ALEXANDER ADDISON:
THE DISILLUSIONMENT OF A
"REPUBLICAN SCHOOLMASTER"

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That the new American republic faced a herculean task in inculcating its citizenry with republican values and practices has been duly noted by American historians. Unfortunately, the degree to which the court system in general and the judiciary in particular shouldered the burden for this education has been largely ignored. 1 Pennsylvania’s legal apparatus was employed in a variety of ways to promulgate the virtue and responsibility deemed crucial for the salvation of the new Republic. 2 No state judge strove more conscientiously or systematically to educate the public to the behavior and ideals called for by America’s republican experiment than Alexander Addison. During his tenure as president of Pennsylvania’s Fifth Judicial District between 1791 and 1803, he became for many Western Pennsylvanians the “schoolmaster” of American republicanism.

Addison has not fared well at the hands of historians. He has been characterized routinely as “arrogant,” “humorless,” “overbearing,” “uncompromising,” and “vindictive.” His tenure as presiding...
judge of the Fifth Judicial Circuit has been described in equally unflattering terms: the consensus holds that he "permitted his violent partisanship to color his behavior on the bench, and ... condemned not only criminal offenders, but political opponents." The fact that Addison was subsequently impeached, convicted, and removed from office by the state legislature in January 1803, has elicited as little adverse comment from historians as it did from contemporaries. Thus, Addison stands starkly one-dimensional in accounts of early Pennsylvania, frozen in time as belligerent, congenitally conservative and Federalist, paranoid in the face of the democratic thrust increasingly apparent in state and national affairs, irrationally striking out at opponents, and perverting his office and court to his own selfish, myopic political ends. If modern historians have conceded his role as a spokesman and propagandist of some power and influence, they


4 A large dinner was given for Addison in Fayette County following his removal, and Neville B. Craig (History of Pittsburgh, 286), writes that "Pittsburgh and the country around it were greatly excited by the impeachment of ... Addison." The Federalist press supported Addison during the impeachment proceedings, as did Federalists in the legislature, but as Dumas Malone has correctly observed, "Federalists made little of the case afterwards." He suggests that their reticence was prompted by the weakness of Addison's case. See Malone, Jefferson the President: First Term, 459. For a contemporary statement that Federalists were as embarrassed by Addison's antics as were Republicans and sought to support him only in a perfunctory manner, see Thomas McKean to Thomas Jefferson, Feb. 7, 1803, Jefferson Papers, Library of Congress, Manuscript Division, Washington, D.C. (hereafter cited as LCMD). An examination of Federalist newspapers in the state for the years 1803 and 1804 confirms McKean's assessment.
have almost universally condemned his doctrines and practices as xenophobic, reactionary, and, in the end, destructive to the very Republic he sought to save.\(^5\)

Yet a careful examination of Addison’s public speeches, his writings, and his judicial pronouncements during his twelve-year judicial tenure reveals a man strangely at variance with the historical characterization. These materials not only provide the basis for a more judicious portrait of Addison, but they also clarify the nature of his special role as a teacher in Western Pennsylvania in the decade before Jefferson’s first inauguration. Moreover, they identify important shifts in Addison’s perceptions and assessments of the nature and direction of Pennsylvania’s republican experiment. If the historical caricature has any validity, these sources suggest that it has merit only in terms of the last years of Addison’s public career. This article, therefore, is concerned with Addison’s role as “schoolmaster” of American republicanism to Western Pennsylvania, and with his philosophical and ideological shifts.\(^6\)

Born in 1759, the son of James Addison of Keith, Scotland, and educated at Marischal College, Aberdeen University, Addison emigrated to Washington County, Pennsylvania, in 1785. In December of that year, he appealed to the presbytery at Redstone (Brownsville) for a license to preach. Despite his having been previously licensed by the presbytery of Aberlaur, Scotland, and his having assisted the Reverend James Ogilvie at Rothes for four years prior to his coming to America, the Redstone presbytery delayed in granting the license.

\(^5\) For comments on his rare oratorical skills and general persuasiveness, see Alexander Graydon, Memoirs of his own Time with reminiscences of the men and events of the Revolution, edited by J. S. Littell (Philadelphia, 1846), 352; Beveridge, Life of John Marshall, 3: 164; Henry Marie Brackenridge, Recollections of Persons and Places in the West (Philadelphia, 1868), 100; White, “The Judiciary in Allegheny County,” 158. Addison was a teacher as a young man in Scotland.

\(^6\) Historians have generally assumed that Addison’s conservatism and his Federalism were consistent throughout his tenure. Note that Ferguson (Early Western Pennsylvania Politics, 115) concludes that “During the ten years from 1790 to 1800... [Addison] was a bulwark of Federalism in the region...” Professor Higginbotham also leaves the impression that Addison criticized democracy in his charges to grand juries throughout his career on the bench, and Professor Ellis tells us that Addison was “an uncompromising Federalist” from the beginning. See Higginbotham, Keystone in the Democratic Arch, 53, and Ellis, The Jeffersonian Crisis, 164. Three modern historians have appreciated that change occurred in Addison’s thought over time, but none has sought to chart the specifics of those shifts. David H. Fischer (The Revolution of American Conservatism: The Federalist Party in the Era of Jeffersonian Democracy [New York, 1965], 232) is hard pressed to say why or when the changes occurred; John C. Miller (Crisis in Freedom, 139) and Leland D. Baldwin (Whiskey Rebels: The Story of a Frontier Uprising [Pittsburgh, 1939], 51-52) attribute his change to the Whiskey Rebellion.
He ultimately received permission to preach, but meanwhile, ignoring a friend's admonition that his "want of Assurance, or what some call Impudence [would be] an obstruction to [his] Success in the Law," Addison turned his attention to legal studies. He served his apprenticeship under David Redick of Pittsburgh — a "staunch Democrat" who had himself joined the bar only three years before — and was admitted to practice in Washington County in March 1787.7

Addison supported the new federal Constitution in 1787 despite considerable local pressure not to do so. He also earned the ire of local democrats by serving in Pennsylvania's constitutional convention of 1789-1790, where he distinguished himself as a moderate.8 Partly in recognition of his obvious talents and partly as a reward for his effective advocacy of the new state constitution, the thirty-two-year-old Addison was appointed presiding judge of the Fifth Judicial District on September 1, 1791.9

Addison, admitting that he "possessed a very zealous disposition to be useful," brought to his new post a keen desire to "bring order out of confusion in the western district," to civilize the often tempestuous inhabitants of that frontier region. Like many in eighteenth-century Pennsylvania, Addison clung to the assumption that leadership figures like himself should be the principal force in shaping public opinion. To that end he initiated a deliberate policy of educating the public, not merely to the intricacies of the law and legal proceedings — though he judged law crucial to the salvation of order in Western Pennsylvania — but as well to the conduct and values required of a republican citizenry. From the outset of his tenure, he opened court sessions with lengthy and erudite examinations of problems besetting


8 Addison's efforts can be followed in Proceedings Relating to the Calling the Conventions of 1776 and 1790. The Minutes of the Convention that formed the present Government of Pennsylvania, together with the Charter of William Penn, the Constitutions of 1776 and 1790, and a View of the Proceedings of the Convention of 1776, and the Council Proceedings (Harrisburg, 1825). For an elaboration on Addison's views within the convention, see Wagner, "The Public Career of Alexander Addison," 8ff. The Aurora later reported (July 31, 1799) that Addison was a "democrat" during these proceedings.

