

Wm. M. McLain

INCIDENTS
OF THE
INSURRECTION

IN THE

Western Parts of Pennsylvania,

In the Year 1794.

By HUGH. H. BRACKENRIDGE.

1748-1816

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INCIDENTS, &c.

CH A P. I.

WHAT I write is with a view to explain my own conduct, which has not been understood. It is possible I may not be able to remove the misconception of every one. I am aware how difficult it is to change opinion, even with the best cause on my side: But I may support those who have undertaken my defence in conversation; and it may satisfy others, who are disposed to find men innocent rather than criminal.

ON the evening of the 14th of July, David Lenox, marshal of the district of Pennsylvania, was introduced to me at my house. I had heard that he had been, on his way, serving process, on delinquent distillers, in the intermediate counties from Philadelphia to the western country; and in the western country itself. The conversation turned on this subject; and the marshal expressed, with great sensibility, his satisfaction, in having met with no insult, much less injury, in the execution of his duty. My impression was that of surprise, that he should have apprehended any. For, though the people had been in the habit of thinking it no inconsistency with the reputation of a good citizen, to insult or abuse an excise officer; yet I had considered them as distinguishing between these, and other officers of government. For though outrages had been committed on excise officers, yet no sheriff, nor constable, had been opposed in arresting the offenders. They had been brought in upon process, and prosecuted at the court. There was no reason in the distinction; but it was made. It was owing to this;

that the excise law was odious, and the public voice against the officers; but the office of sheriff, or constable, carried with it the authority of law, which the people had been in the habit of respecting; and the opposing which would be considered infamous, in public opinion. I had supposed they would have considered the marshal in the light of a sheriff, or judicial officer, and would not molest him. However, it so happened, that I was mistaken in my confidence of his security; for the evening of the next day, having been out in company with the inspector of the revenue for the district, John Neville, serving some remaining writs upon distillers, in the county of Alleghany, he returned with an unfavourable account of his reception. He had served the last writ he had to serve, in that quarter, and had just quitted the house of a distiller, of the name of Miller, when a number of men were observed to be in pursuit of them, and a gun was discharged. The marshal conceiving it not to be with a view to injure, but intimidate, turned and expostulated. But observing a fullness of countenance, and advised by the inspector, who knew their disposition better, he thought proper to ride off, and escape from them; and had come to town. The inspector had gone to his own house, about 7 miles from Pittsburg, and about the same distance from the house of Miller.

The next morning, after day-break, the inspector having just got out of bed, and opened the door, discovered a number of armed men, about the house; and demanding of them who they were, and whence they came; the answer was such, as induced him to consider their intention to be hostile; and on their refusing to disperse, he fired on them. The fire was returned, and a contest ensued. The negroes, from some adjoining small buildings, fired upon the flank of the assailants, and they were repulsed, with six wounded; one mortally. The inspector or his family received no injury; his house, which was a frame building, was perforated with the balls.

Towards the middle of the next day, the son of the inspector, Presley Neville, who resided in the town of Pittsburgh, read a letter from his father, written at his house in the country, informing, that a large number were said to be collecting at a place known by the name of Couche's fort, about four miles distant from his house. The son expressed to me his apprehensions for the situation of his father. It was asked by me, What he understood to be their object? It was answered, To demand of

of his father, to deliver up his commission. Deliver it, said I. It was answered, No.

My idea was, to put by the tempest for the present, until the civil authority could interpose, and bring to account individually, those who had disturbed the peace. If the mob who burned the house of lord Mansfield, in the riot in London, could have been put off by his delivering his commission, I presume he would have delivered it. Another could easily have been made out for him.

It may be said, that it would have occurred to a good citizen, to give assistance to the inspector, and to help him to defend his house: and that the gallant and successful defence, which had been made the preceding morning, gave ground of resolution to attempt defence against a farther force. But I easily distinguished between the surprize of an unexpected resistance, and the deliberation where it is expected. It was also understood, from the letter of the inspector, that a much more considerable force, perhaps five hundred men, were said to be collecting. I easily conceived, that, as the disaster of the first attack had brought a second, the repulse of a second would bring a third; and the numbers, and the rage, would increase. I am not a fighting man; and it was most natural for me to think of policy, and the giving the rioters the piece of paper which they had their minds upon, and let the justices of the peace, the constables, the sheriffs, the grand juries of the courts, settle it with them afterwards. It may be said, they could not have been brought to justice. That might have been the case; but I thought at the time they could.

In the afternoon of the day, John Wilkins, junior, of Pittsburgh, a brigadier general of the militia, calling upon me, informed me, that a demand by Neville the younger, on behalf of his father, had been made of John Gibson, major general of the militia, and of himself, as brigadier general, to call out the militia, in order to suppress the rioters; and wished to have my opinion, as to their authority to call them out. Having given the question a short consideration, I thought they had not the power. The governor, under an article of the constitution, has, constructively, the power: "He shall take care that the laws be faithfully executed." And by an act of the legislature, of April 11th, 1783, he is expressly empowered, "to call into actual service, whenever it may be necessary, part of the militia, in case of rebellion, or of an actual, or threatened invasion." But it appeared to me, that the constitution, and

the act, constitutes the governor the judge of the occasion; and that it is not in his power to delegate this discretion, or constitute another the judge of it. But if he could, on enquiring of general Wilkins, I found the fact to be, that he had not delegated this discretion, or constituted these officers the judges of the occasion of calling out the militia; no provisional instructions, as in the case of an Indian invasion, having been given, that respected an opposition to the laws, or a rebellion*.

General Wilkins returned to me a short time afterwards; and said, that Neville the younger had called upon John Gibson and himself, as judges of the court, to raise the posse of the county, and he wished my opinion with respect to their power in this case. Giving it a short consideration, I was of opinion, that they had not the power. By the constitution, the judges of the court are justices of the peace, so far as relates to criminal matters. A justice of the peace, on information given, can direct his warrant to the constables, to apprehend offenders; or, on an affray in his presence, can command assistance to suppress it. But it did not appear to me, that he could raise the posse of the county. But, said I, the sheriff can.—He is in town; let him be called upon.

Judge Wilkins left me; and in a short time returned, and said, the sheriff doubted his authority. Judge Wilkins wished me to explain it to him. I said I was ready. He left me, and in a short time I received a note from him, requesting my company at the public house, whence the note was dated. I attended instantly, and found there judge Gibson, judge McDowel, and the sheriff of the county. I was requested by judge Wilkins, to explain to the sheriff his authority. I did so, fully. The

* A letter from the governor, to major general Gibson, of the 25th of July, when the account of the attack upon the house of the inspector had reached the government, contained no orders for calling out the militia. It evident, from the report of his secretary, Mr. Dallas, to the legislature of the state, of February 13th, 1795, that the governor had not thought himself justifiable, on this emergency, in calling out the militia. The following is an extract from that report: "No positive law existed, under the authority of the state, defining the emergency that could justify an appeal from the judicial to the military power; or regulating, or prescribing the evidence, that should prove the occurrence of the exigency. Whatever, therefore, might eventually be the obligation, resulting from the constitutional injunction, to take care that the laws be faithfully executed, it was thought, that not only the non-execution of the laws, and the incompetency of the courts of justice to punish offenders, should first be authoritatively declared, by the judicial magistrate; but that the act of interposing the aid of the military power, should likewise be founded upon their requisition."

The sheriff appeared alarmed at the talk of raising the posse, and thought it not practicable. I was asked my opinion. I do not recollect from whom the question came. I gave it decidedly, that it was not practicable: All concurred.

But, said I, this can be done;—ride out without arms, and address the people. Persuasion will avail more than force. If this is adopted, I will be one to go. It was agreed; and in a few minutes, I had returned to my house, was on horseback, and at the river, to cross with the company; who were all ready with the same expedition.

At the moment we came to the river, we fell in with Neville the younger, marshal Lenox, and a young man of the name of Ormsby, a son of John Ormsby of Pittsburgh, a family for whom I had regard; but knew the young man to be inconsiderate and rash; and was persuaded, that on this occasion he acted without the knowledge, or at least the approbation of his parents: All three were armed, which I thought imprudent. I felt concern for them; and taking that liberty with the young man, which I could not take with the others, I addressed him abruptly:—What! said I, armed? Yes, said he. You will not ride with us armed. You may ride as you please, said he, I am armed. Neville the younger, who was mounted on a gay horse, with pistols in his holsters, spoke:—We are not all born orators, said he: we are going to fight; you to speak. I thought him a better chevalier than a judge of the occasion.

But I did not know, at the time, that arrangements had been made, on their part, for a defence; that major Kirkpatrick, and ten or a dozen soldiers from the garrison of Pittsburgh, had gone to the house of the inspector.

At the river, we found two boats. They took one, and we took the other.

Crossing the river, being many in the boat, and crossing rather high, we stranded the boat on the bar, the water being low; and this circumstance being likely to give some delay, to lighten the boat, I leapt my horse overboard, and rode the remainder of the bar, and swam the channel on the other side. One or two of the gentlemen in the boat, followed me. I mention this circumstance, as marking our anxiety to reach the people.

Ascending the hill on the other side of the river, I reflected, that I had heard, that the roads to Pittsburgh were guarded; and that persons, that day, had been stopped, and interrogated, who were on their way to the town, or from it. It struck me,
that

that we might be thus stopped, or delayed, or prevented altogether from going forward. Mentioning this to the sheriff, who was some distance a-head with me, I enquired of him, if, riding through the country in the execution of his office, he did not know of any less public road, equally near, or not much less so, than the main road, which we could take, and avoid the out parties of which I spoke. The sheriff said, he knew the old road to Couche's fort, which was the place; and that he frequently took it going that course: It was equally near, or not much less so, than the new road. We waited at the fork of the road for the company, and suggesting these reasons, it was agreed to take the old road. It may seem trifling to mention this circumstance; but it becomes material, when it is known, that it has been alledged that we quitted the main road, with a view to avoid the very object which we proposed, which was, that of falling in with the body of the people.

Couche's fort was about 9 miles distant: As we rode, which was with all the expedition possible, we observed the harvest fields deserted by the men; women only to be seen. Stopping at a house, and enquiring, with a view to gain intelligence of the movements of the country, the woman of the house, as we took her to be, appeared alarmed at seeing us, and knowing the sheriff, asked him, Are you of Neville's party? This impressed me, as shewing the popular idea, that the country was on one side, and the revenue officer on the other.

