



The Whiskey Rebellion

Following the close of the American Revolutionary War in 1783 the newly independent states functioned much as they had previous to the split with Great Britain. Each state had its own rules and regulations governing its patterns of commerce and industry. Each state had its own monetary standards. The *Continental Army*, organized during the war, had been disbanded following cessation of hostilities and each state maintained its a militia for its own defense. The only thing that held the states together was the somewhat tenuous agreement called the Articles of Confederation. It must be remembered that the Articles Of Confederation had been drafted in the "heat of the moment" of the war. The Articles spoke to people waging a revolt and as such were, for the most part, concerned with matters relating to defense and independence. The various states embraced the Articles during the war because it benefited them to do so. When the war ended and the states felt secure in their independence from Great Britain they seemed to forget the reasons for the Confederation they had agreed to in 1778. The Congress composed of delegates from all of the states continued to convene and to request the states' compliance with its proposed commercial and legislative measures. But the Congress was ineffective and weak. On 26 March, 1785 the British Ambassador to France told Franklin, Adams and Jefferson at Paris that Britain would not consider entering into any commercial treaty with the newly independent colonies as long as any single state could render "*totally fruitless and ineffectual*" any such agreement. In 1784 the Congress issued an appeal to each and every state to agree to grant Congress a 15~year "grant of power" to regulate foreign commerce. The states refused to agree on that issue and nothing came of it.

Something had to be done to rectify the situation in which Congress found itself: a governing body which had practically no power and which had to plead and beg the states for their approval on every measure it wished to adopt. Virginia's legislature invited delegates from each of the legislative bodies of her sister states to meet in convention to discuss interstate commerce at Annapolis, Maryland during the second week of September, 1786. Nine states accepted the invitation but only New York, New Jersey, Pennsylvania, Delaware and Virginia actually attended. The poor attendance, implying the lack of interest on the part of the other states, convinced the delegates that did attend that something must be done before the "union" fell apart. A committee prepared an address to the states. Adopted on 14 September, the address requested the states to send delegates to a new convention to be held at Philadelphia on the 2nd Monday of May in the following year. The purpose of this convention, as voiced by Alexander Hamilton who had drafted the address, would be to discuss not only commercial concerns, but every matter necessary "*to render the constitution of the Federal Government adequate to the exigencies of the Union.*" In this case, the word *constitution* was used to refer to the structure or makeup of the governing body. The word *exigencies* refers to the requirements or needs of the union between the individual states. For the union to survive, the structure had to be sound, and the Articles of Confederation, while adequate in a state of revolution, were simply not as adequate for continued interrelationships between the states in peacetime. By 25 May, 1787 a quorum of delegates from seven states had at last assembled at Philadelphia and the work of creating a plan to channel power from the states into a federal government began.

The Constitution of the United States of America was ratified by the state of Delaware on the 7th of December, 1787. Pennsylvania followed Delaware's lead on 12 December of the same year. New Jersey approved ratification about a week later, on 18 December. As the new year of 1788 dawned

Georgia became the fourth state to vote in favor of the proposed Constitution, handing in that vote on 02 January. Connecticut met in convention to vote on the Constitution, and on 09 January voted favorably toward it. On the 7th of February Massachusetts approved ratification, but suggested seven amendments to be attached to the primary document. The people of Rhode Island were very divided on the subject and even could not agree to meet in convention to discuss the subject. The pro-Constitution advocates persisted and finally, two and a half years after Delaware's lead, the state voted to ratify the Constitution on 29 May, 1790. In the meantime, Maryland ratified on 28 April, 1788 and South Carolina on 23 May, 1788. With eight states having ratified the Constitution there was only one more affirmative vote needed to bring about the document's formal adoption. That vote was cast by the New Hampshire legislature on 21 June, 1788. The remaining states ratified the Constitution as follows: Virginia on 25 June, 1788, New York on 26 July, 1788, North Carolina on 21 November, 1788 and Rhode Island on 29 May, 1790.

The integral significance of the Constitution of the United States of America lay in the fact that the Federal government was given the power to effect changes for the common good of the states. Prior to the Constitution each state exercised its own *provincial* power. The second Article of the Articles of Confederation stated that "*Each state retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this confederation expressly delegated to the United States in congress assembled.*" That sentiment of states' sovereignty was not repeated in the Constitution; instead all the power to enact laws and regulations was vested in the Congress of the United States. The Whiskey Rebellion, which erupted within the western counties of Pennsylvania, was the first conflict to test the strength of the Constitution. The discontent and armed rebellion was the first to be directed against a law enacted by the Federal government. The correctness and fairness of the law was not the reason a Federal army was called out to crush the rebellion. The real thing in question was whether the *united* states and citizens of that union would support the Federal government, whether it was right or wrong.