9 All officers under the new state constitution began their terms on September 1, although Addison's commission was dated August 17, 1791. For Addison's impressive economic progress during these years, see Wagner, "The Public Career of Alexander Addison," 6.
the court and western communities and offered a variety of thoughtful solutions. He pressed for better community services and facilities. He sought to keep persons attending his court abreast of legal developments in the eastern part of the state. Four times a year for twelve years, with few exceptions, he delivered his thoughts — in a heavy Scottish burr — on topics ranging from “The Principles of Laws and Crimes” to “The Nature and Modification of a Representative Democracy.” In 1800, he published a collection of more than two dozen of his charges to grand juries, and throughout his tenure he oversaw the publication of a number of individual addresses and essays.10

Of grave concern to Addison during his first court term in September 1791 was continued criticism of the new state constitution. At least in respect to the law and courts, Addison found the new constitution which he helped to write vastly superior to the old, and he shared his sanguinity with the people of his judicial district. “Freedom cannot subsist without law,” he told the first grand jurors to sit in Allegheny County under the new constitution, “. . . And the law, ignorantly, partially, or uncertainly administered, like every abused constitutional power, is the worst kind of tyranny.” Pennsylvania, he told them, would have a republic of law. He advised the jurors and those crowding into the court for the proceedings that Pennsylvania now had the best judicial system in the American union at the county level, the level which most intimately touched their lives. Indeed, he told them, other states were eager to emulate Pennsylvania’s success in this regard. The changes in the judicial system proposed by the new state constitution would produce greater efficiency, he assured them; the public would find greater uniformity in the proceedings, less costly appeals to the state supreme court, shorter and less frequent courts of nisi prius, and generally reduced expenses overall. Juries not needed would be discharged more expeditiously than they had been previously. Punishments would be “closer to the crime.”11


According to Addison, the fact that the state’s lawyers acquiesced in the new government bode well for westerners desperate for reliable, effective courts. Under the new constitution, men knowledgeable in the law would hold the important judicial posts and most of the clerkships, thus sparing the current administration the difficulties that had plagued earlier state governments. The enthusiasm of practicing attorneys for the new system would also guarantee more professional procedures. Addison hammered home the message that widespread participation by trained legal personnel on both sides of the bench guaranteed a highly professional legal system, and that professionalism would be translated into efficiency which ultimately promised lower costs for the people. To a poor but litigious people, Addison thought inexpensive justice an important consideration.12

He conceded that problems remained. The docket that awaited his first grand jury’s judgments was ample proof that threats to order and progress were real and varied. So, too, were the recent local meetings protesting the federal excise taxes.13 But few of the problems, he thought, emanated from institutional failings of the state constitution or its courts. If many proceedings continued to be handled "in a careless and slovenly manner . . . this was not a defect of the system, but rather the personnel manning it." Fortunately, he insisted, the state’s commitment to respectable salaries would attract better judges in time, and these, coupled with the loyalty to the state’s lawyers, assured the district ineluctable reform from within the system itself. He dismissed as unwarranted the widespread criticism of judicial salaries. High salaries induced capable, responsible men to seek the important posts of government, he maintained; without reasonable salaries a community could not attract superior people to serve. "The salaries of the judges of all the courts of Pennsylvania are not equal to the salary of the Chief Justice of England alone," he told his listeners. The new constitution, then, was not a threat to the interests of people like

12 Ibid., 13. "Having a perfect acquaintance of the sentiments and disposition of the gentlemen of the bar," Addison told them, "I am enabled to give assurances, that we may rely with full confidence on every aid from them, in accomplishing these essential purposes of our institutions; and that no effort of them will ever be wanting, to improve the practice and proceedings of the courts, for the attainment of speedy and effectual justice." For a discussion of the attempt by lawyers to bring down the first government under the state constitution of 1776, consult Thomas R. Meehan, "The Pennsylvania Supreme Court in the Laws and Commonwealth, 1776-1790" (Ph.D. diss., University of Wisconsin, 1960), 75-79.

13 Alexander Addison, Reports of Cases in the County Courts of the Fifth Circuit, and in the High Court of Errors & Appeals of the State of Pennsylvania (Washington, Pa., 1800), 1-8; Baldwin, Whiskey Rebels, 76-86.
themselves, he argued; it promised the eradication of ills that had long retarded the region's development.  

Addison admonished jurors and court observers alike that they themselves held much of the success for the district's progress in their own hands. It was imperative, he told the grand jurors in his December 1791 circuit, that they admit the very real but often subtle relationship between the efficacy of their laws and courts and the march of civilization in their communities. He reviewed for them the current judicial structure of the state, elaborating upon the powers of the various judges, detailing the functions of grand and petty juries, noting some of the more important principles of law, and telling them, "There can be no liberty, but where the laws govern every man. . . . The man who forcibly resists the law lays the foundation of the ruin, either of himself, or of the government." Persons deviating from the lawful path must be punished, for "the rational end of punishments is the prevention of crime." Each crime must be punished, but each punishment must fit the crime, he insisted. Banishment, for instance, might be effective in one case but not in another. "To condemn to the pillory a man convicted of a popular offence, is to reward him with the joys of martyrdom, or the honors of a triumph," he warned them, "and to punish a base mind with disgrace is to torture a dead body." Reform and progress, not vengeance, must dictate the jurors' response in each case.

Those attending his court could pride themselves on being members of a government praiseworthy for its enlightened views on penal reform, he told them. He reviewed many of the reforms promoted in the state, especially those initiated since 1786, and expounded upon the blessings derived from them. He cautioned westerners to approach their individual and collective obligations as jurors — and as citizens of a republic — with similar zeal, wisdom, and benevolence. He then provided definitions for various crimes which his audience would confront in their capacity as jurors, distinguishing among them as to their relative seriousness and elaborating on the punishments called for by the law in each case. All in all, it was an impressive performance in his first circuit.

14 Addison, Charges to Grand Juries, 5, 7-8. Addison estimated that the combined salaries of all Pennsylvania judges, "both of the supreme and county courts," was "nearly eight thousand pounds." He judged salaries of all judges in Scotland to be £42,666, and in England, £58,500, excluding chancery and "judges of local jurisdiction." His own salary was £500.

15 Ibid., 19-22.
16 Ibid., 27-28. See also, 76-85.
Addison's approach in these first court sessions set the pattern for subsequent terms. Throughout his career on the bench, he employed his charges to grand juries to enlighten jurors and nonjurors on a variety of matters relating to history, political science, religion, and sociology, as well as the law. Rarely repetitious, each address built solidly upon the preceding one and anticipated subsequent ones. He established a veritable lecture circuit, an eighteenth-century Chautauqua, for those who would come and listen — and they came in great numbers. Rarely repetitious, each address built solidly upon the preceding one and anticipated subsequent ones. He established a veritable lecture circuit, an eighteenth-century Chautauqua, for those who would come and listen — and they came in great numbers.17 A large measure of his effectiveness doubtless stemmed from his willingness to grapple with issues of great moment in his district. But it stemmed, too, from his intelligent use of analogies and metaphors gleaned from the life styles of the farmers and frontiersmen to whom he addressed his comments. Thus, he told the jurors in his December 1792 circuit that the farmer who turns the course of a stream into many channels to break "the madness of the current, and diffuse, through every part, its beneficial influence," was doing no less than the men who instituted America's republican government when they separated various governmental powers. Through his addresses as well as through his gestures, his demeanor, his personality, the oaths he administered, the proceedings he oversaw, and the ritual he countenanced, he identified for the populace of the Fifth Judicial District the values and norms of a civilized, republican society.18

Remarkable in light of Addison's later reputation is the fact that nowhere in his charges to grand juries between 1791 and 1796 do we glimpse the seemingly congenital conservatism, the deep-rooted Federalism that marked his later pronouncements and that stand at the root of his historical characterization. Much of his commentary was nonpartisan, of course. But whatever his political views and activities outside his courtroom in these early years, his observations within the court and before the public establish clearly that the society he envisioned, the legal and political system he championed, and the republicanism he strove to describe and clarify, differed little from the institutional arrangements advocated by those generally described as his political enemies. His concern for a republic of law, his enthusiasm for fair and efficient courts dominated by formally trained practitioners,