Reflecting on the best means of introducing our intention to the body, who were supposed to be in arms, it struck me that seeing the sheriff and the judges of the court coming forward, the first impression would be, that it was with a view to take cognizance as civil officers of what was done, and this might make our situation dangerous. It was proposed, and agreed therefore, that these gentlemen should remain, and that I, who was the only one of the company who was not a civil officer, should ride forward, and acquaint them with our views in coming: That it was to dissuade and prevent, and not to take cognizance.

Coming to the house of a certain Hulse, where these gentlemen had proposed to stop, and which was half a mile off Couche's fort, we were informed that the body had marched for Neville's house.

We set out to overtake them, and rode with haste. Coming within a mile and a half of Neville's, at the house of a doctor Adams; we learned from some who had been spectators, that

all was over, and the house burned; that the people were returning, and in great rage at the loss of their leader: This was a James M'Farlane, who, it seems, commanded on that occasion. It was not thought advisable for us to go forward as things now were; nor even safe to remain, and be in their way, as they would misconstrue our intention in coming; and supposing it to have been with a view of assisting the excise officer, make us objects of their passion. We set out therefore, for Pittsburgh, and rising the hill, above the house where we had been, we saw the falling flame of the burning, and heard the firing and the shouts of the parties on their way home from it.

Riding about two miles, we stopped at a public house kept by a man of the name of Shochan, and understood that the tavern-keeper had rode towards Neville's house to learn or observe what was to be done. After some time he returned, but having observed only at a distance, he could give us no particular information. We had intended to remain at his house until we received some farther account; but the people appearing, the woman especially, uneasy at our being there, lest it should be heard afterwards, and injure them, we set out, and came to Pittsburgh. I mention the uneasiness of these people, as shewing the fear which was impressed of seeming to have had any thing to say to any one, that might be disposed to take a part on behalf of the excise officer: And as officers of government, and from the town, that suspicion might ly against some of us.

CHAP. II.

THE opinion which I gave with respect to the power of the judges of the court, in calling out the posse, may be questioned; and from thence it may be inferred, that I was favourable to the designs of the rioters. This would be unfair, as at the same time, it was part of my opinion that, with the sheriff, they had power; and the sheriff was at hand, who independent of his official character, was known to be a man of great personal intrepidity, and of a solid and extensive popular influence.

But though, on a rapid consideration of the question, I may have been mistaken with regard to the power of the judges independent of the sheriff, yet on examination, it will be found, there is such ground in the question as might lead to a mistake.

By the constitution, the judges have no more power "as to criminal matters," than a justice of the peace. The question then will be, Has a justice of the peace, power to raise the posse?

The office of justice of the peace was not known to the common law. It was first instituted by 1. Edward 3. chap. 16. with power under the general term, "assigned to keep the peace."

By 4. Edward 3. chap. 2. Farther power is given:

By 18. Edward 3. chap. 2. Still farther power.

By 34. Edward 3. chap. 1. Power is given, which, *by implication*, may seem to authorise to raise the posse.

By 17. Richard 2. chap. 10. The power is thought to be expressly given under the term "*ministers*," which may include a justice of the peace.

13. Henry 4. chap. 7. is the last statute that respects the power of the justices in raising the posse.—It is in these words: "If any riot, assembly, or rout of people against the law, be made in parties of the realm, the justices of peace, three, or two of them at the least, and the sheriff, or under sheriff of the county, where such riot, assembly or rout shall be made hereafter, shall come *with the power of the county*, if need be to arrest, and shall arrest them; and the same justices, and sheriff, or under sheriff, shall have power to record that which they shall find so done in their presence

"fence

“ fence against the law, and that by the record of the same
 “ justices and sheriff, or under sheriff, such trespassers, and
 “ offenders, shall be convict in the manner and form as is con-
 “ tained in the statutes of forcible entries.”

Whether the power of justices, without the sheriff, or under sheriff, to raise the posse, is taken away by this statute, is the question. There would seem reason in not leaving it to a single justice of the peace, to alarm and raise the county at his discretion, on information of an affray, at a distance. And yet it may be said, and probably is the just construction of the statute, that the power of the justices is not restrained in raising the posse, but enlarged to a farther act, which two, or more with the sheriff, or under sheriff, may exercise; that is, make a record of the riot, which shall have the force of an inquisition by a jury, or a presentment, or indictment at the court.

Be this as it may, in the opinion I gave judge Wilkins, I certainly pointed to the safest, and most effectual means, which was, that of proceeding with the sheriff.

The sheriff is himself, by the common law, the great conservator of the peace of his county. He may “ apprehend, arrest and commit to prison all affrayors, and all such as within his jurisdiction, and in his presence, shall in any sort, break, or attempt to break the king’s peace: and may command the aid and force of others to arrest such offenders, and may cause them to find sureties for the peace; and when any *Rebellion, Insurrection, or riotous assembly* of people shall be within land, the sheriff may raise the power of his county, to apprehend such malefactors.” Dalton’s office of sheriffs, page 26.

The sheriff, as keeper of the peace, both by common law, and special commission, is the first man in the county, and superior in rank to any nobleman therein, during his office. 1. Roll: reports 237.

To these authorities Blackstone refers in his commentaries, and recognizes the law. Volume 1. page 342.

But it may be said, that the opinion which I gave that an attempt to raise the posse was not expedient, indicated a disposition favourable to the views of the rioters. Let it be observed, that I gave no opinion, in the case, until the question was put to me. I had confined myself strictly to the legal points proposed. Also before my opinion was given, the sheriff had declared his opinion. It appears also that before our conference,

judge Gibson, and judge Wilkins had declared the same opinion*. At all events they instantly concurred with me. I did not at all wonder that Neville the younger, or any other of the immediate connections, should have been sanguine with regard to the practicability of raising the posse. The passion which they felt, prompted them to overlook the difficulty; and whether practicable or not to any great extent, it was natural for them to wish the attempt made. It would give them company; it would make those equally obnoxious who did attempt it; or at least who did obey; and wounded pride and self-love was not ready to indulge a proper concern for the safety of others; or make a proper calculation of the effect, which a concern for his own safety, in the then temper of the country, must leave upon every mind. Besides, they could not know, so well as others, the general rage of the country, against the excise law, and its officers. Some things that regard themselves, will always be concealed from men; and persons may appear moderate in their transactions with them who have the most hostile sentiments. They did not even know the disposition of the town of Pittsburgh; I speak of the affections of the people personally towards them. They counted more upon the attachment of the people, as is natural for men, than could be depended on.

But the fact was, had they been the greatest favourites, the people would not have been commanded, in a cause of that nature. From the country they could not. A sentiment of opposition to the law was universal; and though force had been heretofore used with some concealment, yet it was thought laudable to use it; and the example being set of using it openly, the general bent would be to follow.

From the town, the people could not have been commanded. Many of them had connections in the country, and would not submit to an order of taking arms against them. Besides, they had, themselves, a good deal of the same spirit of opposition to the law; not so much from any consideration of the law, or its effects, but because it was the patriotic and fashionable language. Others, as is natural, wished for something new; and would rather have joined them, than fought against them. It is a fact, that some influential men, and commissioned in the militia, were heard to say that day, that if they were ordered out, and were to fight at all, it would be with the people. Thus, the

* The testimony of Neville the younger, in the case of the United States v. Miller.

the cause of the people, and that of the government, were thought to be very different things.

But, with the best disposition in the town of Pittsburgh, a concern for their general interest, as mechanics, or shopkeepers, would render them reluctant to enter into a contest with the country, from whence a great part of their custom came: And a concern for their immediate safety, would prevent them altogether. They would reflect, the most ignorant of them, that the militia of the town, about 250 men, were they unanimous, and spirited in support of government, would be nothing to the country; which would, in the next instance, after an attack on the excise officer, turn itself against the town. It could starve them out, and the garrison with them, by an interdict of provisions; or, as was threatened afterwards, it could plunder and burn. It would have been extreme cruelty, to force the inhabitants to this danger. It would have been extreme impolicy; and would have answered no other end, than to shew the rioters the strength they had even in the town, either from those who really were, or from self-preservation would affect to be, with them. It was safest to let the matter rest unknown. Persuasion, for the moment, and the steady, and accustomed step of civil authority, by the known officers, afterward, were the only means that were eligible. The raising the posse of the county, as a legal act, was a thing unknown to the people, and would not be understood. It would be considered as the party of the excise officer, disposed to try their strength with the friends of liberty. It would have been a most rash act. I will trace what would have been the consequence.—The posse could have been raised, or it could not. If it could not have been raised, the weakness of the government, and the strength of the rioters, was discovered by the experiment. If it could have been raised, and brought forward, a contest would have taken place, and lives have been lost. The victory must have been on the side of the rioters; for the strength of the country was with them. The plundering, and destruction of the town of Pittsburgh, would have ensued. The garrison would have been starved out, or taken; for there was not, at that time, more than a day's provision in it. The whole country would have been involved instantly. Desperation would have led to prompt, and decisive measures. These would be, to cross the mountains, and receive accession of force, and procure the means, and occupy the ground of war in the midland country. On the circumstances that afterwards took place, it was what I was

afraid they would do; as will be seen by and by, when I come to explain a letter that I wrote to the government.

But in order to rebut still farther the presumption, that I gave my opinion against raising the posse, from motives favourable to the rioters; let it be observed, that if the posse had been raised, I should have passed unnoticed in the croud, and could have excused myself, by alledging the compulsion of the law; but, in taking upon me to interfere in so ostensible a manner, as I was disposed to do, in addressing them on the unlawful, and atrocious act which they were about to perpetrate, I shewed a readiness to sacrifice popular favour for the public good. And that I would sacrifice whatever I did possess of it, if I did possess any, I knew to be the consequence; and expressly mentioned this view of the result as to myself, to the company as we rode. I had just before suffered my name to be introduced, or if any one would chuse to have it so, had managed to have it introduced, as a candidate, for the Congress of the United States, for the district of Washington and Allegheny counties; and my pride was now engaged, to carry my election. Was it the way to carry it, to oppose myself to a strong popular passion, and obstruct the accomplishment of a favourite object? It may be said, I would have obtained credit afterwards with the people themselves, for preventing what on cool reflection they would see would have been dangerous. With some I might have obtained credit, but with the far greater part, I would not. Even those that approved it, would affect to condemn it, and leave me to bear the odium. If at a future day, I might have obtained general credit, which probably would have been the case, it would have been too late to serve me in my object at that time.

