

Age of Jefferson

April 21, 2006

## THE YEAR OF THE GUN: 1794

I. The Government Without Jefferson, 1794: Armed force against internal enemies, the Jay mission for Great Britain

--Jefferson left government at end of 1793, with the more middle-of-the-road Edmund Randolph taking over as Secretary of State. The administration now almost entirely in Federalist hands, and 1794 was year when they began a pattern of giving their enemies no quarter. To put it another way, 1794 was the year that the new government proved that it could and would use armed force against those who challenged its authority, especially against those within the nation's borders. This contrasted notably with their approach toward Great Britain, which got off easy by comparison.

--In response to British seizures of ships, the Republicans mounted a new effort at commercial discrimination which was barely beaten back by the Federalists. To stave off any further action on that topic, Hamilton decided that the administration should make at least the appearance of some diplomatic overtures to In March, AH urged GW to send a special envoy to negotiate a commercial treaty with the British.

--They picked Supreme Court Chief Justice John Jay (C.J. had plenty of time on their hands in those days), Secretary of Foreign Affairs during the 1780s and the man who had once traded away access to the Mississippi. This choice was condemned by westerners and Republicans who well remembered the Jay-Gardoqui treaty and all the trouble that the closing of the Mississippi had caused in the west.

-- There was little chance that Jay was going to get any favorable deal from the British. There

was not much chance of concessions while a war with France was going on, especially on the issue of West Indies. The Jay mission was political move, in the interests of Feds and Northeastern merchant supporters. The argument could be made and was made in Philadelphia that no discrimination legislation should be acted on while negotiations were going on, effectively putting the whole issue on hold.

## II. Crushing the Whiskey "Rebellion"

### A. The Excise Tax and Frontier Society

#### 1. Whiskey & taxes in the rural slums of western Pennsylvania.

[NOTE TO STUDENTS: Most of this material draws on the Slaughter book, which you should definitely read.]

— Why was whiskey tax a problem? One reason it passed was that money was needed to pay for new army to subdue the northwestern Indians, a cause that was theoretically popular in the West.

--Whiskey was best way to market crops (especially for poor farmers) & an object of barter.

(You could use it like money.) Indians were among the largest markets. Excise struck hard blow at one of frontier farmers' few means to economic viability (beyond subsistence.)

-- The tax drained hard money from places that had little of it already, favored large over small distillers (because of the terms on which the licenses that had to be bought and large distillers' economies of scale.) It was a federal tax, subject to the jurisdiction of the federal courts, which meant expensive travel to a capital or big city across the mountains like Philadelphia.

-- Many "frontier" areas were more rural slums than the frontiers you may have seen in movies or museums. Typical "log cabins" are better described as log huts, infested with lice and packed with people. This was especially true of western Pennsylvania, where 70% of the rural

population did not own land. Class resentments were starting to fester, with a distribution of wealth as unbalanced as Boston. The vast majority were very poor, but an economic elite was beginning to emerge. Land ownership was heavily concentrated for U.S., and those who could afford it were beginning to invest in manufacturing, the economic future of the area. The old settler population was falling behind.

— Situation carried many reminders of the problems leading up to American Revolution, including a sense of the west as a mistreated colony of the east, not really represented by and unfairly treated by a government that did not care or was actively hostile to the interests of the common people of the west. The federal government was seen as slow to provide necessary services (including courts), soft on Indians and foreign powers, and now intending to tax the west unfairly. These kinds of problems had led to western violence many times in the past, and would again.

2. Excise universally opposed and protested all over the west. Unenforceable west of the mountains.

--- The excise was strongly opposed all over the west, from western PA to KY, western VA, western SC & NC. In the West, even Federalists and strong supporters of the government opposed the tax. A land tax was proposed instead, which would fall on speculators and large landholders who could better afford to pay.

-- After the passage of the tax, citizens went into action all over the west. Large protest meetings were held, and threats were made against would-be collectors, even against those who dared to rent them office space. One tax collector in Washington County, PA was attacked by 16 opponents of the tax in 1791. Dressed in women's clothing (Indian costumes were used on other

occasions), the tax protesters beat him up, cut off his hair, tarred and feathered him, stole his horse and left him in the forest. The local sheriff refused arrest the attackers out of fear. When an illiterate man was found to deliver a subpoena to the protesters but got beat up, whipped, robbed, tarred & feathered and left tied to a tree for 5 hours.

—In the end, the excise proved unenforceable anywhere west of the Appalachians. All of this was patterned after the methods used against the British before the Revolution, such as the patriots had used against the Stamp Act. Such ritualistic mobbings seem odd to us but were very old and even “constitutional,” part of the normal political order, to many Americans. Violence and mobbing were the common people’s traditional form of political expression.