18 Addison, Charges to Grand Juries, 53, 153. See also Isaac, "Dramatizing the Ideology of Revolution," esp. 359-60, 362, 364-65. His observations on the value of the historian's use of "dramaturgical analyses" for Virginia are valid for Pennsylvania as well. Note Addison's remark that "The duty of a jury may be learned from the oath" (Addison, Charges to Grand Juries, 60).
his advocacy of substantial salaries for public figures, and his appreciation of the superiority of the new state constitution did not meet with universal approval in his district, but his opinions in these matters did not distinguish him from the vast majority of articulate Pennsylvanians — neither did his denunciation of the disorders wracking American society, or his laments over man's propensity to be selfish, foolish, even criminal. Addison's view of history as well as his vision of the American Revolution also appeared to be consistent with those held by a broad spectrum of his contemporaries. If they differed in their assessment of American republicanism, at this point they differed in degree, not kind.  

Man, according to Addison, had once existed in a state of nature where absolute freedom was the rule. Man had quickly discerned, however, that liberty in a state of nature was no liberty at all; it was "intolerable," for "each man [became] prey to the passions and powers of all; life [became] a state of mutual fear, danger, suffering. . . ." Accordingly, man determined to seek "civil liberty," a liberty wherein "every individual must be conformed to the public will, that is, to . . . laws." Man's acceptance of civil liberty in place of absolute liberty, Addison reminded his grand jurors, was reflective of man's progress. True, man clung to ancient faults and weaknesses and still occasionally needed to "be governed by violence and punishments," but "industry" and the "arts" over time had "soften[ed] [the people's] manners and incline[d] them to peace." "Minds enlarged by speculation and experiment" began to "call for their natural influence over their own and the combined concerns of the State."  

The American Revolution represented for Addison the culmination of humanity's escape from tyranny and brute rule. "Conscious of their own skills and authority," the people of America had "reject[ed] the power of one man, to controul them." They had instead created a republic where the popular will would govern and determine the laws. The Revolution, according to Addison, had turned the world

19 This conclusion is based on a comparison of Addison's social, political, and legal views with other leading men contemporary to him, including Tench Coxe, Albert Gallatin, Alexander Dallas, and Thomas McKean. For discussions on the all-encompassing nature of early American republicanism, see my Thomas McKean: The Shaping of an American Republicanism (Boulder, Colo., 1978), ix-xiii; and Robert Kelley, "Ideology and Political Culture from Jefferson to Nixon," American Historical Review 82 (June 1977), esp. 536-37. John R. Howe, Jr., notes that Americans shared many of the same ideas about republicanism but he concentrates on showing how this often led to violence. See his "Republican Thought and the Political Violence of the 1790s," American Quarterly 19 (Summer 1967), 147-65.

20 Addison, Charges to Grand Juries, 48, 76-78.
upside down. "Man no longer marked by a fictitious scale of degrees, assumed his just rank of political equality. . . . Talents, cultivation and industry, combining with the varying chances of life, shaped the different stations of each; and established, among all, the gradations of dignity and influence. . . ." The American solution was a "rational system of government," one that proved "a spectacle to the world." Enemies might label America's republican experiment "visionary and unsolid," Addison pointed out, but these critics were poor judges, individuals ignorant of the realities of American life.21

America's republicanism worked and would continue to work, according to Addison, but its future success depended largely on the people's strength of character. The keystone of a viable republic was an informed and responsible citizenry. It was therefore essential that "public opinion . . . be wise and tolerant and progressive." In the end, society would be wise and tolerant and progressive to the degree that it succeeded first in being virtuous. Fortunately, while virtue was a prerequisite for a sound, healthy republic, republican governments tended to promote a virtuous citizenry, Addison declared; indeed, "to produce virtue, or public utility, [was] the true end of [republican] government." Addison defined virtue as "useful actions preceding from honest principles," and insisted that "virtue, the end of government," was best secured by "a Democratic Form of Government." The government which "most effectually and inseparately [Sic] combines and unites the general and individual interest," he proclaimed, was "a democratic republic." 22

Addison was persuaded that government had the capacity to create "national characters," that different forms of government invariably instilled in their citizens different values and practices which, in the end, produced differing national types. Inevitably a "monarchy" produced "habitual servility and baseness, mutual distrust and treachery, indolence and ignorance," he declared. The same was true of "an aristocracy." In such governments one found "a few tyrants and many slaves." The fewer the rulers the more diminished the inducements for virtuous lives, he insisted. In a democratic republic — and Addison judged the American scheme of government to be a democratic republic — the "whole people become the source of the hopes, prosperity, and happiness of every individual. . . . To be generally useful [was] the way to general favor. . . ." 23

21 Ibid., 78-79.
22 Ibid., 91-93.
23 Ibid., 94-95.
"Our government, happy for us," Addison told a grand jury in December 1793, is "the best kind," one that was "most favorable to virtue." It was a government based on representation where the representatives themselves — should they prove ineffective or incompetent — could be checked by the people. American representatives were "but the representatives of the people: the mouth by which [they] speak; the hand, by which [they] act. . . . The people prescribe and limit their authority — the People appoint them — the People call them to account — the People remove them." The people, he concluded, "will, the People do, everything." It was essential to keep in mind, therefore, that the "passions of the people [were] often the greatest enemies to their interests and liberties." Every individual "ought therefore, to consider, that, though for his own and for the public good, he is restrained from opposing the officers of the public in the legal exercise of their authority; yet, for his own, and for the public good, he is bound to support and assist them."

Did this mean that while in theory the people wielded considerable power, in practice they must blindly defer to their betters? Certainly not. It meant simply that except in instances of arbitrary and capricious pursuits on the part of their leaders, the people must recognize the various responsibilities implicit in a republican government. "A REPUBLICAN government is a complex machine of ingenious construction," Addison maintained, "where the moving power is controlled by the wheels put in motion by itself." There was no other government like it. In a republican government the powers have been divided, the branches of government integrated; the destruction of one part destroys the others. To ignore, destroy, or cripple one element of the delicate system through foolishness, impetuosity, malice, or selfishness would prove deleterious to the entire fabric of government, he contended.24

What recourse did he see for citizens intent on resisting "disagreeable" or "unjust" laws and policies? "Argument, remonstrance, a change of representatives," he argued, and "if the evils continue, a separation from the state." He confessed, however, that this last recourse had little practical application in America's current situation. The will of the majority determined policy, and that is how it should be. To revolt against the current government would be to re-

24 Ibid., 53, 55, 96-97, 99, 100. "Its tendency to anarchy being the principal objection urged against a democratic government," Addison noted, "it is incumbent on a free people, to evince, in experience, that this objection is ill-founded; that anarchy has no necessary connection with democracy. . . ." (p. 99).
volt against one’s own self. “What law will please all?” he asked. “To say that no law shall be obeyed, unless all approve it, is to say, that there shall be no law, and men shall live in a state of nature.” “It is a fundamental principle of a republic,” he insisted, “that the will of the majority shall govern the whole state. . . . If . . . laws be the will of the majority, they are entitled to obedience — if they be not, a just remonstrance, or a change of representatives, will draw forth the true will of the people.” “Forcible resistance to the will of the majority,” he concluded, was the worst of all political evils. . . .” 25