But if any one should still insist, that the experiment ought to have been made, and that the probability is, that the posse could have been raised, I will give them a farther presumption to the contrary. The Neville family is numerous, and wealthy: The inspector himself, with the advantage of an office, which though it brings general odium, yet secures particular dependents: His son a member of Assembly, brigade inspector, and surveyor of the county: His son-in-law, Isaac Craig, deputy quarter master, with the care of the military stores, and the constructing public buildings, and the employment of mechanics which this gives: His brother-in-law, Abraham Kirkpatrick, with money, and means of assisting his neighbours. What is more, Neville the elder, not disliked personally; Neville the younger,

younger, generally popular; and both the father and the son hospitable, remarkably; and the son-in-law, Craig, sufficiently so; and the brother-in-law, of late, for certain reasons, lavishly so;—and yet, with these advantages, and the influence consequent, not to be able to engage the voluntary aid of more than the inconsiderate young man whom I have mentioned, must prove the general sense, that the assisting an excise officer was too obnoxious an act for any to undertake, and live in the country.

C H A P. III.

GREAT pains were taken, at Couche's fort, by an aged and venerable clergyman, the reverend John Clark, to dissuade the people from the object they had in view. It was to no purpose. They considered him as in his dotage; or as having skill in spiritual affairs; but not in the temporal interests of the country. It may be thought from hence, that dissuasion from no one, could have had effect. That does not follow. Regard might have been paid to the representations of those who were supposed to know the law, and to be able to calculate the probable consequences of the act.

A certain James Lang, of Brownsville, formerly of Philadelphia, was on his way to Pittsburgh, and halted some time, and conversed with M'Farlane, and used much endeavour to dissuade him from the act. M'Farlane fairly owned, that, on reflection, he had become sensible of the rashness of it; but that they had gone too far to retreat. That was, I presume, he could not find a reasonable pretence of receding; and could not, with a good grace, draw off, after having used activity in exciting the people.

If this was the case, it will prove the use of our having gone forward to dissuade. It would afforded a reasonable pretence of relinquishing the enterprise: The leaders, that is, those who had been most active in collecting the multitude, would say, that a light had been thrown upon the matter, by a lawyer, and judges, which had not before struck them; and that, all things considered, it might be adviseable to relinquish it. They would not have been ashamed to have it thought, that they were better informed, by men of greater opportunities of legal knowledge; and especially by one whose profession was the law itself.

M'Farlane

M'Farlane had been in Pittsburgh that day, and purchased a quantity of flints. He informed the people at the rendezvous, that they might count upon a force from the town of Pittsburgh; that the sheriff was sent for to raise the posse; and that soldiers had gone out from the garrison to Neville's house. This information seemed to animate: They had no idea of an opposition that could be formidable.

In arranging the measures of the enterprise, a committee was appointed; with power like that of the national commissioners with the French armies. This committee offered the command to a Benjamin Parkison; who excused himself, as not being a man of military knowledge. James M'Farlane was then nominated, and accepted it. This was a major M'Farlane of the militia, who had served with reputation, in the rank of a lieutenant, in the war with Great Britain, from the beginning to the end of it; and was a man of good private character; and had acquired a very handsome property, by industry in trade, after the expiration of the war.

The body having marched, and approached the house of the inspector, the horses were left with a guard; and arrangements made for an attack, should it be necessary. A flag was sent from the committee, with a demand of the inspector to deliver up his papers. This appears to have been the ultimate object of the rioters. The inspector had withdrawn from the house; having seen the force that was advancing: conceiving, I presume, that a demand might be made of his person; and that, in consequence of the encounter of the preceding morning, and the loss sustained by the assailants, his life would be in danger. In this case, he must have counted on the not being able to defend the house. Why then not have given direction to those whom he left in the house, not to attempt a defence? Perhaps he did it; but his brother-in-law, Kirkpatrick, a major in the service last war, judging less prudently, entertained the idea of being able to defend it.

It being communicated, on the return of the flag, that the inspector had left the house, a second flag was sent, and a demand made, that six persons should be admitted into the house, to search for his papers, and take them. This was refused; and notice was then given, by a third flag, for the lady of the inspector, and any other female part of the family to withdraw. They did withdraw; and the attack commenced. About fifteen minutes after the commencement, a flag was presented, or was thought to be presented, from the house; upon which, M'Farlane

lane stepping from a tree, behind which he stood, and commanding a cessation of the firing, received a ball in the inside of his thigh, near the groin, and instantly expired. The firing then continued; and a message was sent to the committee, who were sitting at some distance, to know whether the house should not be stormed: But, in the mean time, fire had been set to a barn, and to other buildings adjoining the mansion house; and in a short time, the intenseness of the heat, and the evident communicability of the flame to the house, had struck those in the house, with a sense of immediate danger of life; and they began to call for quarter: on which the firing ceased, and they were desired to come out, and surrender themselves. They came out; and the soldiers, three of whom are said to have been wounded, were suffered to pass by, and go where they thought proper. Major Kirkpatrick himself, had nearly passed through, when he was distinguished from the soldiers, and arrested; and ordered to deliver his musket. This he refused; when one presenting a gun to his breast, was about to fire; he dropped upon his knee, and asked quarter. The man took the major's hat from his head, and put it on the muzzle of his gun; but did him no other damage.—I depict these incidents, merely to give an intimate idea of the manners and spirit of the people.

Fire had been put to an end of the mansion house, before the fire communicated from the barn and other buildings. All were consumed; one small building excepted; to which fire was not put, but a guard set over it, at the suggestion of the negroes, that it contained their bacon.

As soon as the house was on fire, the undisciplined of the troops, if I may be allowed the expression; or, as they themselves would say, the unprincipled amongst them, entered, and began to plunder. The cellar was broke open, and wine and other liquors rolled out, and drank.

Major Kirkpatrick, after being carried some distance under guard, was taken up by David Hamilton, behind him on horse-back; when, thinking himself protected, he began to answer those who came up occasionally, with indignant language: when Hamilton, addressing him, said, You see I am endeavouring to save you, at the risk of my own safety; and yet you are acting a part, that makes it still more dangerous for me. On this he was silent; and being carried some distance farther by Hamilton, and getting into the bushes of the wood, he was advised to make his escape; and he effected it.

Neville the younger, marshal Lenox, and the young man of the name of Ormsby, had arrived at the outguard, about the time the firing had begun at the house. They were arrested, and put under guard. Neville solicited greatly to go forward; and would engage, that every demand, short of life, should be complied with. In the then state of things, he could not be permitted. In a short time, he had the pain to see the buildings on fire; and to be uncertain of the fate of his father and family; whether they were in the house, or out of it.

On the termination of the business, and the return of the people from the house, Neville and the Marshal were carried along, and in great personal danger from the multitude, many of whom, by this time, had become intoxicated. Young Ormsby being known to many of them, after being treated with some indignity, was dismissed.

The marshal also, after some time, having stipulated to serve no farther process on the west of the mountains, and to surrender himself when demanded; and Neville the younger having become sponsor for the fidelity of this engagement, was dismissed from the main body: Neville also went with him. They had insisted on an engagement from the marshal that he would not return his processes which had been served. He told them with candour, that this was not in his power, being under an oath of office to return them. The firmness of the marshal in having the candour to make this acknowledgment, even though at the manifest risk of life, deserves great commendation. It won it, and had it from them, as some of them have acknowledged to me. I have heard all speak, with great admiration of the manly, and composed behaviour of the marshal: Nothing against Neville; but that he exhibited a little too much of the chevalier at the first. Coming up to the out-guard on his first advance, "If there is a gentleman amongst you," said he, "let him come out and speak to me." This was considered as an affront to the whole; and several raised their pieces, and were disposed to fire. But with presence of mind, changing his voice to greater softness, and calling out that he was not armed, they advanced, and made him prisoner. His pistols had not been drawn from the holsters, and therefore he might say, he was not armed.

After being dismissed from the body, they fell in with an out party, the greater part, greatly intoxicated. The marshal, taken afresh by these, was carried towards Couche's fort, to which they were returning. He was in danger of life. The

result

result must have appeared to him on this occasion very doubtful. He was for some time under the care of a James M'Allister, who had rescued him from great danger, but given his word to the more violent, not to suffer him to escape. M'Allister, who had every disposition to save him, did not to dare to let him go. After some time, he surrendered him to a Colonel David Philips, who advancing some distance before the croud, with the marshal, was intreated by the marshal to be suffered to escape. Philips told him that his own life would answer for it. However he was at last prevailed upon, just as they approached the main body who had advanced to Couche's fort, with the corpse of M'Farlane, to shew him a road in a certain direction, and suffer him to escape. He got into the main road towards Pittsburgh, and about 2 o'clock that morning came to the town.

There is one thing that may have struck the reader: Why it was, that the judges, the sheriff and myself, when within a mile or two of Neville's house, the evening it was burned, knowing the marshal to have gone forward, we did not, on his account at least, as being a stranger to the people, and having no personal friends, which the Nevilles, notwithstanding this outrage on their property, certainly had, we did not go forward also, to use our influence to save him from injury. I had a perfect sense of his danger from the moment that I saw him on horse-back to go out that day; and on the occasion to which the query refers, I could not be less apprehensive than I had been. As circumstances then were, it was a different case, from what it was when we set out to Couche's fort, and when the idea would be, that we were not interesting ourselves, for an officer, or for government, but for the safety of the people themselves, in giving them good advice. Yet I would have ventured to have gone forward, provided two gentlemen of the company would remain; these were judge Gibson, and judge Wilkins, both of whom I knew to be, at that juncture, obnoxious; judge Wilkins especially.

Judge Gibson, on account of his supposed intimacy with the Neville family; and judge Wilkins on account of an advertisement in the Pittsburgh Gazette, calling for whiskey that had paid duties*. This was considered as a scheme to introduce the ex-

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cise

* "Whiskey will be purchased with cash by the subscribers at Pittsburgh; but to accomplish the object of trade for which it is intended, it is necessa-

cise law : It was supposed he was in subordination to the inspector, and the rage against him, was at that time great. He had been before that time the most popular man in Allegheny county : but the single circumstance of the advertisement had reduced him to that situation in the opinion of the people, that I thought it necessary to use some delicacy in presenting myself with him.

We deliberated some time, whether we should go on to Neville's house. I mentioned to Sheriff Galt expressly, my apprehensions with regard to Gibson and Wilkins ; and hinted it to the gentlemen themselves, with as much delicacy as possible ; and expressed a willingness to go forward myself, to bring intelligence, if they would remain where they were. Judge Wilkins appeared to me to understand his situation perfectly ; but though not thinking it safe to go forward himself, yet did not like the idea of any else going, and himself not to go. This was not expressly said, yet I could sufficiently discover it ; and I knew it was a delicate conflict between his safety and his honour. It was the general opinion, that all should go, or none. This put an end to all thought of any going.