However, the western Pennsylvania situation was set up for rebellion by two factors that came from the top, not from the common people of the area. First was the man appointed to collect the tax.

## B. Origins of the events in western Pennsylvania

### 1. Excise opponent John Neville appointed as collector of the excise.

-- Gen. John Neville was a native Virginian from Washington’s home area, one of those Virginians who had long had their eye on the Monongahela River country near Pittsburgh. Neville was a tough former Revolutionary War officer, intensely loyal to his former commander George Washington. In western PA, Neville was a large landowner and businessman who lived Virginia planter style in a mansion called “Bower Hill,” served by 18 slaves, plus 10 horses and 16 head of cattle. (The average family in region did not own even 1 cow and 1 horse.) Neville also had a still pumping out 600 gallons of whiskey a year, when most of the poor farmers had to use somebody else’s. Neville was haughty individual who believed he was owed some deference

from his common neighbors, whom he was prone to call the “rabble” in his letters and talk.

Neville definitely felt himself to be a member of the natural aristocracy.

-- Neville was not a well-loved man locally, but he was respected for his Revolutionary service until he accepted the appointment as excise collector. Formerly he had been an opponent of the tax along with everyone else, but now he was going to collect it. Why would this look particularly bad? An example of Walpolean “corruption” and influence, showing a fatal lack of republican virtue.

--Neville saw himself as deeply virtuous for carrying out his duty despite his personal disagreement. However, he also stood to gain from cooperating with federal authorities, especially since Pittsburgh was equivalent of military base for campaigns against the western Indians. Any money he would lose to the excise he would gain back from military supply contracts.

## 2. Hamilton decides to make western PA a test case, and an example.

— Neville was one factor that made Western PA the site of the rebellion, but Hamilton was another. I said earlier that he wanted to impose an internal tax to get people in the habit of it and prove government could. In face of opposition he was just as eager to make an example of some locality and force it to pay, by armed force if necessary, to make the same point. It was all about power and obedience for Hamilton. His euphemism for government power was “energy.” It was “absolutely necessary” that “a decided experiment should be made without delay of the energy of the laws, and of the government to put them into execution.” The Pennsylvania problems were embarrassing because the national capital was in the same state, but that same circumstance provided an opportunity, because the trouble was relatively near by. Hamilton decided to

publicly single out western PA both for stepped up enforcement and for public identification as the center of the tax rebellion. Neville's appointment may have owed something to this plan. Hamilton knew he would never back down. (Neville didn't, repeatedly asking for military aid.) The government suppressed reports of violence in other states, but made sure that the Philadelphia newspapers saw Neville's reports from Pittsburgh. After some protest meetings in 1791 & 1792, Hamilton convinced Washington to issue a proclamation demanding that the western Pennsylvania tax protesters end their "unwarrantable proceedings" and "to refrain and desist from all unlawful combinations . . . tending to obstruct the operations of the laws." This apparently including the meetings as well as the violent incidents. Washington stopped short of threatening force as Hamilton wanted but made it clear that the protests would be treated as "dangerous to the very being of the government." This came close to calling the tax protesters treasonous rebels before they had actually rebelled much at all.

— Hamilton then did everything he could to force the western PA situation to a head. He goaded on Neville, and stepped up collection, especially legal action against violators.

### C. The "Rebellion" and the Government's Response

1. Key incidents: July 1794 attack on Neville's house (2 attackers killed, house burned), Aug. 1 meeting, rumors of march on Pittsburgh.

-- Neville went with the U.S. Marshal to serve writs on some small distillers summoning them to Philadelphia for trial. The writs actually were not even valid. Law had been changed to allow local trials. Neville was bluffing to induce payment.

-- A crowd of laborers ran Neville and the marshal off, and a local militia that mustering nearby heard the rumors and decided to capture the marshal. They went to Neville's house, and when he

refused to come out, he ordered them back and then shot, killing one of their leaders. He then ordered his slaves to fire from quarters in back of crowd, harming several others.

--2 days later, there was a more serious attack. Reenacting a scene from the Revolution, 500-700 men marched in front of Neville's house. Militia commander James McFarlane asked for Neville to surrender and resign his office, as had been done with stamp collectors. Neville was not in house this time, but a Major Kirkpatrick and 10 soldiers from Fort Pitt were. Fighting broke out and lasted for one hour. The militia set fire to the house and slave cabins, but there were no deaths except for McFarlane himself, shot while he was approaching the house to negotiate a truce. Soldiers eventually surrendered and house was looted.

--The cause now had a martyr and wild rumors spread about secession, full-scale rebellion, and an attack on Pittsburgh. Respectable opponents of excise were desperate to calm things but also afraid for their lives. Appeals for aid were sent to VA, and a mail stage was robbed to catch opponents of the rebellion.