According to Addison, America’s republican government was one of limited powers, a fact which greatly reduced the likelihood that it would be arbitrary or unjust. He conceded that “every law [was] an encroachment on natural liberty . . . [and that] the more laws are multiplied the more liberty [was] restrained; the power of government becomes great and that of the individual citizen less.” But as “laws increase, liberty is diminished; it may not be less,” he argued, “than it ought to be. . . . Liberty is then only less than it ought to be. . . .” Still, he was content that “no more power ought to be vested in the government, than [was] necessary for its free and effectual operation”; that “no more laws ought to be made, than the protection of itself and its citizens requires. . . .” He was quick to point out that the kinds of laws passed were as crucial as their numbers in determining the extent of the people’s liberties and happiness, for certain laws were clearly more destructive of liberty than were others. In both respects, he thought, the people of Pennsylvania had been served well. 26

Addison argued that the law offered its own lessons for American republicans. Though persons coming before his courts as jurors might, as private citizens, express their views of laws, they could not in their official capacity as jurors ignore or modify the law. The relationship between the judge and jury afforded an excellent example, he informed them, of the differing spheres of interest and power explicit in the state’s republican structure. Undeniably, he told them, the jury system was pivotal to the efficacy of a pattern of law reflective of republican values. But if juries were the cornerstone of America’s legal system, Addison observed, they were also sources of corruption and imbalance. He regretted the tendency of juries to go “beyond their power,” to “make the law depend on their changing fancies,” or to “bend to their prevailing passions.” These irregularities reduced “all law to a state of uncertainty.” Juries should appreciate their limita-

25 Ibid., 49.
26 Ibid., 30-31.
tions and concede that while they were free to determine the facts of each case, the judge must in all instances determine the law. It was "incumbent on juries," he told them, "to yield all possible deference to the opinion of the courts in matters of law." Failure to do so jeopardized the intricate balance sought by the architects of the state government. The separation-of-powers doctrine was as vital to the legal apparatus as it was to a republican system of government.27

If the role of petty juries was reasonably clear-cut, the same could not be said for grand juries. Addison exercised his usual diligence in identifying specific obligations and responsibilities historically accorded grand juries and in clarifying the language and form of the law for jurors coming before him, but he admitted that the relationship between judge and grand jury was the subject of considerable debate. People of his district should be aware, he told them, that disputes still waxed strong "among the learned Men" as to the full range of a grand jury's powers. The eminent James Wilson advocated the admission of testimony for a defendant on the initiative of a grand jury; that is, Wilson favored a policy that would permit grand jurors to seek information from whatever source was available to them. The grand jury need not rely exclusively upon the court to determine what evidence or information it was to consider. Wilson clearly judged such power consistent with a grand jury's charge to pursue "a diligent enquiry" into matters coming before it. But learned men vigorously dissented, Addison confessed; they denied Wilson's interpretation and sought to limit the grand jury's latitude. The chief justice of the state, Thomas McKean, for one, "directly contradicted [Wilson's] doctrine," Addison told the September 1792 grand juries, and he left little doubt that he favored the position of the "Republican" McKean over that of the "Federalist" Wilson.28

Between 1791 and 1794, Addison became increasingly preoccupied with the federal excise laws and the violent reaction in his district to them.29 Even before he commenced his official duties as president judge of the Fifth Judicial District, the people of his region organized protests against the taxes. In August 1791, he opened his own home to citizens preparing resolutions in opposition to the excise measures, but took no formal position himself. Among the first cases to come before his court were ones related to open and often brutal opposition

27 Ibid., 56-58.
28 Ibid., 40-41, 52. Note the views of Supreme Court judges, George Bryan and Thomas McKean, in this regard in my Thomas McKean, 187-88. Both the conservative McKean and the liberal Bryan concurred with Addison.
29 For these developments, see Baldwin, Whiskey Rebels, 56-109.
to the federal laws and to personnel charged with collecting the odious duties. Not surprisingly, in his very first charge to a grand jury — in September 1791 — Addison felt compelled to warn against the consequences of opposition to the excise legislation, to identify what he judged riotous behavior in Washington, Allegheny, Westmoreland, and Fayette counties, and to plead that such behavior cease. He followed up in the September 1792 term by exhorting the grand juries to prosecute individuals involved in continuing violence against excise personnel, whatever the risk to themselves personally. "Is it reserved for us," he asked, "to set the only example of violence and riot. . . . Are we the only ruffians in Pennsylvania?" "If the tax be unlawful," he continued, "are not the courts of law open for redress. . . . if it be unjust, would the legislature be deaf to a remonstrance?" 30

In December 1793, he was still cautioning the people against aiding and abetting the current strife and warning them of the dire consequences should resistance to federal authority spread. Every individual, he protested, ought to be restrained "for his own and for the public good" from opposing federal officers in the legal exercise of their authority, for it was their "own authority that the public officers [were] carrying into execution." To wage insurrection against the United States government was to wage war against themselves. Such actions were not only ill-advised, he thought, but blindly destructive. Such a policy would quickly reduce the region to a state of nature. "Any government is better than none," he counseled them. Nonetheless, by June 1794, the resistance of the western communities to the excise laws and the personnel intent on collecting the taxes was widespread and imperiled all that Addison had sought to achieve in his capacity as judge and as a teacher.31

Neither Addison's "violent partisanship," his "conservatism," nor his "Federalism" was apparent during these trying years. His public pronouncements reveal a man deeply torn among his concerns for the law, his appreciation of the tentativeness of the society around him, and his cognizance of certain political and economic realities. He was a man striving desperately though moderately to effect some equitable solution. He sympathized with those injured by the excise laws, he considered the laws themselves "odious and unequal," and he roundly condemned the tactics frequently employed by excise personnel in the
course of their business as "unlawful and oppressive stretches of authority." Yet he remained deeply committed to what he termed "constitutional resistance," peaceful, orderly resistance, procedures which were "alone . . . justifiable in a free people." He could not and would not abide violent opposition to the laws of the land, however oppressive those laws were.\textsuperscript{12} In this, his hesitancy to countenance violence against arbitrary laws, as in his view of natural rights and his definition of "useful" behavior, he drew heavily upon the writings of Francis Hutcheson, Scottish moral philosopher.\textsuperscript{33}

At the height of the controversy, when naked insurrection seemed most imminent, Addison took his stand. Employing a charge to a Pittsburgh grand jury in the September 1794 term as a vehicle to address the people of the region, he characteristically confronted the problem publicly and directly. Should westerners submit peacefully to the hated excise laws? he asked. Yes, he thundered. To submit meant peace; to reject the laws and to continue the violent opposition to them meant war and destruction. It was as simple and as cruel as that. "There is no medium between those extremes," he warned. Continued resistance meant a war which would inevitably lead to anarchy. Given the choice of tyranny or anarchy, the people would always choose tyranny. The time for delusion was past. The people of Western Pennsylvania, he told them, represented "little more than a seventieth part of the United States" and therefore could not "pretend to dictate laws to the whole." If the current laws were repealed "at the call of armed men," government everywhere would be destroyed; "no law will have any force; every law will be disobeyed, in some part of the union." He warned the people that the federal government, a creation of their own making, was now "compelled to endorse submission to this law, or to none." All officers of the state and federal governments, all thinking men, saw this. America's struggle against Great Britain had reflected a very different set of circumstances, he reminded those who would draw a parallel between the region's current plight and that faced by America twenty years before. Unlike previously, the people of Western Pennsylvania were now represented in the general government. The government they now threatened, the leaders they ignored, the laws they abused, were all of their own making.