These sentiments of my mind, at the time, with regard to judge Gibson and judge Wilkins, have never been fully communicated to those gentlemen to this hour, and perhaps they have never understood them perfectly ; but this situation in which they were with regard to the people, will shew the absurdity of supposing, that they could have called out the posse comitatus. The attempt would have been the signal of their own immediate destruction. They would not have lived on the west of the mountains twenty-four hours.

The particulars I have stated, with regard to the attack upon the house, the treatment of the marshal, and Neville, &c. it will be understood, are as I have collected them ; and they may not be perfectly correct. I can answer with more confidence for the exactness of particulars where I was myself present.

CHAP.

ry any whiskey offered for sale to them, should have paid, or secured the duties, and be accompanied with the marks and certificates from the inspector, or inspectors, according to law.

John and Charles Wilkins, and Company."

C H A P. IV.

THE day after, in the evening, a David Hamilton, a justice of the peace, and John Black, came to Pittsburgh; with authority, in writing, to demand of the marshal, a surrender of his writs which had been served; agreeably to his engagement, as they said, for which Neville the younger had become sponsor. A conference with the marshal, and with Neville, took place. It was denied, on the part of the marshal and Neville, that the engagement was, to deliver, or even not to return the writs; but only to make no farther service. It was understood otherwise on the part of Hamilton; who thought it but of small account to make no farther service, as it could be of no use to those on whom the process had been served. This led to the question, Whether the marshal was bound to return; and what would be the effect of the return? whether judgment could be taken, which would bind the lands here; so that they could be sold in Philadelphia?

The marshal conceived it, from what he had understood, to be but an initiatory process; and that judgment could not be taken; that there must be another writ, and service of it, in order to found a judgment: He referred them to my opinion, which he conceived must be to that effect. John Black waited upon me; stating his question, and explaining the circumstances which led to his putting it. I felt all the delicacy of having any conversation with persons, who I conceived had involved themselves in the guilt of high treason; much less, of giving any counsel on a collateral question. I answered him, by saying, it was a delicate point, and I would talk with the marshal. I went out, and found the marshal, and stated to him the circumstance; and wished to know his wish, whether I should consider the case, and give an opinion. He said he would speak with Neville. A short time afterwards, he came to me, with Neville, (I speak of Neville the younger), and expressed his willingness that I should give an opinion; that he thought it must be as he had stated, viz. that it was but an initiatory process, and that judgment could not go by default, upon it. Declaring myself unacquainted with the practice of the federal court, though admitted in it; and that I could form my opinion only by analogy, and from the

face of the writ itself, I undertook the consideration of the question that evening, and proposed giving an answer in the morning. With a view to this, the marshal furnished me with one of his writs; the only one, I understood, which had not been served. Neville the younger, furnished me with a copy of the laws of the United States; my own being, at that time, out of my office. I state these things minutely, to shew, that no presumption exists, in the circumstance of having been consulted by these people, or in giving an opinion in this case, that I was in confidence, in any of their transactions.

Consulting the judiciary laws of the United States, I found nothing relative to the practice of the courts, or the nature of the process. Nor did I much expect it; as this can be devised and regulated by the courts themselves. I found nothing in the revenue law itself; and was left to a consideration of the writ from the words of it, and the analogy to the practice of other courts. It appeared to me, as the marshal had conceived, to be but in the nature of a summons, to shew cause why process should not issue. I presume, it had been devised by the court, for the greater mildness in carrying into operation the excise law. It was analagous to the subpoena from the court of chancery; in disobedience of which an attachment issues. My answer therefore, which I gave in writing, and which I gave to serve the marshal, for it was without fee from any one, was to this effect, viz. That the marshal was on oath to make return of his writs; but that judgment could not be taken on these returns, which would be final, and bind their lands in this country, or found proceedings to a sale. Of this opinion, I made out two copies; and gave one to Hamilton and Black, and one to the marshal.

Hamilton was apprehensive that this would not satisfy the committee: that if the people had known the marshal was bound to return his writs, he doubted much if he ever would have got off the ground. I communicated this to the marshal; and he appeared, as there was reason, much struck with it. He saw the impossibility of satisfying these people, and the difficulty of getting out of the country, should he attempt to go without their consent: It would be leaving Neville the younger also, in a disagreeable situation, who had become surety, that he would not go away, until the people were satisfied as to the fulfilment of what he had engaged.

I have since ascertained it, as I have stated in my narrative, that the marshal expressly refused to engage not to return his writs;

writs : but it had been understood otherwise ; or, on reflection, they had seen, that this was the principal matter, and they were determined to insist upon it.

I made the marshal's case my own, with as much sensibility as the human heart could feel : and devising an expedient to relieve him, communicated it to him ; viz. That I would propose going forward to the committee, and offer to appear for them in the federal court, as counsel, and have the writs quashed, or the service set aside ; or if I did not accomplish this, pay the penalties myself : that I knew the court, under these circumstances, would not exact the penalties. But, that it would not be necessary to make this offer, but in the last resort. The marshal thought so.

I had understood, that the committee were then sitting, at the distance of four miles, at the public house that has been mentioned ; Shochan's. The idea of a number of men being there, had been held out by Hamilton and Black, for their own safety in the town. Being now about to return, they mentioned the going by the battle ground, as they called it ; that is, by the late house of the inspector ; in order to look for the body of a man that was missing, and supposed to be killed ; and they expressed a wish, that I, and some others of the inhabitants, would go with them. I saw they were under some apprehensions for their safety, in going by themselves ; either from those who might way-lay them on the road, or from the negroes on the farm. The last only was suggested. I consented to go, provided some others could be got to go ; and more especially, as in that case, I would go on to the committee, which would be in my way, on another road, on my return. I mentioned this to the marshal, who approved of it : To Neville also, if I recollect right. I had understood, that several gentlemen proposed to go : I was ready on the Monongahela bank, at the ferry, at the time proposed. Hamilton and Black were there. Two of the gentlemen came down, and mentioned, that they had not found it convenient to go. I saw a delicacy on their part ; and this made my going the more delicate. I had determined not to go. But at that instant, a Mr. Johnstone, a deputy excise officer, came up, who wished to go to his residence, at the house of Neville the younger, just by the late residence of the inspector. He had been a tenant, for some time, to Neville the younger. I thought I might go, at least that distance, having him with me : and I spoke to Hamilton and Black, to wait until he could get his horse, and go.

We waited a long time, and then proposed to cross the river, and wait for him on the other side. We did so; and crossing after us, he joined us there.

In the course of our conversation on the way, I understood from Hamilton, that, agreeably to his orders from the committee, he had been with the inspector; and demanded of him a resignation of his office; that Neville the younger had wished him to resign, and that the inspector himself had agreed to resign it, and had written something to that effect, which he had offered to them, to carry to the committee; but that it was conditional and not absolute, and they could not accept it: that they thought it probable the consequence would be bad, and there would be no restraining the people from coming into Pittsburgh, to take him; that he was apprehensive also, they would come in to demand the marshal, and at least detain him prisoner, so that he could not be able to return his writs. I meditated on the strange inconsistency, of setting the government at defiance, and yet fearing the return of the writs.

I understood also, from Hamilton, that the return of the marshal himself, without the consent of the people, was impracticable; as there was not a single road from the country, which was not that day guarded, for the express purpose of preventing him. Hamilton, at the same time, expressed himself with humanity, for the marshal; and said, that it was to prevent mischief, that he had proposed coming into Pittsburgh: For, that the people assembled at the interment of M^rFarlane were in a rage, and had proposed marching into Pittsburgh, to take the inspector and the marshal; that it was the language of the people, with regard to the marshal, that it was better one man should die, than so many persons, with their families, lose their plantations. He also gave me to understand, that there would not be, that day, a single office standing in the whole survey. I conceived from this, that measures of an extensive nature had been taken.

On the way, I understood that, in fact, there was no committee sitting nearer than at the distance of 14 miles, near the place of the interment of M^rFarlane.

Arriving at a house where the family of the deputy excise officer had retired, and near the late house of the inspector, we stopped; and the deputy making out his resignation, delivered it, to be carried to the committee. He wished Hamilton to give him a certificate, that he might be safe. Hamilton said he had no authority to do this; he could only bear his resignation: But that

that he thought he would be safe, provided he published a copy of his resignation in the Pittsburgh Gazette. The deputy said he would do it: and I subjoin it, in a note, as it was, and as it appeared in the gazette*.

We went, the deputy accompanying us, to the late house of the inspector, and found the negroes in some cabbins adjoining, which the fire had not reached. It was out of these they had fired upon the first party, under Holcroft. I understood also, that notwithstanding the attention of the negroes to secure the bacon, some of it had been carried off.

We rode over the adjacent ground, but found no dead body. It was found, a few days afterward, by the negroes; and buried.

Having finished our survey, I was urged by Hamilton and Black, to ride with them, at least to a road which led to Pittsburgh, and was in their way: I excused myself, and returned with the deputy. The deputy returned with me to the lower ferry, on the Monongahela, opposite the town of Pittsburgh. That being his ferry, and not mine, I rode on to a higher. A violent gust of wind and rain, such as I have seldom seen, coming on, I remained in the ferry-house, during the storm. Crossing the river, and arriving at my house, I was informed, that the marshal had been frequently there that day, enquiring with great solicitude for my return. I would have called upon him instantly, but it was late; and a town-meeting, in the affair of a market house, to which I was summoned, engaged my attention. Neville the younger, and Craig the son-in-law, and Kirkpatrick, were present, and joined in the deliberation. I had no idea, that, in the mean time, and in the middle of the terrible tempest that had fallen, the inspector and the marshal had embarked, and descended the river.

In my return from accompanying Hamilton and Black, I had projected in my mind, the plan of rescuing the marshal. It was to accompany him instantly to the town of Washington, and put him on the honour and good policy of the Democratic Society of that place. I had thought he would have been safe there; as the idea of being guardians of the constitutional principle, would

* Finding the opposition to the revenue law, more violent than I expected; regretting the mischief that has been done, and may, from the continuation of measures; seeing the opposition changed from disguised rabble to a respectable party; think it my duty, and do resign my commission.

would have led them to protect him. I thought of having him accompanied thence to Union-town, in Fayette county; and to have got general Douglass of that place, and other gentlemen, to have escorted him to the Maryland or Virginia line, where he would have been out of danger; escaping the Pennsylvania counties, in which he had served process.