On 03 March, 1791 the Congress enacted an Act consisting of sixty-two Sections titled *An ACT repealing, after the laft Day of June next, the Duties heretofore laid upon Diftilled Spiritss imported from abroad, and laying other duties in their ftead; and alfo upon Spirits diftilled within the United States, and for appropriating the fame.* The Act imposed a heavy burden on a particular group of citizens, and that is chiefly why it was challenged. Coupled with the fact that the majority of the residents of the western counties of Pennsylvania had been opposed to the Federal Constitution, the selective tax was especially galling to the farmers and distillers of that region.

The statement has often been made that the reason farmers in Pennsylvania converted their grain crops into Whiskey was because it was more easily transportable and more economically profitable than grain in its natural state. Mary K. Bonsteel Tachau, in her essay *A New Look At The Whiskey Rebellion* in the book, *The Whiskey Rebellion: Past and Present Perspectives*, noted that "As long as Spain withheld free navigation of the Mississippi River, western farmers could not sell their grain, hogs, hemp, or tobacco in eastern markets because the cost of transporting those products across the mountains was greater than their intrinsic worth. The only economical way to sell grain was to distill it. Whiskey had the greatest vale for the least weight and volume, and in vast areas of the frontier, it was the only cash crop." This might have been a primary reason, but economic concerns were not the only reason why so many farmers had their grains, especially rye which grew well in the western Pennsylvania soil, distilled into Whiskey. As noted by Jerry A. Clouse in his book, *The Whiskey Rebellion: Southwestern Pennsylvania's Frontier People Test The American Constitution*, Whiskey during the late eighteenth century was not a luxury, but rather a necessity. "It was used for medicinal purposes as aspirin is today", and "One of the most important duties of the military quartermaster was to requisition sufficient amounts of whiskey for the army's daily ration." Whiskey, for whatever the reason, was indeed a good cash crop.

Section 15 of the ACT of 1791 enacted:

That upon all fpirits which, after the faid laft day of June next, fhall be diftilled within the United States, from any article of the growth or produce of the United States, in any city, town or village, there fhall be paid for their ufe the duties following; that is to fay ~ For every gallon of thofe fpirits more than ten per cent below proof, according to Dicas's hydrometer, nine cents. For every gallon of thofe fpirits under five and not more than ten per cent. below proof, according to the fame hydro~ meter, ten cents. For every gallon of thofe fpirits of proof, and not

more than five per cent below proof, according to the fame hydrometer, eleven cents. For every gallon of thofe fpirits above proof, but not exceeding twenty per cent. according to the fame hydrometer, thirteen cents. For every gallon of thofe fpirits more than twenty and not more than forty per cent. above proof, according to the fame hydrometer, feventeen cents. For every gallon of thofe fpirits more than forty per cent. above proof, according to the fame hydrometer, twenty-five cents.

Section 21 of the ACT of 1791 enacted:

"That upon ftills which after the laft day of June next, fhall be employed in diftilling fpirits from materials of the growth or production of the United States, the yearly duty of fixty cents for every gallon, English wine meafure, of the capacity or content of each and every fuch ftill, including the head thereof."

Section 19 gave details for how the casks were to be branded for identification. Section 24 specified that "Proprietors of stills" were to keep a written account of the hours the still was operated and the quantity of liquor produced in it. Other Sections of the ACT specified the penalties which would be levied against anyone who did not comply with the ACT.

The ACT was approved and signed by George Washington on the 3rd day of March, 1791 and by the 27th of July the people of western Pennsylvania were congregating to protest the excise. The first meeting was held that date at Redstone Old Fort (Brownsville) in Fayette County. The decision was made to request the rye producing counties to send representatives to a meeting at Pittsburgh for the purpose of drafting a petition to Congress to repeal the excise law. That meeting was held on 07 September, and although the petition was drafted and submitted to Congress the only thing the meeting accomplished was to further unite the residents against the excise. In fact, on 08 May, 1792 the Congress approved a second ACT, titled *An ACT concerning the duties on Spirits distilled within the United States*, which not only confirmed the previous ACT, but increased the duties by one cent per gallon of spirits.

The discontent continued to brew over the next two years with an occasional act of aggression occurring here and there. Excise officers, sworn to collect the tax, were physically attacked and their houses and barns burned in various isolated incidents. Even farmers who simply complied with the law and paid the excise were threatened with harm. Eventually, during the summer of 1794, the crisis reached a climax all along the western frontier region. On 15 July, 1794 when U.S. Marshal David Lennox and the Supervisor of Collection, John Neville arrived in Allegheny County to deliver a court summons to Colonel David Philips, he immediately began to call together his neighbors to harass the officials. The next morning a group of roughly forty men surrounded the Neville house calling for his resignation and demanding that he surrender to them his records associated with the tax. He refused, and instead fired upon them wounding five, one of which later died of his wounds. The rebels returned the next day in larger force and burned the Neville house and farm buildings.