\textsuperscript{33} Compare Addison, \textit{Charges to Grand Juries}, esp. 33, 46, 48, 49, 86, 93, 99-100, 130, with Francis Hutcheson, \textit{A Short Introduction to Moral Philosophy} (London, 1747), 119, 280-82, 302-3; \textit{A System of Moral Philosophy} (London, 1755), 2: 212ff.
In language at once passionate and clinical, he denied that the people of Western Pennsylvania could win a pitched battle against federal authorities. The "whole force" of the United States, including the vast resources of their own state, would be unleashed against them, he argued; their cries for help to Canada and Great Britain would most certainly be ignored. There should be no delusion on that point. What they could count on was more trouble. "Poverty, distress, and famine [would] extinguish them," Addison insisted. Thus, working peacefully to amend or to eliminate the current tax laws served their own interests.

Addison emphasized that the people of Western Pennsylvania needed the federal government more than it needed them. Without the union, westerners would have little chance of subduing the Indians or of seizing western posts currently in British hands. They would have even less capacity to open and protect the Mississippi River. It was important for them to keep in mind, too, that the federal government sent more money across the mountains than it received in return from the excise collection. It was a catalogue of harsh truths for speaker as well as for listeners.34

Addison's assessment of current conditions in September 1794 was acclaimed by persons from a variety of political persuasions. William Findley, soon to be found in the radical wing of the inchoate Republican party, not only commended Addison's public effort as instrumental in calming the situation but also acknowledged the judge to be among a very few capable of swaying men to order and moderation. The volatile Hugh Henry Brackenridge concurred, as did the conservative William Rawle.35

But all was not praise. For his general conduct in the matter of the excise controversy, Addison was upbraided by people on both sides of the issue. George Clymer, sent west to evaluate conditions there, viewed Addison more as an obstructionist to federal aims than as a moderating force. Alexander Hamilton, who had initiated the excise laws in the first place, castigated him as "an enemy to the Federal Government" and singled him out as an example of the "discountenance of the law by persons in office." He scoffed at Addison's

34 Addison, Charges to Grand Juries, 100-12. John R. Wagner, "The Public Career of Alexander Addison," 39-40, discusses the means by which Addison's sentiments were disseminated throughout the region.

advocacy of “constitutional resistance,” arguing that there was “no such thing as ‘constitutional resistance’ to Laws constitutionally enacted.” Hamilton railed that there was “a wish among some persons of influence to embarrass the Government” and hinted none too subtly that Addison was a leader among those to whom he referred. Even as Hamilton vilified him and denigrated his promotion of “constitutional resistance,” rebels denounced Addison as a tool of the administration and threatened his life.16

That men of good will and moderation should applaud Addison’s efforts or that men less tolerant should criticize his participation should not surprise us. Addison’s advocacy of submission to federal will did not lock him into a Federalist alignment. On the contrary, his motives for supporting nonresistance were consistent with those held by the vast majority of Pennsylvanians, including the leadership of the state’s emerging Republican factions. Addison had little affinity for Hamilton’s vision of a powerful central government; indeed, as we have seen, he was no admirer of Hamilton during this period, nor Hamilton of him.37

Addison insisted that Pennsylvania solve its own problems, that state courts like his own, not federal jurisdiction, continue to wield prime authority in the western part of the state. Like Alexander James Dallas and Thomas McKean, both increasingly aligned with the incipient Republican party, Addison recognized that prolonged resistance on the part of westerners to the excise legislation would weaken state institutions and raise the specter of federal power seeping into the vacuum left by state failures. It was in part to protect state courts that Addison ardently counseled nonresistance. As early as the

36 Alexander Hamilton to George Washington, Sept. 2, Aug. 5, 1794, in Harold C. Syrett et al., eds., The Papers of Alexander Hamilton, 25 vols. to date (New York and London, 1961- ). 17: 27, 186-89. Hamilton remarked that it was “a great unfitness in a JUDGE of Pennsylvania indulging himself with gratuitous invectives against the judiciary system of the Government of the Union.” Details on the threats against Addison can be found in Brackenridge, Incidents of the Insurrection, 1: 123, and Addison to Mifflin, Feb. 23, 1797, in Pa. Archives, 2nd ser., 4: 541-43. In September 1795 (see ibid., 263), Addison had written Mifflin that “if confusion and war should ensue, my presence in this country may be unnecessary, and my absence may even be compelled.”

37 Compare Addison’s views on the use of federal troops in Western Pennsylvania and on the necessity of maintaining viable state courts, found in “Conference Concerning the Insurrection in Western Pennsylvania, Aug. 2, 1794,” The Papers of Alexander Hamilton, 17: 13, with the view of Thomas McKean, found in my Thomas McKean, 274-76. Brackenridge later claimed (Tree of Liberty, Aug. 30, 1800) that “as soon as [Addison] heard the approach of the army, and after he had an interview with Secretary Hamilton,” he changed sides and became an advocate of federal dominance.
fall of 1792, he told Clymer that excise infractions were “punishable in the state courts” and left no doubt that state courts were capable of carrying out their obligations in this respect. The “judicial system of the United States [was] impractical,” he told Clymer, “unless it [was] intended to sacrifice to it the essential principles of the liberty of the citizens, and the just authority of the state courts.” As a “citizen and as an officer of the court,” he thought it his “duty to preserve both.”

Two months later, in a letter to Governor Thomas Mifflin, Addison elaborated upon his criticisms of federal courts. The United States courts were “useless or dangerous,” he told Mifflin, “Useless because . . . State Courts [were] capable . . . of discharging . . . all their duties. . . . Dangerous, because if they exercise[d] their powers they must either destroy the essence of the trial by jury, or swallow up the State Courts.” He preferred them more “useless than dangerous.” By vigorously “suppress[ing] these riots,” he informed Mifflin, state courts would “leave no reasonable desire in the federal courts to take notice of them.”

Other factors contributed to the nonpartisan response to Addison. There were no firm party lines separating men in 1794. Alignments were amorphous; issues which had divided Federalist from Anti-Federalist were no longer viable. New concerns and forces had proven urgent enough to stimulate new alignments, but not decisive enough to solidify those blocs or to discourage men from remaining outside the political divisions. Also, issues serving as a focus for political alignments contained elements of ambiguity. The debate over acceptance of Jay’s Treaty in the summer of 1795, for instance, did much to harden political lines in Philadelphia but had much less impact on political divisions in Western Pennsylvania. Thus, Addison’s support of the treaty was not in itself a “Federalist” act; David Redick, Hugh Henry Brackenridge, and John B. C. Lucas, all of whom would later be associated with the Republican party, supported the treaty. Local issues created transitory political arrangements and elicited personal preferences regarding candidates, but Addison continued to work closely with men of all political persuasions throughout 1795. If

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38 Addison to George Clymer, Sept. 29, 1792, Wolcott Papers, Connecticut Historical Society. Clymer’s criticisms of Addison can be found in The Papers of Alexander Hamilton, 12: 496, 518-19.
ideological differences divided party leadership on the national level, little evidence exists of such divisions or ideological commitment in Western Pennsylvania. It should also be noted that participants during these years were much less eager to affix party labels to themselves than historians have been.  

Hence, despite the insistence to the contrary on the part of historians, there was nothing inherently "Federalist" in Addison's public, political, or legal views before 1795. Prior to 1795, he routinely refrained from commenting publicly on local politics (with the exception of the excise matter) or American foreign policy developments. He was no democrat, but few articulate Pennsylvanians were. The republicanism he delineated in his charges to grand juries — and, granted, it was a conservative brand of republicanism — was a republicanism embraced by political leaders throughout the state. Men might quarrel over specific features of America's inchoate republicanism, or debate its application in particular instances, but they agreed on its broad outlines. Indeed, the fact that republicanism, despite the direction it gave to people's lives, remained vague and indefinite, permitted men of wide-ranging political differences to find common grounds. Addison's was a textbook republicanism. His pronouncements on civil powers, natural rights, useful actions, the means of promoting happiness, and his remarks on social drives and interdependence found widespread acceptance among articulate Pennsylvanians.  