Early next morning, I went to the public house where the marshal lodged, and enquired for him; was told he had lodged at the garrison: enquired frequently in the course of the forenoon; but the rumour spreading, that he was gone, and the inspector with him, the preceding evening, I found it was so; but was led to believe, he had ascended the Allegheny river. I had supposed, he had taken the course by Fort Franklin, and the back parts of Pennsylvania; and thought it a judicious course. The course that he did take was the best.

The question has been asked, why it was the magistrates did not issue warrants, and arrest Hamilton and Black, when they came to Pittsburgh? They did not dare to do it: They were flag officers from a great power. There was no person so inconsiderate as to break a thought of it. After the burning of Neville's house, the rumour was that another body was assembling to come to Pittsburgh, to demolish the inspection house kept there; and it was dreaded that they would proceed to other enormities. It was the cry of the inhabitants that rather than provoke the country, and bring mad people upon us, it would be best to pull the office down. The evening that Hamilton and Black came to town, the report of two having come, had in half an hour swelled to two hundred; and it was said there was a thousand on the hill, on the other side of the river. The people were gazing every where, and every one thought he saw some, and that they had hunting shirts. Application was made to Hamilton and Black in my presence, stating that the ladies, those of the Neville family particularly, were uneasy, and requesting one of them to cross the river and ascertain the truth of the circumstance. Black gravely answered, that there might be six or eight hundred on the hill, or not far off; but that he would cross over, and give orders to disperse: He crossed the river, and came back with an account that there had been none there.

Craig, the son-in-law of the inspector, after the departure of the inspector, had so just an apprehension of danger from the country, that he took down the paper on the inspection office, and called a gentlemen to witness, that it was down.

This

This gentleman was James Lang, of Brownsville. He also offered the fragments of it to this gentleman, to bear to the country, to convince them that it was down. These circumstances shew the absurdity of talking of arresting Hamilton and Black.

C H A P. V.

ON Monday, the 21st of July, being the fourth day after burning the house of the inspector, and the second after the departure of the marshal, in the afternoon of the day, a young man came to my office, and delivered me a note from David Hamilton, informing me, that the committee was to sit at the Mingo meeting-house, on the Wednesday following, and expressing a wish that I would be present. I conceived, that it was with a view to the object he understood me before to have, in proposing to go to the committee; viz. the explaining to the people the effect of the return of the writs, and inducing them to be satisfied, and not to arrest or detain the marshal. Nevertheless, I was greatly alarmed, at the idea of having any correspondence with one involved in the guilt of treason. I tore the note, and threw it by in the lower part of a closet in my office, amongst useless papers, meaning never to make farther mention of it.

The next day, Neville the younger came to my office, and asked me, if I had not received a note from David Hamilton? I have, said I; but how have you come to the knowledge of it? The young man, said he, that brought it, mentioned it. I had never intended to have mentioned it, said I; but here it is; opening the closet, and taking up the pieces, and putting them together, and giving them to him to read. I wished to have him as a witness of the contents. Do you mean to go? said he. No, said I; this is high treason that has been committed; and in treason there are no accessaries, before or after the fact, all are principals; and I am aware of the delicacy, of having any thing to say to people in the predicament in which these are. I have reflected on the subject, and think it not safe to go. I would wish you to go, said he; it might answer a good end. Connecting in my mind, his engagement on behalf of the marshal, who had gone, and his responsibility in that case, I understood him, to wish me to go to reconcile the

people with the circumstance, as far as might be; and also to counsel moderation in general. Not a word passed with regard to my object in going; but I conceived it to be sufficiently understood, what the object was. I was still disposed to decline it; but was solicited; and finally said, I will go, provided you will vouch with what sentiments I go. I will, said he. And provided, said I, some person can be got to go with me, to bear testimony of what I shall say, or do, on the occasion. It was agreed, that I should speak to some, and he should speak to others. He did speak to some, and I spoke to others. The persons that agreed to accompany me, were, the chief burghers of the town, George Robinson; the first assistant burghers, Josiah Tannehill; one of the regulators of the town, William H. Beaumont; Peter Audrain, and colonel William Semple, formerly of Philadelphia, merchants.

Setting out on the day, and arriving at the meeting, I was struck, with finding, not a committee, as I had expected, of those persons who had been concerned in burning the house of the inspector, but a large convention of others, with these, from a considerable distance. I conceived, that these persons had come with the view of counselling moderation, and devising the best means of healing what had been done: Yet, from the delicacy of the situation, there was a distance and silence amongst all of us, as we reclined upon the grass, or strolled about, prior to the assembling of the meeting. I was upon terms of intimacy with many; and yet do not recollect to have exchanged a single word with a man. Every countenance discovered a strong sense of the solemnity of that occasion: Those who had been involved, not more than those who were afraid to be involved. It will be asked me, How came any there who were afraid to be involved? I have accounted for my being there; but how came David Bradford, James Marshall, Edward Cook, and Craig Richey there? I select these as instances. As to Marshall and Bradford, I am a loss to say any thing, by way of opinion, or deduction. I can only state what I have understood from others, or what is within my own knowledge. Not having had the least communication, by word or writing, with Marshall or Bradford, prior to that day, or on that day, relative to the subject, I have nothing of my own knowledge. I have understood from others, that after the first attack upon the house of the inspector, when the adjacent country was about to be roused to a second attack, persons went to the town of Washington, and called on Marshall and Bradford to come forward, on that occasion. They declined

declined it. The expression of Bradford, reported to me, is, "I cannot act; you may do as you think proper." He alluded, as was understood, to his being the prosecuting counsel for the commonwealth; and, in that case, not at liberty to do what others might.

After the destruction of the house, persons went to Marshall and Bradford, demanding of them to come forward, and support what was done, or they would burn their houses. They had a claim upon them, as having been conspicuous in the deliberative committees, with regard to the excise law; and alleged, that Bradford had encouraged them to what they had done, by his words, when urged to take part before the burning. I encourage, said he: Good God! I never thought of such a thing. Yes you did encourage, said they; and if you do not come forward now, and support us, you shall be treated in the same, or a worse manner, with the excise officer. He found himself under the necessity of coming forward; and that being the case, he would seem, from that time, to have adopted the most violent counsels. Marshall was obliged also to come forward; and thought it necessary, having come forward, to adopt violent counsels. I am of opinion, that both these men acted, in the first instances, under a subordination to popular influence. Be this as it may, it is not from a solicitude to make an apology for them, that I state this; but from the wish that I have to shew the truth of the transactions. Edward Cook also came forward, probably, at the solicitation, and under the fear of the people. Craig Richey, and many others, I know did. They had, with great difficulty, avoided the going to the burning the house of Neville; but could not avoid, at least the appearance of being with the people now. I have introduced the names of these persons, because they were conspicuous at this meeting. It was opened, by putting Cook in the chair, and making Richey secretary.

A letter was produced, and read, from Neville the younger, which had been sent by a gentlemen of our company, stating, that his father and the marshal had left the country; that the marshal had not considered himself bound by that part of his engagement, which was to surrender himself when demanded, and of which engagement he (Neville) had become sponsor; because, after the engagement made, and the marshal dismissed upon it, he had been again arrested, and was indebted to himself for his escape. I did not think Neville had been so good a casuist.

casuist. However, the people thought it subtilty, and were not satisfied.

He stated, that, with regard to what had been done by them, they had burned his father's house, and they might burn his; but he had enough beyond their reach.

As men of honour, he conceived, so far from blaming, they could not but approve the intrepidity of Kirkpatrick, in defence of the house of a friend.

The fact was, they did not dispute the courage of Kirkpatrick; but they accused his obstinacy, in obliging them to do what they had done.

On the whole, the letter of Neville was not well couched, to answer the occasion. It gave great offence; and was considered as an insult.

This, and other letters, being read, and discussed a little, Benjamin Parkinson addressed the chair: "You know, said he, what has been done: we wish to know, whether what has been done is right or wrong; and whether we are to be supported in it, or left to ourselves." These were the words: They impressed me with an agony of mind. There was silence for some time. Marshall coming forward, observed, that it was not necessary to say, whether what was done was right or wrong; but what is now to be done? I was relieved at this, and thought him in the right train.

Bradford now spoke; and to my great astonishment declared his approbation of what had been done, and called upon the meeting to pledge themselves to support it. His declamation was of considerable length, and extremely violent. Yet from my knowledge of the man, I doubted whether he spoke according to his wish, or harangued according to the humour of the people, and from a fear of them.

After he had spoken there was a dead silence. The question would be taken; Support, or not support? My situation was delicate. There was but a moment between treason on the one hand, and popular odium on the other: popular odium which might produce personal injury before I left the ground. To withdraw would be the same thing as to oppose.

Marshall came to me, a thing which I suspected from him, or some one else, and solicited me to speak. I had been planning the scheme of an harangue. Having settled some outlines in my mind, I addressed the chair.

I gave them a narrative of what had taken place at Pittsburgh, since Hamilton and Black had been there: That the
 marshal

marshal with the revenue officer had left the country; and as was supposed, had ascended or descended the river. That the inspection office was shut up, the label which announced it taken down, (and here I related the circumstance of Craig taking it down, painting it with some humour, and making them laugh at his expence.) This with a view to impress the idea, that I was diverted with the catastrophe of the office, and this as a substitute for saying any thing directly to approve what had been done. Putting them in good humour, I ventured to touch upon the subject more seriously. To avoid the giving any vote upon the question, I stated "That we were not delegated for the purpose of giving a vote, but simply to give a narrative of what had taken place there, with respect to the excise office, in order to calm the minds of the people, and render it unnecessary for any force to come and take it down." It will be seen that I introduced the idea of a delegation, as an apology for not giving any vote.

"As an individual, however, I was willing to give advice: what had been done, might be morally right, but it was legally wrong. In construction of law it was high treason. It was a case within the power of the President to call out the militia." I saw this struck them greatly: They had entertained no idea that it would be cognizable otherwise, than in the county courts. But, said I, "the President will reflect upon the difficulty of getting the militia to march. They will be reluctant from the midland parts of Pennsylvania, from the upper parts of Maryland and Virginia. It will probably be necessary to bring them from Jersey and the lower parts of the states. For this reason the President may be disposed to give an amnesty." Here I stated the amnesty which had been given by the state of Pennsylvania, in the case of the riot at Wilson's house in Philadelphia, in 1779, as an example.

