insurrection had centered) rejected all of the four active candidates and elected Albert Gallatin, a resident of Fayette County who had not sought the nomination. Why was this? The four announced candidates—Thomas Scott, John Woods, Daniel Hamilton and Hugh H. Brackenridge—were all unacceptable because of their roles in the Insurrection. Scott and Woods were too closely allied with the Nevilles, Hamilton had been a leader of the insurrectionists, and Brackenridge had played his equivocal role with insufficient skill. But Gallatin, like Findley, successfully had remained on the political fence. He had not been pushed into alliance with the leading insurrectionists nor into a position of alliance with the federal government which would have cost him popularity.⁷¹

In the year 1796, William Findley, arch foe of Federalists and ardent supporter of western farmers, began his book on the Whiskey Insurrection by saying that "If the numerous difficulties encountered and hardships sustained, by the people inhabiting the western counties of Pennsylvania, were to be minutely related, and their behaviour under them fairly stated, their conduct generally would be entitled to a much greater proportion of approbation than blame, and their sufferings would have a powerful

Brackenridge's voting record was at odds with his own campaign pledges and the wishes of his constituents. His attempt to defend his record and to discredit Findley, who had criticized him, boomeranged. He was not re-elected in November, 1787.) Neither was it possible for Brackenridge to get the support of the "Neville Connection," for he had alienated Neville in the course of a legal dispute. Brackenridge was a candidate for Congress in the summer of 1794, and he doubtless saw the advantage of jumping on the band wagon labelled "excise resistance" with Bradford and Marshall. This he could not do, however, chiefly because he was sincerely opposed to forcible resistance to the law, and feared that open armed resistance would lead to civil war. But neither was he prepared to surrender his popularity on the altar of political principle, and throughout the troubles of July and August he played an equivocal role which satisfied no one.

⁷¹ If the failure of the Insurrection discredited its political leaders, it restored to favor the Neville connection. Thus in the election of October, 1794, Allegheny County, which unlike Washington County had not played an active part in the disturbances, elected Presley Neville and Dunning McNair to the Pennsylvania House of Representatives.

claim on the sympathy of their fellow citizens. . . ."⁷² Findley's statement was prophetic. Time and again our historians minutely have related the hardships of the western Pennsylvanians and have accorded them boundless sympathy. That the inhabitants of the western counties of Pennsylvania had difficulties no one can deny; that their hardships have been exaggerated is equally certain. The Whiskey Insurrection was not the spontaneous uprising of an oppressed people shaking off the burden of a crushing tax imposed by an unfriendly government. It was rather the result of an unfortunately literal reading of the Revolutionary creed which equated government with oppression, order with tyranny, rulers—even popularly elected ones—with despots. Its leaders were not tribunes of the people, courageously leading a crusade of embattled farmers against a capitalist-dominated government. They were rather self-seeking politicians who hoped to ride the waves of popular discontent to the secure shore of political office. The march of the "water mellon army" was not arranged by Alexander Hamilton to teach his political opponents a stern lesson; it was ordered by George Washington to put down disobedience to the laws of the United States.

The implications which this paper has for American historiography are, I think, clear. Among many of our leading historians there is a curious dualism: in the name of democracy they condone in the past what in the name of law and order they condemn in the present. After all, history is written from the perspective of the present, and one would expect that the Southern problem of our own day would lead to a re-evaluation of the western Pennsylvania problem of George Washington's day. Can one consistently praise the whiskey rebels and condemn Governor Ross Barnett? Can one attack Washington and Hamilton for using force to put down resistance to the laws and praise President Eisenhower and President Kennedy for doing the same thing in Arkansas and Mississippi? Viewed from the perspective of the present, the Whiskey Rebellion was a decisive event in American history. It created a precedent for the supremacy of law and the suppression of an extreme individualism which, marching under the banner of freedom or states' rights, promotes violent disobedience to constitutional authority.

⁷² *History*, 17.

To George Washington, to William Bradford, to Alexander Hamilton, and to many others, the fundamental issue in September, 1794, was a simple but tremendously important one: The point was not "Do citizens have a right to remonstrate against laws with which they disagree?" It was agreed that they did. It was not "Is disobedience to the law a sufficient excuse for calling out federal troops?" Many people might have answered in the negative. The question was "Can a group of people be allowed forcibly to resist the execution of the laws of the United States by attacking the agents of the federal government?" There is no reason to believe that either Washington or Hamilton promoted the Whiskey Insurrection in order to stifle political opposition. They were convinced that constitutional government demanded that people obey even those laws with which they disagreed. Hamilton put the problem clearly:

A sacred respect for the constitutional law is the vital principle, the sustaining energy of a free government. How can a government of laws exist where the laws are disrespected and disobeyed? Government supposes controul. It is the POWER by which individuals in society are kept from doing injury to each other and are bro't to cooperate to a common end. The instruments by which it must act are either the AUTHORITY of the Laws or FORCE. If the first be destroyed, the last must be substituted; and where this becomes the ordinary instrument of government there is an end to liberty.⁷³

If ever the fears of "unbridled democracy" expressed so frequently in the 1780's and 1790's were justified, it was in the Whiskey Insurrection of 1794. Fortunately for the fate of constitutional democracy, Washington realized that freedom should not be confused with license, that liberty is not incompatible with order.

⁷³ "Tully," letter number 3, *Dunlap and Claypoole's American Daily Advertiser*, August 28, 1794.