41 Tinkcom, Republicans and Federalists in Pennsylvania, 71, 144, 150. It is Richard Buel (Securing the Revolution: Ideology in American Politics, 1789-1815 [Ithaca, N.Y., 1972], 26) who claims that ideological differences separated the leadership of the two parties and that what distinguished Federalists from Republicans were their distrust of republics and their fear of popular whim in political issues. Addison argued that "Human conduct is under the influence of two very strong passions, hope and fear." He appeared more hopeful than fearful regarding the American republic prior to 1795. In local politics (outside the courtroom) Addison favored the interests of James Ross, later to be a prominent Federalist, but there is no justification for the type of surprise expressed by Russell J. Ferguson ("Albert Gallatin, Western Pennsylvania Politician," WPHM 16 [Aug. 1933]: 190) that Addison consulted frequently with Gallatin. See also Addison to Gallatin, Jan. 20, 1793, Gallatin Papers, New York Historical Society.  

42 Addison drew heavily upon the writings of Francis Hutcheson, as did Republicans Thomas McKean and Thomas Jefferson. It is instructive to compare Hamilton's views as treated by Gerald Stourzh (Alexander Hamilton and the Idea of Republican Government [Stanford, 1970]) with Addison's more flexible, moderate views. My conclusions here, however, are based primarily on a survey of the personal papers and public statements of leading political figures encountered in the course of writing my study of McKean.  

My observations are not meant to deny the existence of a democratic thrust within the state, just to stress that for the most part leading political figures did not articulate that political current. The political manifestations of the democratic interests emerged in more blatant forms after 1800.
His emphasis on representative government rather than direct democracy, his preoccupation with order and stability, his promotion of constitutional resistance to thwart unwanted or unjust laws, his advocacy of a republic of vital states and a minimum number of laws also struck a favorable chord, just as did his fear that the general population was not always trustworthy to exhibit the virtue and responsibility so essential to the salvation of a democratic republic. In short, neither his personal idiosyncrasies nor his ideological commitments set him off as “partisan” by 1795, nor did his qualified faith in the American republic distinguish him from those who soon would be clearly aligned with Republican interests, including Tench Coxe, Thomas McKean, Hugh Henry Brackenridge, Alexander James Dallas, Albert Gallatin, George Logan, and John Dickinson. It may be that Addison remained fundamentally more conservative in his personal views than his formal, public pronouncements of representative government and popular sovereignty promised. But at least publicly up to 1795 his republicanism was a “mainstream” republicanism.

Addison’s confidence in American republicanism was by no means shattered by the “Whiskey Rebellion,” but as his increasingly strident criticisms of those who resisted federal authority suggest, it was significantly eroded. Addison may have escaped death at the hands of the rebels who threatened him, but he did not survive unscarred or unmoved by his experiences. He did not change course so much as change tone and emphasis thereafter. By December 1794, certainly thereafter, Addison’s addresses to his grand juries became less optimistic, less liberal, less positive. One finds less patience with America’s democratic republic, less confidence in, and compassion for, persons struggling to work out the most democratic political, social, and legal arrangements for America’s republican experiment.

The refusal of the rebels to accept the inevitable even in the last stages of the confrontation with state and federal authorities and their public gestures of defiance elicited from Addison some of his most vitriolic observations to date. He railed against those responsible for raising liberty poles in a number of communities; he pronounced the poles symbols of liberty, but “a liberty to be governed by no law; a liberty to destroy every man who differed from them in opinion, or whom they hated; a liberty to do what mischief they pleased.”

43 Biographers of these men have not always focused on their republican ideology or the connection between their ideology and their legal opinions, but consult Walters, Albert Gallatin, and his Alexander James Dallas: Lawyer, Politician, Financier (Philadelphia, 1943); Charles Stille, The Life and Times of John Dickinson (Philadelphia, 1891); and my work on McKean.
called upon the grand jury to reject those intent on “Keep[ing] alive the spirit of riot and confusion” and to bring them before the bar of justice as their oaths required, “regardless of the consequences.”

Addison continued to espouse America’s democratic republican experiment and to laud man’s ability successfully to endure and progress under a republican system. Despite the recent tumults and his bitter disappointment in those who had blindly defied federal courts as well as his own, he maintained that man had “imagination,” that man was “a rational, moral and immortal being, distinguished by a mind, by a soul, by speech, by . . . reflex sensibilities. . . .” It was just these characteristics, he argued, that prompted most persons to “yield to subordination and government,” to recognize the value of orderly, tranquil society.

But while Addison continued to extol human virtues and those of a democratic republic, he increasingly began to speak more directly to formal religion as a necessary control over man’s more impetuous inclinations. Religion, he found, was “the only barrier against the power of a despot, or of all those who, in any state of society, or under any form of government, cannot be controled by the laws of society or the state.” He commended the role played by several local presbyteries in “condemning those involved in the late tumults.” He deemed it important for the people of the United States to appreciate the vital historical role religion played in the “civilizing process” and to recognize that society was a manifestation of “civilized” man. “Without society,” he declared, “Man remains always an infant [and] has everything to learn for himself. . . .” He argued that “society would imperfectly accomplish its object without government [and] without government society is useless or destructive; and men will either have nothing to enjoy, or no enjoyment of what they have.” To deny religion, then, was to condemn to failure American republicanism. It was a theme increasingly attractive to Federalists in Pennsylvania and beyond.

By 1795, his explorations into the role played by religion in the quest for progress and enlightenment were employed to draw his listeners’ attention to the fact that “life, and all the means of enjoyment, are, every moment, a prey to the rage of the boisterous, the malice of the vindictive, or the cunning of the insidious.” He reminded the jurors and court observers how close their own existence had

44 Addison, Charges to Grand Juries, 126, 128.
45 Ibid., 130-31, 132-33, 149. See also Buel, Securing the Revolution, 172-73.
come to anarchy in past months. He painted a grim picture of anarchy, stressing the fact that society produced safety and "safety produced comfort and good humor." "Man protected from each other, no longer saw each other as enemies," he observed, "but as fellow citizens and brothers." For the first time he pointedly drew their attention to conditions in France and the lack of order there.46

But it was less in his observations on foreign affairs at this point than in his concentration on the lack of American virtue and in his offering of religion as a panacea that one sees most clearly Addison's growing conservatism. As in the past, he extolled the necessity of virtue within a republic, repeating his warning that "when the people have lost their virtue, a democratic form of government will not long subsist," but now he became more direct in his attacks upon what he judged failings within the local communities. Prior to 1795, he had been content to discuss such matters in general terms, to couch them as potential problems, difficulties which, if properly anticipated, could be easily overcome. No longer. Now he lashed out at the more "democratic" elements and manifestations in the American republic: the uninformed, the incompetent, the seeker of false offices and honors, and the "skillful electioneering men."

At the heart of America's current malaise was the nature of representative government. In theory representative government was a wondrous and efficacious means of dealing with the realities of power and distance in the American republic. Practice was something else. Addison proclaimed it "a crime against [the] country" when someone, knowing himself to be "inadequate, [and] too lazy" still "seeks office for his own interest. . . ." Equally despicable were office seekers who "used flattery" or employed "skillful electioneering men" in their quest for power and influence, or more dangerous yet, utilized "combinations" to establish "undue influence on the minds of . . . [citizens]." Too often now politics were dominated by "pragmatical, intriguing, vain, conceited, and popularity-hunting men," he charged; "the most ambitious, and the most violent take the lead."