I continued to observe, "That in order to obtain amnesty, an application must be made to the executive; that it would come with a better grace, and with more support from those not involved, on behalf of those that were, than from those that were involved; that it was not the interest of those involved, to involve others; but to let them remain as they were, in order to act as mediating men with the government." Here I discovered rage in the countenance of Benjamin Parkinson, and others. They considered me as evading the support which was more agreeable; viz. the coming fairly in with them.

them in the transaction, and making it a common cause. I saw that they distrusted the certainty of an amnesty, and did not relish the idea of asking it. I had therefore to impress two things strongly; the necessity of asking an amnesty, and the probability of obtaining it.

In order to impress the first, I enlarged upon the want of power to support what was done; the small basis on which they had to stand; a small part of a small country, not even the whole country west of the mountains, with them; unprovided at the same time with arms, ammunition, and resources of war.

In order to impress the last, the probability of obtaining an amnesty, I stated, "the evidences which the executive had already given, of a disposition to avoid war; even to a degree that was blamed, or perhaps, blameable; in the case of the spoils on our commerce, by the British, and in the case of the Indian tribes. Here I introduced the countermand of the Presqu'ille establishment, at the interference of the executive of the United States, in consequence of threats from Cornplanter, a Seneca Indian; and, in order to put them in good humour, and at the same time lead to the point I had in view, the practicability of obtaining an amnesty, I indulged a good deal of pleasantry at the expence of the executive, on the subject of Indian treaties: I introduced general Knox on the one side, and Cornplanter on the other; and made them make speeches. Now, said I, if Indians can have treaties, why cannot we have one two? Returning gradually to seriousness, I concluded, by proposing a larger meeting, perhaps co-extensive with the survey; and sending delegates to the executive, on the subject of an arrangement with regard to what had been rashly, and, in legal construction, criminally acted: that if this measure was adopted, though it would be inconvenient for me, and not agreeable in the heat of that season, to take such a journey; yet I was willing to be one, to go to the executive."

I have been the more particular in giving the substance of my speech on this occasion, and the clue to understand it, because it has been misconceived; and the pleasantry which I indulged on the subject of Indian treaties, construed into a contempt of the executive. If the President himself had been present, perceiving my drift, he would have excused me. However, depositions were taken of this part of my speech, and considered as an evidence of a *male mens*, a bad disposition towards government.

In the course of my speech, I had perceived different impressions, on the different descriptions of those present. Those not involved, were greatly relieved, and satisfied; and manifested this by the countenance, and by the nod of the head: Those involved, the more discerning of them, were dissatisfied; and manifested this by the countenance, and by the shaking of the head.

After I had done speaking, there was a total silence; and the greater part left their seats: a considerable part left the house. I went out, and walked about; waiting to learn what the general impression was. My company from Pittsburgh, communicated to me, that numbers of the people were dissatisfied, and there appeared to be a murmuring amongst them. Daniel Hamilton, who had been at the burning of Neville's house, but who was personally well disposed to me, came to me, and informed me, that there was a considerable dissatisfaction at what I had said: that Benjamin Parkinson, and that man, said he, pointing to a man in a blue coat, with a black scarf on his arm; and who, I have since been told, whether truly or not I do not know, was a brother of M^r Farlane that had fallen, are stirring up the people against you. On this I stepped in, to observe what was doing there. I observed the chairman, Edward Cook, James Marshal, David Bradford, and others, in a knot, or globe, in the centre of the house, conversing with their heads together, in a low voice. I passed by, in a slow walk, along the entry of the meeting-house. I was not asked to stop, or join in the deliberation. I walked back; and, as I passed, just spoke to James Marshal, and asked what they were concluding on. He said he did not know. I thought myself not trusted, and withdrew.

I have since engaged Alexander Addison to make enquiry, and to find from Marshal, or Cook, what was the subject of deliberation at the time. He informs me, that they cannot recollect that there was any thing material. I can only say, that the language of James Marshal, on the motion of Parkinson, and the conduct of Cook, in nodding from the chair, with an appearance of assent to me, in my proposing, that those not involved, should remain so, had impressed me with an idea, that they were averse to violent measures. However, I was so alarmed with what I then saw, and what I had heard out of doors, that I immediately went out, and found some of my company, and gave the hint to get off as speedily as possible. They collected, and set off. Mixing amongst the people,

ple, I made an apology that my company were going, and not wishing to lose my company, I was about to go. I set off, and met John Cannon, who wished me to stay. I said it was immaterial, for that not being delegated, I could give no vote on any question. Getting off to some distance, we were called upon; but we hastened our pace. Coming to the house where we had left our horses, and having got them from the pasture, and dined, which might take up an hour; it was suggested by some of the company; that we had come off abruptly, and we might be accounted spies; and it might be well if I would go back, and shew myself, and make some apology. I had felt an impression of the kind myself; and taking my horse, I rode back, and dismounting, and leaving him in a bottom at a stream, at some distance, I walked up, as if I had not been at all away. I found that a great number of the people had gone, and some were going away. Those remaining, were engaged in hearing some man, who was making the amende honourable, or explaining some conduct, or some expressions, which had indicated a disposition to comply with the excise law.

Having just shewn myself, I withdrew, returned, and joined my company. Before we set out, the master of the house where we were, an old gentleman, returned, and informed, that nothing had been done, but a large meeting agreed upon, at another day.

C H A P. VI.

IN the Pittsburgh Gazette, of the 26th of July, appeared a recommendation, from the meeting at Mingo creek, to the four counties of Pennsylvania, and the western counties of Virginia, to chuse representatives*, to meet at Parkinson's ferry, on the Monongahela, on the 14th of August next, to take into consideration the then situation of the western country.

When I saw it, I was not alarmed; I conceived that what I proposed had been adopted; the instituting a negotiation with the government, for the purpose of composing the disturbance. The taking in the counties of Virginia, did not appear to me inexpedient, inasmuch as outrages on deputies under the excise law, had been committed in some part of them. A Convention would seem the best means, on the one hand, to establish principles of acquiescence with the law, until it could be constitutionally changed; and on the other, to prevail with the government, on such assurances coming from the whole country, to pass over what had taken place. I had no idea that the government would give an amnesty, on any other principle, but that of gaining, for the future, a general acquiescence; and that for this reason, an application from the individuals involved would avail little, because they could promise but for themselves only. However, conversing with general St. Clair, who happened to be at Pittsburgh at this time, I was struck with his observing, that such a Convention would be dangerous. I had not seen it in that point of view; not supposing that any other object would be contemplated, than simply rescuing the men who had involved themselves in a capital offence, by putting it in the power of government to cover it with oblivion.

A letter from David Bradford, written immediately after this meeting,

* "By a respectable number of citizens, who met, on Wednesday, the 23d instant, at the meeting-house on Mingo creek, it is recommended to the townships of the four western Pennsylvania counties, and the neighbouring counties of Virginia, to meet, and chuse, not more than five, nor less than two, representatives, to meet at Parkinson's ferry, on the Monongahela, on Thursday, the 14th day of August next, to take into consideration the situation of the western country."

meeting, to leading characters in the counties of Virginia, and which has been since published in the gazettes, evinces an adherence to the principles of his declamation, at the meeting; and of course, it would appear from thence, that, though the hint which I had given, of an extensive meeting, had been used, it was not with the same view, at least in his mind, with which I had suggested it*.

An act which was perpetrated the third day after the meeting, and of which Bradford was the author, still further evinces it. But this act was projected before the meeting at Mingo creek. I speak of the intercepting the mail. My information of the source of this, is a letter from Alexander Addison, of which the following is an extract:

“18th January, 1795.

“Sir,

“I have been pursuing the plan for robbing the mail, and can trace it no higher than Bradford. It was proposed by him to Marshal,

Copy of a Letter from David Bradford, of Washington, in Pennsylvania, to the Inhabitants of Monongahela.

“Washington, August 6, 1794.

“Gentlemen,

I presume you have heard of the spirited opposition given to the excise law in this state—in matters have been so brought to pass here, that all are under the necessity of bringing their minds to a final conclusion. This has been the question amongst us some days: “Shall we disapprove of the conduct of those engaged against Neville, the excise officer, or approve? Or, in other words, Shall we suffer them to fall a sacrifice to a federal prosecution, or shall we support them?” On the result of this business we have fully deliberated, and have determined, with *head, heart, hand, and voice*, that we will support the opposition to the excise law. The crisis is now come: *Submission of opposition*—We are determined in the opposition—We are determined in future to act agreeably to system; to form arrangements, guided by *reason, prudence, fortitude, and spirited conduct*. We have proposed a general meeting of the four counties of Pennsylvania; and have invited our brethren in the neighbouring counties in Virginia, to come forward, and join us in council and deliberation, on this important crisis; and conclude upon measures interesting to the western counties of Pennsylvania and Virginia. A notification of this kind may be seen in the Pittsburgh paper. Parkinson’s ferry is the place proposed, as most central, and the 14th of August the time.

“We solicit you, by all the ties that an union of interests can suggest, to come forward, to join with us in our deliberations.—The cause is common to us all; we invite you to come, even should you differ with us in opinion; we wish you to hear our reasons influencing our conduct.

“Your’s, with esteem,

“DAVID BRADFORD.”

Marshal, on their way to Mingo meeting-house; Baldwin and David Hamilton were in company, and it was put on them to execute it. The object to be obtained was, to know the opinions of the people on the business carried on. The post to be robbed, was the post from Washington to Pittsburgh; and it was only when Baldwin and Hamilton sent word, that they could not perform their part, and when it was then too late to intercept the mail to Pittsburgh, that the plan was changed to what was really executed. Bradford sent his cousin William, and Daniel Hamilton, I believe, sent John Mitchell, who executed the business. My information is from a good source, and may be depended on. The matter, I believe, was not talked of at Mingo creek meeting-house, nor did Edward Cook know any thing of it."

I have since seen Baldwin, and gave him to understand what I had heard: he blushed, and his expression was, "How things will come out." He did not seem to wish to give me the particulars himself, and I could not, on principles of delicacy, urge. I have taken an opportunity of introducing the subject to Hamilton, but he waved it. I had a desire to know how it was, that the first undertaking failed.

The post was interrupted on the 26th of July, on the way from Pittsburgh, and near Greensburgh. The packet from Washington and Pittsburgh was taken out. It was carried by Benjamin Parkinson to Washington, and from thence it was accompanied, by Bradford and Marshal, and others, to Cannonburgh, a village seven miles distant. It was there opened. No letter, on the late affairs, from any individual of Washington: There were letters from individuals of Pittsburgh; these letters gave great offence, and made the writers objects of resentment.

The result of the convention at Cannonburgh, at the opening of the mail, was the issuing circular letters to the officers of the militia, proposing a rendezvous at Braddock's field, for the purpose of a march to Pittsburgh. The object of the march was, the taking the magazines of the garrison, and any military stores that might be found in the town. It was also contemplated, to take the writers of the letters, and imprison them in the jail of Washington. These were the objects contemplated, according to the information given me: It may not be correct.