The next notable incident occurred about a week after the Neville home was burned. John Wells, who had opened an excise office in the house of Philip Reagan in Westmoreland County was attacked and the Reagan barn was burned down. At about the same time the excise office of Benjamin Wells, John's father, was attacked and destroyed. With the threat of being tarred and feathered, John Webster, the excise collector for Bedford County, was taken from his home in Quemahoning Township (present-day Somerset County) and forced into swearing that he would resign from his position. His stable was then set afire.

The capping glory of the rebellion took place on the first of August, 1794 when over five thousand rebellious residents congregated at Braddock's Field to the east of Pittsburgh. This rebel gathering was done for the dual purpose of mustering a citizens' militia to serve as a show of force to the Federal government and also to induce more of the residents to back the rebellion. The militia then marched the eight miles to Pittsburgh and paraded through that town to announce their protest of the excise tax. The Washington administration responded by issuing a proclamation on 07 August in which he blamed the political leaders of western Pennsylvania of rousing unrest in the "ignorant

poor". Washington appointed a peace commission to head to Pittsburgh to attempt to quell the violent situation. He also called for the raising of a Federal Army to use force if necessary to stop the rebellion. On 19 September the Pennsylvania Assembly approved an act to raise a militia to march against the western rebels. A militia force consisting of between twelve and fifteen thousand troops was raised in Pennsylvania, New Jersey, Maryland and Virginia. The point of rendezvous would be Bedford. A few minor incidents resulted in the deaths of two civilians while the New Jersey and Pennsylvania branch of the militia was enroute to Carlisle. President Washington reviewed the troops at Carlisle and then departed for Fort Cumberland, Maryland to review the Maryland and Virginia branch. The two branches of the Federal militia arrived at Bedford on 19 October, 1794. Washington accompanied the army no further than Bedford, instead he returned to Philadelphia and left the army in the hands of General Henry Lee with instructions to suppress the rebellion either by judiciary process or by force.

The Federal troops, if they were spoiling for a fight, were badly disappointed to find no armed rebels waiting in defiance. Instead all they found, when they arrived in the vicinity of Pittsburgh by the first of November, were liberty poles around which the protesters would rally. A proclamation was issued to the inhabitants that the Federal troops were there to uphold the government which the people of the United States had established under the Constitution. A list of insurgents and witnesses was prepared and on the rain and snow soaked night of November 12 nearly one hundred and fifty men were aroused from their beds and marched to prison quarters. One man is known to have died of exposure in the cold of what the local residents termed "the Terrible Night". On 19 November the Federal troops began their trip back to the east with their prisoners to stand trial in Philadelphia. They arrived in that city on Christmas day, 1794 and the trials began in May of the following year. In the end all but forty-three of the accused rebels were pardoned. The forty-three were tried on charges ranging from misdemeanor to treason. Twelve of the forty-three escaped their imprisonment and fled, and the cases against the rest were difficult to prosecute because there was not sufficient evidence for them to be substantiated. Only two rebels, John Mitchell and Philip Wigle were sentenced to death ~ Mitchell having robbed the mail and Wigle proven to have participated in a riot in Fayette County. After the trials were completed President Washington pardoned both Mitchell and Wigle. No blood was shed by the Federal government.

The Whiskey Rebellion has been debated over the two centuries that have passed, and regardless of whether the Federal government was right or wrong, one simple truth emerged from the episode. Armed rebellion by one segment of the population would not destroy the structure, the *Constitution*, of the United States of America. The Whiskey Rebellion actually strengthened the union between the individual states by testing how far they would support the Federal government to enforce its laws.



the 1994 Constitution Day Dinner

The 1994 Constitution Day Dinner will be held on September 17, 1994 at the Altoona Ramada hotel. The dinner, consisting of beef tips with noodles, glazed carrots, fruit cup, tossed salad and apple pie, will commence at 12:00 noon.

The guest speaker for this occasion will be Mr. Melvin Sonne, the Bedford County Chairman of the Regional Task Force of the Whiskey Rebellion Bicentennial. Mr. Sonne, the acknowledged expert on the Whiskey Rebellion and Bedford County's role in that conflict, has been instrumental in directing attention to Bedford County's role as the easternmost of the western Pennsylvania counties involved in the Rebellion. It is very appropriate that this year's speaker will touch on the subject of the first test of the validity and strength of the Constitution.

As host of this annual event, the Blair County Chapter will be pleased to extend an invitation to members of the Adam Holliday, Bedford County, Colonel John Proctor and Standing Stone Chapters of the DAR to join us in this celebration.

The cost of the dinner will be \$12.00 per person. Those wishing to attend should respond with their reservations by Wednesday, September 14, 1994 to Larry D. Smith, Treasurer, RD #1, Box 704-A, East Freedom, PA 16637. As always, you may pay at the Dinner, but please notify Larry of the number who will be able to attend by the 14th.