Even as the rapidly growing Republican party denigrated elitist politics and utilized "popular rhetoric" to persuade the public that its interests and those of the party were one, Addison turned the democratic rhetoric on its head. He, too, inveighed against those who gave blind deference to their leaders, who maintained a "subordinate attachment to fellow members," and he called upon the people to "lay

46 Addison, Charges to Grand Juries, 134, 136.
aside all . . . petty distinctions, and narrow affections, and regard each other only as citizens.” But it was not to reduce the power and influence of the local gentry that he emphasized individual, democratic responses; rather it was to break what he conceived to be the hold on the public mind by local demagogues. Too frequently the people had turned to “mushroom patriots,” men with “nothing to recommend them but ignorance, impudence, and violence.” “Let us put out of fashion the practices of candidates running about the country soliciting votes and interest for their elections,” he advised; “distrust the candidate who accosts us with smiles and flattery. . . . Avoid him, who industriously throws himself in your way.”

Throughout 1796 and 1797, the “failings” of the American electoral system preoccupied Addison’s attention. On the one hand, not enough citizens bothered to vote; they chose instead to stay home and permit their neighbors to select their representatives. On the other hand, too many of those who did venture to the polls failed first to “form a just opinion, on important and complex national affairs” because of their “ignorance and inexperience.” Little wonder, he pointed out in increasingly bombastic language, that “Boys, blockheads, and ruffians, [were] too often listened to, in preference to men of integrity, skill and understanding.” The net result was that “the modest may be silenced, the weak convinced, and the uninformed . . . persuaded.” Nor was the problem limited to Western Pennsylvania, for the 1796 national elections had provided Addison with abundant evidence of widespread corruption and failings on the state and national levels. He protested to those attending the March 1796 terms that pamphlets were circulated “stuffed with a turgid and foolish rant of liberty and aristocracy, and with base and pitiful misrepresentation of the sentiments and false and slanderous invective against the principles, of one of the earliest, firmest, most enlightened, uniform and irreproachable patriots in America.” He prophesied that the continuation of such behavior would have a “tendency to drive honest, able and disinterested men of sensibility, from public stations, and leave them to be filled by the ignorant, the selfish, the dissembling, and the shameless, to introduce a fickle and discordant system of measures, and to pervert the nature of the government.” He proposed that a law be passed compelling freemen to vote and punishing persons who “vote corruptly or willfully wrong.”

48 Ibid., 162, 169-70, 174-75, 202, 206. Addison favored returning to the “open manner of voting viva voce” (p. 163).
Addison continued to use addresses to local grand juries to examine the subtleties of America's federal system and to educate the citizenry in the intricacies of the law, but increasingly he emphasized the checks within the political model, the more negative aspects of the existing constitutional mechanisms. Time and again he stressed that the people "no longer exercise sovereignty themselves," that they had given it up "to the constitution and according to its limitations, to their agents, delegates, or representatives under it." The people might change the constitution, he told them, "but while they permit it to subsist, they must acknowledge its authority and refrain from resisting its dictates, or opposing the acts of its representatives." The will of the people was not to be found "in the opinions of individuals," he protested, but "in the whole body, the whole government." 49

Addison's confidence in American republicanism continued to erode throughout 1797. Not the least among the factors contributing to the Republic's current deterioration, so far as he could judge, was the increasing loss of virtue among its citizens. Much of the diminution of the people's moral fiber resulted from the loss of discipline and a reduced willingness to sacrifice once the Revolution was over. The growing demand for luxury items and the quest for a softer, less demanding life was understandable after the hardships of the war, Addison conceded, but this new softness and dissipation were no less destructive to republican values than they were to the Republic itself. America's vulnerability to graft and conspiracy had increased proportionately with the loss of earlier values. The subject of conspiracies became a pervasive theme in his addresses throughout 1797 and into 1798. At this point Addison was much more comfortable contemplating the past than he was anticipating the future.50

Would the American republic survive? He no longer was sure. He thought that "whether a whole people, even in a representative form, be qualified to govern themselves, remains yet a matter of experiment." The American experiment in a democratic republic left questions still unanswered; its history was yet too limited and turbulent, he thought, to "justify a confidence, that the experiment will be certainly successful."51

The size of the Republic itself seriously compromised its chances for survival, he told a September 1797 grand jury. Large areas were

49 Ibid., 181, 190.
50 Ibid., 188-89, 204. Linda K. Kerber (Federalists in Dissent: Imagery and Ideology in Jeffersonian America [Ithaca, N.Y., 1970], 1-22) treats the Federalists' fascination with the past and their search for an "Augustan Age."
51 Addison, Charges to Grand Jurors, 235.
not easily governed — like others, he had recognized that reality from
the beginning — because citizens far away from the seat of govern-
ment tended to be "less committed" to its honor and survival than
those residing close by. It was therefore especially crucial, he argued,
that large republics be governed by laws, not by the "passions, either
of the people or the officers." "It is common to say, that the people
always think right," he remarked to his grand jurors in June 1798,
"it seems more just to say that, the people always feel right." He ex-
horted the people to be more sensitive to "the station" of those elected
to represent them, to show more deference to men of wisdom and
ability. "Liberty and equality are not names of real objects," he ob-
served; "they are abstract terms, whose meaning is unfixed and hard
to be explained or understood...." Absolute liberty was not intended
by the framers of American constitutions, he insisted; "to understand
liberty, in its true sense, to ascertain its limits and relations, requires
intelligence, knowledge, and reflection." Man could become conscious
of liberty only by discovering how he was bound. By discerning
what he must pursue, he comes to appreciate that he has a right to
pursue it. Nor was absolute equality intended; "absolute equality of
man is, in the nature of things, impossible." Individuals who persisted
in seeking a society built upon "equality of compensation or property"
weakened America. To ignore the realities of differing abilities and
stations in the electoral process seriously compromised the nature of
representation, one of the most vital mechanisms in the salvation of a
large republic.52

Oddly enough, his growing dismay over the declining morality
and virtue exhibited by the American people and his appreciation of
the deterioration of American politics in general and American repre-
sentation in particular, led him to reject assumptions cherished by
his Federalist allies. Whereas most Federalists moved to resolve
many of these difficulties by enhancing the powers and scope of the
federal government, Addison looked first to reinvigorating local con-
trols. A large republic could survive, he thought. By focusing on the
smaller administrative units in the federal system, such as counties
and townships, many of the problems stemming from the impetuous-
ness of the people could be successfully averted. By strengthening
government on the county and township levels through constitutional
changes or renewed vigor by state officials, voters might be more ef-
fectively checked. With each passing day he saw a growing need to
"check" the American voter. "Respectable as this country is," he told

52 Ibid., 210-12, 223-24, 237-38, 239-40, 262.
his March 1797 grand juries, "we can hardly suppose, that the state of education and knowledge in it is yet such, as to enable all who may judge, to judge rightly, of the conduct of administration." This failing on the part of voters was exacerbated by the influx of aliens, and the state's "readiness . . . to admit [these] strangers to a participation of our privileges." 53

The number of aliens coming to America's shores was made more ominous for Addison by the ideas they brought with them. The French Revolution in particular and those persons championing its ideals lay at the heart of much of Addison's increasing belligerency in these months. If he was disenchanted with the drift of foreign affairs prior to 1796, he left no hint of his disenchantment in his public addresses. Now he made no effort to conceal his revulsion at the anarchy produced in France by revolutionary forces and the licentiousness and atheism it unleashed in America. A "disgraceful and disorderly" incident had occurred in his own district when a group of people in the dead of night "with great noise and tumult, to the disturbance of the neighborhood, erected in the street, a pole, which they called a may-pole, hung to it colours, and to them the French flag." "Such an abandoned spirit of seditious and treasonable subjection to the will of a foreign and hostile government . . . ought to excite the detestation of all good men, and lovers of their country," he warned. Privately he complained bitterly of "the predominancy of Jacobinism" in his own town of Washington and the fact that "that terrible spirit has completely pervaded [the] country and even entered into the courts of justice. . . ." 54