What was the object of intercepting the mail, is questionable. Bradford was a weak man; but yet it seems hardly probable, that he could be so weak as to think it any object to know what

people would think of what had taken place. He might easily know what individuals would write from his town, knowing what they were used to speak in it. Knowing characters, he might know opinions. It is more probable, what has been suggested by men of that town, viz. that knowing what some would write, if they wrote at all; and expecting these might write, and being an enemy, and wishing an advantage, he hoped to have it in his power to turn the rage of the people on them. If this was his object, he was disappointed in it: nevertheless, he was sufficiently incensed against the writers of the letters; and whether it was this resentment, that gave rise to the idea of a march to Pittsburgh, for the purpose of arresting these men, and this drew with it the idea of taking the magazine; or whether the taking the magazine was the primary object, and this incidently brought in, I am not sufficiently informed. It would seem probable, that the march to Pittsburgh, and the taking the magazine, would have been, at all events, attempted, as a necessary act to furnish means of defending what had been done, the intercepting the mail. For it is to be presumed, if we suppose the actors in this affair to have had reflection, that they had made up their minds, to set the government at defiance: In that case, it became them to arm themselves with the means of war.

The circular letter * was dated the 28th of July, and the rendezvous was ordered on the 1st of August: it was directed to the officers of the militia, in the same manner, as an order would issue from a proper authority; and it was obeyed with much greater

* THE CIRCULAR LETTER.

Canonsburgh, 28th July, 1794.

Sir,

Having had suspicions that the Pittsburgh post would carry with him the sentiments of some of the people in the country, respecting our present alarming situation; and the letters by the post being now in our possession, by which certain secrets are discovered, hostile to our interest, it is therefore now come to that crisis, that every citizen must express his sentiments, not by his words but by his actions. You are then called upon, as a citizen of the western country, to render your personal service, with as many volunteers as you can raise, to rendezvous at your usual place of meeting, on Wednesday next; and from thence you will march to the usual place of rendezvous, at Braddock's fields, on the Monongahela, on Friday, the first day of August next; to be there at two o'clock in the afternoon, with arms and accoutrements in good order. If any volunteer should want arms and ammunition, bring them forward, and they shall be supplied as well as possible. —Here, sir, is an expedition proposed, in which you will have an opportunity

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greater promptitude. When an officer disapproved of it, he did not dare to conceal from his battalion, or company, that he had received such a notice; and when communicated, it was the people commanding the officer, not the officer the people.— Call us out, or we will take vengeance on you, as a traitor to your country. The whole country was one inflammable mass; it required but the least touch of fire to inflame it. I had seen the spirit which prevailed, at the time of the stamp act, and at the commencement of the revolution from the government of Great Britain; but it was by no means so general, and so vigorous, amongst the common people, as the spirit which now existed in this country.

After my return from the Mingo meeting, I was called upon by great numbers from the country, on all sides adjacent, in order to know the result of that meeting. I stated facts, but found, that, even on my own shewing, I was not about to be the subject of eulogium. They would have approved more decisive counsels, and decisive measures, to support what had been done. Said I, to some of them, What will be the consequence if a war will ensue. Well, said they, let those that do not chuse to stand with the country, leave it; there will be enough behind without them: what they leave will help to carry on the war.

Knowing that the government could not possibly overlook the outrages committed, and finding these dispositions in the people to support them, I saw my situation perfectly; and canvassed in my mind, the practicability of lying by, and remaining spectator, or the necessity of abandoning the country. I thought also of taking part, but the cause was not good; at the same time hazardous, and nothing to be got by it. A revolution did not suit me, nor any man else that had any thing to lose, or was in a way of making something. A secession of the country from the government, presented nothing, that could be an object

tunity of displaying your military talents, and of rendering service to your country.—Four days provision will be wanted; let the men be thus supplied.

We are, &c.

J. CANON,
 B. PARKINSON,
 D. BRADFORD,
 A. FULTON,
 T. SPEERS,
 J. LOCYHRY,
 J. MARSHALL.

To Col. —

ject with me. The repealing the law, by an exhibition of force, might be the only thing in view; with the people, at that moment; but I well knew they would not stop there. The opposing one law, would lead to oppose another; they would finally oppose all, and demand a new modelling of the constitution; and there would be a revolution: or they would be suppressed. For my part, I had seen and heard enough of revolutions, to have any wish to bear a part in one. But to lie by was impossible; no man would be suffered to remain neutral. I thought, therefore, of emigrating. These sentiments have not remained unknown to all, but myself; I have vouchers of them. But I could refer, more fully, on this subject, to general John Wilkins, with whom I conversed daily, and who found himself precisely in the same situation, and with the same reflections that I had. It had been considered, which way it would be most prudent to withdraw. He thought of going up the Allegheny, into the woods, under a pretence of improving and surveying lands. I thought of crossing the mountains to Philadelphia: Nothing but the suddenness with which the march to Braddock's fields came upon us, prevented my being out of the way, at that time. It was impossible to make arrangements in so short a period. When that came, I thought of nothing but weathering the blast, for the moment, and then making my escape.

Reflecting on the conduct of those, who had now become the principal actor, on the scene, I was not much surprised at that of Bradford: for I knew him to be capable of any folly; and the more absurd the measure, he was the more likely to adopt it. But I was astonished at that of James Marshall, a man of good sense, cool and deliberate. I had just heard of the part he acted in the intercepting, or at least the opening of the mail, and the orders for a rendezvous at Braddock's fields; when late in the evening, a relation of James Marshall; having called upon me, on business at my house in Pittsburgh, I stated to him my surprise at the conduct of Marshall; he said he had not seen him, for he was of a part of the county, considerably distant from Washington; but he was equally surprised with me. I explained to him strongly my disapprobation of what had been done, and wished him, as he was about to return through the town of Washington, to explain my sentiments to Marshall. I have not seen him since, I mean the relation, and do not know whether he did or not.

But whether my sentiments were communicated to James Marshall, or not, the sentiments of others were, both to him and Bradford,

Bradford, and with such effect, as to alarm them at the rashness of the steps they had taken, and induce them to issue orders of countermand for the rendezvous. These were actually sent, to some quarters, and received, and the march of the battalions arrested. Orders made out for other parts, and which had not been sent, were not sent at all.

The countermand of the rendezvous produced dissatisfaction in the town of Washington, and the adjacent country, and the people rushed in from every quarter and demanded that the business should go forward. A large assembly had convened in the court house. James Ross, of the senate of the United States, in a speech of great earnestness, of two hours in length, endeavoured to dissuade the populace; Thomas Scot, of the house of Representatives of the United States, and Thomas Stokely, of the senate of Pennsylvania, David Reddick, prothonotary, Henry Purviance, and others of the bar, exerted every means to dissuade. James Marshall was in earnest to retract, and spoke publicly. David Bradford seeing the violence of the multitude, by which he was always governed, became more inflammatory, than he had ever been, denied that he had consented to a countermand, and asked with confidence, who was the scoundrel who would say he had consented? Thomas Stokely has since seen the countermand to colonel David Williams, and in the hand writing of David Bradford, and signed with his name. He has promised me a certificate of this, and the original countermand,—if I have an opportunity I will procure it.

It was carried that the march to Braddock's fields should go forward. To shew their disapprobation of the apostacy of Marshall, the door of his house was tarred and feathered that night. Threats were also thrown out of personal injury, and he was under the necessity of declaring his readiness to go forward. Threats were also thrown out against others. Indisposition, lameness, pressing business, was affected; many yielded to their fears, and thought it safest to go. Others were disposed to go, with a view of endeavouring to moderate the multitude, and prevent outrages. Of this last description there were numbers of the principal officers of the militia, who came with battalions or companies, to humour them, and keep them from mischief. The common language of the county, at the time, was, they were coming to take Pittsburgh; some would talk of plundering it; others of burning it. It was an expression, that Sodom had been burnt by fire from heaven; but this second Sodom

Sodom should be burned with fire from earth. I believe plunder was an object with many. The shopkeepers were told at their counters, by persons cheapening their goods, that they would get them at a less price in a few days. The very women coming in from the country, would say, "that fine lady lives in a fine house, but her pride will be humbled by and by." Persons were coming to the blacksmiths with old guns, that had laid by a long time, to have them repaired. Others were buying up flints and powder from the stores; there were many that were supposed to be from distant parts; no one of the town knowing them. I saw some, whom I took for spies, who had been sent to look at the state of the garrison, or of the town. I traced some without appearing to do it, and found them lounging from place to place, without seeming to have any thing to do.

We had seen copies of the order of march; and now it was understood, from various accounts, that the people were on their way to Braddock's fields. Major Butler had been industrious to improve the defence of his garrison; Major Craig had removed his family into it; Colonel Neville had prepared to defend himself in his own house. It was thought advisable to have a town meeting, to consider what was best to be done; notice was given of a meeting in the evening.

It was arranged that the march to Braddock's fields should go forward. To show their disposition of the garrison of Marshall's the door of his house was rased and tented that night. The picquets were also thrown out of position, and he was under the necessity of detaching his regiment to go forward. The picquets were also thrown out of position, and he was under the necessity of detaching his regiment to go forward. The picquets were also thrown out of position, and he was under the necessity of detaching his regiment to go forward.

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C H A P. VII.

A Town-meeting was assembled about dusk: almost the whole of the town convened; General John Gibson in the chair; Mathew Ernest, Secretary.