--7,000 people, mostly poor assembled at a meeting on Aug. 1 at Braddock's Field. The plan was to march on Pittsburgh, symbol and capital of region's elite. There was open talk of the new hats and hunting rifles and cooking pots that people would get when town was sacked. There was lots of talk but the crowd got a little too drunk for military action -- on liquor partly supplied free by townspeople who hoped that it would sooth tempers. The fort in Pittsburgh had cannons, and people got nervous thinking about facing those. Eventually most of the crowd went home without doing much of anything. 2 weeks later a more orderly meeting passed resolutions that respectfully condemned the excise but pledged to support law and order. That was pretty much it as far as any "rebellions" went.

2. Hamilton convinced Washington that a demonstration of “military coercion” was necessary, and they led a 13,000-man army to western PA.

-- Peace commissioners were appointed to negotiate with the rebels, but GW and AH decided on a military solution before the results were known. There were many incidents (mostly non-violent) in support of the rebels elsewhere, such as the raising of liberty poles. Washington became convinced that rebellion was part of plot to overthrow the government instigated by the Democratic-Republican Societies.

-- The overwhelming military response was consistent with AH’s theories about government. “Government cannot said to be established until some signal display has manifested its power by military coercion,” he had written. This was to be the signal display.

-- Washington and Hamilton personally led an army of almost 13,000 (largest army ever fielded up to that time on American soil) to western PA in October. They rounded up 100s of suspects, but located only 20 actual “rebels” and encountered no armed resistance. Perhaps 2,000 had already moved farther west, including everyone who could be reasonably defined as a “leader” of the “rebellion.” In the end, 2 were convicted of treason, then pardoned.

3. Washington blamed the rebellion on the "self-created" Democratic Societies, but in fact the Democratic Society of Pennsylvania, the large chapter in Philadelphia, split over the issue.

The *radical* members marched west with the troops. Do you see why they would want to do that?

### III. President Washington’s Indian War

#### A. Preparing for a rematch after St. Clair’s defeat

1. Washington decided to raise entirely new army. “United States Legion”



created under General Anthony Wayne.

The new army was partly funded by the Whiskey excise, or so it was argued. It was state of the art as Harmar's and St. Clair's armies were lackluster. Wayne's "legion" got color-coded insignia, hats, and flags, plus better pay, and years of training. Discipline was very strict. Wayne gave orders that front-line soldiers who broke ranks without orders should be shot at by the second line.

2. British provoked U.S. further by establishing new Ft. Miamis, deeper in U.S. territory.

— The belligerence was coming from the Canadians and the Indian Department rather than the home government. Did Britain really want another front in the war with France? Probably not. The British were willing to see the Indians harass the U.S. a bit, but not actually start a new war.

#### B. Wayne's campaign against the NW Indian Confederacy

1. Indian, British, and US calculations.

-- Remember the Jay negotiations are going on in the background. The leaders of the Indian confederacy began to be concerned about how far British would really go to help them. Little Turtle and others asked but did not receive very clear or satisfactory answers to their questions.

--Concerned by the evasiveness of British, Indian leaders Joseph Brant and Little Turtle advised negotiating from strength rather than waiting to be beaten by the stronger American army, but British agent Alexander McKee and Shawnee militants undermined them

--Wayne basically planned to march straight up the Auglaize and Maumee Rivers to the area near present Toledo, Ohio where the British had just built their new fort. He would destroy Indian towns and cornfields and hope the threat of starvation would make them fight. He did not think

that Canadian authorities would dare order fort to shoot at a U.S. force without direct orders.

--Wayne was right. The British home government was planning to give up the western posts on their own, and really did not want an American war. The Canadians did not know this at the time, but all sides were aware that one false move -- one shot fired by Wayne's army at the fort, or vice versa -- and another major war would start

## 2. The Battle of Fallen Timbers, Aug. 1794

--The Indian plan was to ambush Wayne's troops in an area where a tornado had knocked down lots of trees. The Indians fasted before the expected battle as they usually did, but Wayne showed up 2 days late, by which time many warriors had gone north for food

--The Indian ambush worked at first, but Ottawa and Wyandot warriors chased Wayne's madly fleeing advance troops out of the timber only to run into the main body of the army -- Indians were soon in retreat toward Ft. Miamis

--The British commander with orders not to start a war shut the gates before Indians could get in. Later Wayne rode around the fort in plain sight to check defenses and prove that British would do nothing against him. Wayne also had his troops lay waste to Indian villages and fields around the fort, including McKee's trading house. Thus this particular Indian confederacy came to an end, clearing the way for the beginnings of US settlement north of the Ohio.