Such conduct ought to have been roundly condemned and the people instructed as to the legitimate interests of the American government and society. Instead, according to Addison, American newspapers had become evils in their own right; they encouraged disorder and licentiousness. He gauged them unreliable sources of information, existing only to "excite passion and curiosity." 55

53 Ibid., 211-13, 233-34. He also favored strengthening the executive in certain areas. See ibid., 219-20.
54 Ibid., 257-58, 268-70. Because one Absalom Baird participated in the Washington incident, Addison opposed his nomination as a justice of the peace, complaining to John Hall that Baird had "been uniformly among the strenuous opponents and censurers of our government, and has been and yet is of what is called the French party. . . . to give a commission to a man of his sentiments, would indeed be giving sanction to the opinion of the Directory. . . ." Addison to Hall, July 6, 1798, in Pa. Archives, 2nd ser., 4: 544. See also Addison to Timothy Pickering, Nov. 22, 1798, Pickering Papers, Massachusetts Historical Society (hereafter MHS).
55 Addison Charxes to Grand Juries, 257-58, 268-70.
Indeed, Addison protested, nowhere was the current licentiousness more evident than in America's newspapers. He railed against their ineptness and deficiencies. An editor "may be allowed to keep poisons in his closet, but not publicly to vend them as cordials," Addison proclaimed in June 1798; "a liberty to destroy reputation [was] as unjust as a liberty to destroy life. . . . If printers publish falsehood, indecency, or profaneness they poison society, corrupt morals, and undermine religion," he observed. "Nothing is more dangerous and detestable than such printers and newspapers," he went on; "they are public nuisances [and] ought to be rejected, and such printers punished." He scored newspapers in general but it did not escape the inhabitants of the Fifth Judicial District that he discovered more perfidy among Republican editors than among their Federalist counterparts. His attempt to use his own court to cripple the Republican Herald of Freedom in 1798 was the most commanding illustration of his partisanship in this respect.56

Federalists in Pennsylvania and throughout the union began to look to Addison as an important spokesman of Federalism. Some were merely drawn to his criticism of the turbulence besetting American society, his efforts in the interests of order and stability. Judah Colt wrote Dunning McNair that, "while on the one hand I have reason to Regret (with the rest of my fellow Citizens) that we have so many lawless and turbulent people to contend with. . . . I rejoice that we have Men of Knowledge, firmness and strict Integrity for the Judges. . . . I can never think or speak of Judge Addison, but in the highest Respect. . . ." Others admired him for his partisanship, his success in assaulting Republican personnel and principles. George Washington deemed it important to have Addison's ideas disseminated among all Americans. Oliver Ellsworth viewed him as the ultimate teacher of political wisdom. He wrote that ". . . after the Sacred Oracles, it should be the duty of Parents and Heads of Families, to read [an Addison address] to their Households; and that pupil who first can repeat it memoriter, will merit the highest honors of the school he belongs to."57

56 Ibid., 269, 282. In a letter to Timothy Pickering, Addison confessed his shock that the Herald of Freedom should "threaten the fall of the federal paper here . . . and the fall of federal principles." Addison to Pickering, Nov. 22, 1798, Pickering Papers, MHS.

57 Judah Colt to Dunning McNair, Nov. 13, 1797, in Marian Silveus, "McNair Correspondence: Land Problems in Northwestern Pennsylvania," WPHM 18 (Dec. 1935): 242; George Washington to Addison, Mar. 4, 1799, in Alexander Addison, Charges to Grand Juries, preface; Oliver Ellsworth to Timothy Pickering, Dec. 12, 1798, quoted in Miller, Crisis in Freedom, 139-40.
By mid-1798, the Addison familiar to students of the early Republic had emerged in full detail. Here was the man of bitter partisan harangues, James Schouler's judge of "scandalous rudeness," Sanford W. Higginbotham's "violent Federalist." By the fall of 1798, he was directing his vitriol against those sympathetic to the French and their ideas, and eagerly embracing the Alien and Sedition Acts (insisting that "the Constitution of the United States, has not been infringed, no right of the separate states infringed, nor the right of any individual invaded by them"). His opinions both from the bench and in his private correspondence became more xenophobic. He became, as Thomas McKean later expressed it, the "transmontaine Golia[t]h of federalism." Though formal impeachment proceedings against him would not be initiated for another year, when Addison used his charge to the Crawford County grand jury in November 1800 to inform grand jurors of Meadville that "interested parties" had purposely lied to voters in promoting McKean's successful quest for the gubernatorial chair, and when he continually refused to permit his Republican associate, John B. C. Lucas, the opportunity to answer his own partisan charges to juries, his dismissal was all but a foregone conclusion.

The story of Addison's impeachment and removal is a familiar one and need not be repeated here. Historians who have argued that Addison's demise was the result of Republican successes in 1799 and 1800, that Republicans endured his tenure in office only so long as they did not have the power to remove him, have painted a somewhat misleading picture. A number of factors contributed to his removal, not the least of which were his own rapidly changing biases, his deepening conservatism, his mounting vehemence in dismissing the demo-

58 See his An Oration on the Rise and Progress of the United States of America (Philadelphia, 1798); Rise and Progress of Revolution: A Charge to the Grand Juries of the County Courts of the Fifth Circuit of the State of Pennsylvania, at the December Sessions, 1800 (Whitehall, Pa., 1800); McKean to Jefferson, Feb. 7, 1803, Jefferson Papers, LCMD. A number of Addison's charges were reprinted and circulated in New York and Massachusetts, including his Liberty of Speech and the Press.


ocratic aspirations of a growing segment of the state's population, and his increasingly acerbic public observations on the Republican party and its personnel. In the end it was his "remarkable political aposta[cy]," as Thomas McKean put it, his political "pilgrimage" of the last five years, which rankled Republicans most. A good many men had changed their political views and party affiliations during these years but few rivaled Addison in influence and skill. The fact that he had once been "classified with the odious DEMOCRATS of Pennsylvania," as one wag in the *Aurora* facetiously observed, "and that [he] now rank[ed] with the furious FEDERALISTS," dismayed Republicans. He was a brother gone wrong, a rogue republican. The fact that he had "undertaken to revolutionize the whole western country" in the interests of his new political perspective added to Republican outrage.  

Given all this, that his partisanship was any more strident or his personal failings any more destructive than that of others prominent in the period is doubtful. Nor did his growing disillusionment with America's republican experiment, his misgivings about "securing the Revolution," mark him off from his Federalist allies. Addison differed most clearly from his contemporaries in his willingness to articulate in some detail his concept of republicanism, to set out his own assessment of the political, social, and legal systems essential for a decent society, to identify what he considered mandatory for a progressive, orderly, and enlightened republican civilization. He also stood out in his dedication to educating the people of Western Pennsylvania (and, in the end, of all Pennsylvania) to the norms and behavior expected of republicans, and in his willingness to provide a running commentary, as it were, on the successes and failures of Pennsylvania's republican experiment.

For all his later truculence, unattractiveness, and disillusionment, he provided a matchless introduction for the citizens of eighteenth-century Western Pennsylvania to the system of law that governed them, to the historical development of the legal, social, and political institutions around them, and to the legal and political progress of their own state. Even today, his addresses offer insight into the state...
of law, politics, and society in a pivotal period of our nation's history, and into the workings of one man's mind as he grappled with the forces and issues unleashed by the American Revolution. In that sense, Addison remains a "schoolmaster" of American republicanism.