It was announced, just at this moment, that individuals had arrived from Washington, with a message to the inhabitants of Pittsburgh, which they wished to deliver. A committee of the meeting was appointed, to wait upon the persons, and receive the messages. The committee were general Wilkins, George Wallace, and myself. The individuals from Washington were, Braid, Meetkirk, Blakenay, and Purviance. They had brought the mail, which had been intercepted, and were about to deliver it to the post-office, with the letters which had been in it, except certain letters from individuals in Pittsburgh, which had given great offence, and which they were not to deliver; that these letters were from colonel Presly Neville, to his father-in-law, General Morgan; General Gibson to the governor of Pennsylvania; James Brisson, prothonotary, to the governor; Major Butler, to the secretary at war; and Edward Day, to the secretary of the treasury. That these letters had made the writers obnoxious; and that it was determined by the people, now on their march to Braddock's field, to take vengeance on them; that nothing could exceed their rage, that all possible means had been used, by moderate men, to restrain them; that a great number of the principal men in the country had thrown themselves in with them, and were coming along, with a view to restrain violence; that the prevailing idea was to seize the writers of the letters, and burn the town of Pittsburgh; that after all the means that could be used, it was doubtful whether it could be saved; that they had come, in confidence with the well disposed, to give us notice, and concert with us, the means of our salvation; that it was with great difficulty they had made their way through the people; that notwithstanding it was with the knowledge of Bradford and Marshall, they had come, and who had delivered them the mail; yet in fact it was contrary to the wish of the multitude, who wished no intelligence to be given, or an opportunity of escaping afforded to the men who were to be seized, or to the town itself; that in

fact they had been arrested on the way, and address had been necessary to be used in order to be suffered to come on; that there were two things which, in their opinion, it behoved the town to do; the one, to have the obnoxious persons sent away, and the other, to affect to join the people at Braddock's field, and take away the pretence of coming to Pittsburgh. For, that if they came, most assuredly lives would be taken, and the town laid in ashes; that the obnoxious persons were those mentioned; but of these, Day and Brisson peculiarly so; that Abraham Kirkpatrick was obnoxious, on account of his defence of Neville's house, and his being supposed to be the cause of the death of M'Farlane; that these three were the primary objects of the resentment of the people; that others were so, in a secondary degree. Perhaps it might be necessary for them to go; but that unless these were sent away, as a necessary sacrifice to the resentment of the people, there would be no possibility of stopping them from coming to the town, and executing any purpose.

The message from Washington was announced to the inhabitants of Pittsburgh, the names of those, that were announced, read; Day and Brisson were present; it struck every one, and perhaps these persons themselves, that it became necessary for them to be out of the way; it was thought adviseable by their particular friends, about them. They seemed to acquiesce, so far as I could discover; I heard no objection. I do not know that Kirkpatrick was present, but Neville, his relation, was there; if he had any particular friends, they were there; for the whole town was present. There was no dissent by any one, no previous question, no objection. There was no man so destitute of sense, as not to see the instant propriety of the measure. It was generally and perfectly understood, that these persons acquiesced in the policy of the manœuvre.

It being then agreed upon, that these persons, on the one hand, should leave the town, under the idea of being banished from it; and that the rest of us should put on a mask of being with the people, and join them at Braddock's field, it was proposed, that a committee should be appointed to conduct the management of the part we were to act: A committee of 21 was nominated by the chairman. It was entrusted to these to draw up something that might be struck off from the press, and sent forward to the people at Braddock's field, informing them of what had been done, and what we were disposed to do.

The meeting being dissolved, and the committee, now by ourselves, for I had been appointed one, particular persons,
the

the more intimate with Kirkpatrick, were directed to call upon him, and explain the circumstance; it was understood, and announced to us, on their return, that he was perfectly satisfied of the necessity of the case, and would set out in the morning: Day and Brison had been present, and there was no necessity of saying any thing to them. They had declared themselves ready to leave the town. I heard Brison myself say, that he was perfectly satisfied that it had fallen upon him, having no family; that he had entertained the idea of taking a ride below; at any rate, and the inconvenience would not be great to be out of the way a while.

It was agreed upon, to draw up, in the nature of resolves, something which might answer the purpose of making ourselves with the people. It was done, and 600 copies struck off, at the press, that night*.

Late at night, the committee having dissolved, Henry Purviance, of Washington, came to me, and expressed a concern of mind, that the gentlemen of his company, those from Washington, who had come with the message, had, as he conceived, from motives of delicacy, hesitated to express, in the case of colonel Neville, and general Gibson, the full extent of the danger in which they were; that he could not conceive on what principle colonel Blakeney, who had undertaken to explain the

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information,

* *At a Meeting of the Inhabitants of Pittsburgh, on Thursday evening, July 31, 1794, to take into Consideration the present Situation of Affairs, and declare their Sentiments on this delicate Crisis.*

A great majority, almost the whole of the inhabitants of the town, assembled. It being announced to the meeting, that certain gentlemen from the town of Washington had arrived, and had signified, that they were entrusted with a message to the inhabitants of the town relative to present affairs; a committee of three persons were appointed to confer with them, and report the message to the meeting. The persons appointed, were George Wallace, H. H. Brackenridge, and John Wilkins, jun; these gentlemen made report to the meeting, viz. that in consequence of certain letters sent by the last mail, certain persons were discovered as advocates of the excise law, and enemies to the interests of the country; and that a certain Edward Day, James Brison, and Abraham Kirkpatrick, were particularly obnoxious, and that it was expected by the country that they should be dismissed without delay: Whereupon it was resolved, it should be so done; and a committee of 21 were appointed to see this resolution carried into effect; viz. George Wallace, H. H. Brackenridge, Peter Audrain, John Scull, John M'asters, John Wilkins, sen. Andrew M'Intire, George Robinson, John Irwin, merchant, Andrew Watson, George Adams, David Evans, Josiah Tannehill, Matthew Ernest, William Earls, Alexander M'Nickle, colonel John Irwin, James Clow, William Gormly, Nathaniel Irish.

Also, that whereas it is a part of the message from the gentlemen of Washington,

information, had made a distinction in the case of Neville and Gibson; that they were certainly equally obnoxious with the others, and would be equally unsafe in the event of being found in the town, if the people should march in; and it was cruelty in the effect, though humanity in the principle, not to inform those gentlemen of the whole predicament in which they stood. I thought so too; and that it appeared to me very extraordinary, at the time of the distinction made; for the letter of Gibson was precisely to the same effect with that of Brisson; and that of Neville appeared to me more likely to give offence to those, who had become leaders in the insurrection, than any thing in the letters of the others. This, coupled with his being the son of the excise officer, would seem likely to put him in the first list of those that ought to be proscribed.

However, it was thought adviseable to explain this to our committee. Having collected them, or a greater part of them together; it was explained by Mr. Purviance. It was thought proper, that those gentlemen, Neville and Gibson, should be made acquainted with their situation, in the morning, that they might do as they should think proper. Mr. Purviance was requested to explain to them.

General Gibson came to me in the morning, and appeared to have a just sense of what had been explained to him; and
requested

ington, that a great body of the people of the country will meet to-morrow at Braddock's fields, in order to carry into effect measures that may seem to them adviseable with respect to the excise law, and the advocates of it; Resolved, That the above committee, shall at an early hour wait upon the people on the ground, and assure the people, that the above resolution, with respect to the proscribed persons, has been carried into effect.

Resolved, also, That the inhabitants of the town shall march out, and join the people on Braddock's field, as brethren, to carry into effect with them any measure that may seem to them adviseable for the common cause.

Resolved, also, That we shall be watchful among ourselves of all characters, that, by word or act, may be unfriendly to the common cause; and when discovered, will not suffer them to live amongst us, but they shall instantly depart the town.

Resolved, also, That the above committee shall exist as a committee of information and correspondence, as an organ of our sentiments, until our next town meeting;

And that, whereas a general meeting of delegates from the townships of the country on the west of the mountains, will be held at Parkinson's ferry, on the Monongahela, on the 14th of August next; Resolved, That delegates shall be appointed to that meeting; and that the 9th of August next be appointed for a town meeting, to elect such delegates.

Resolved, also, That a number of hand bills be struck off, at the expence of the committee, and distributed among the inhabitants of the town, that they may conduct themselves accordingly.

requested my opinion candidly, as to his danger, and the expediency of his going to Braddock's field. I thought it not expedient that he should go; and added, that Colonel Neville did not appear to me to have a proper impression of his danger, and that I should not think it adviseable for him to go. Colonel Neville was anxious to go; but was prevailed upon not to think of it.

The fact was, I thought it not only unsafe for these gentlemen to go, for their own sakes, but impolitic for us; as it would destroy the effect of our mask; as it would naturally occur, What! you in earnest in the cause, and yet bring these obnoxious persons along with you, as good citizens?

I had the same sentiments with regard to general Wilkins, and on the same principles, would have thought it adviseable for him not to go to the rendezvous; and it was a great question, with the gentlemen of Washington, and with his friends in Pittsburgh, what he ought to do? the obnoxious advertisement was in the mouth of the people: However, he determined finally to risk the going. Gibson and Neville thought it prudent not to go.

Having marched, early in the day, to the place of rendezvous, which was at the distance of about 8 miles, we halted two miles short of it, and waited until the messengers from Washington, should go forward with a number of the hand-bills containing our resolves, and dispersing these amongst the people, dispose them favourably towards us. In an hour these gentlemen returned, and announced a good effect from the hand-bills, and the information given of the expulsion of obnoxious characters. We then marched to the field, the committee in front, but without arms: this to evince that no opposition was intended on our part. Advancing to the field, my reflections were not pleasant: I was far from thinking myself secure from personal danger. I knew I had stood, in general, well with the country, before this period; but I had given myself a stab, as to my popularity, by what I said at the Mingo meeting-house. I had understood, that a current of obloquy ran strong against me, from that quarter. It had been announced, every day, in Pittsburgh, by the people from the country. In fact, I was thought to be at best but a half-way whig, as the term was, and Bradford the real man to be depended on. I have since understood, that it was a good deal debated amongst the people, coming to the field, what my sentiments were with regard to the excise law. Those personally well affected to me, gave it

as a proof that I was against the excise law, that I had published, in Philadelphia, some years ago, in the face of government, something against the law, and put my name to it; and that I had brought suit against the excise officer, for something done in the execution of his office. These circumstances gave a favourable impression, and some were of opinion that my house ought not to be burned; others thought that it might as well go with the rest. That conversation of this nature took place, amongst the people, I have from many on the march with them to the field, and who were under strong apprehensions that, after all that could be done, great outrages would be committed.

But independent of any unpopular thing lately said or done, I well knew, that it was possible there were persons there, who had a personal prejudice against me; though I could think of but two, that I thought it probable would be there, who had any; these were Benjamin Parkinson and Andrew M'Farlane, the brother of him who had fallen before the house of Neville. The prejudice they had entertained, was of an old standing; but I did not know but that it might still exist in its full vigour. My backwardness at the Mingo meeting-house, I had reason to suppose, had increased the prejudice of Parkinson; I had conceived M'Farlane to be of a fixed and persevering disposition, and if he was disposed to injure me, the advantage he derived from his brother's fall, would give him great weight amongst the people, and put it in his power. The idea of the people, at the time, was, that law was dissolved, and that the people themselves, in their collective capacity, were the only tribunal. There could be no idea, therefore, that the putting a man to death, who was obnoxious to the people, would be any offence. I mentioned my apprehensions of M'Farlane and Parkinson to some of our committee, as we rode; I think to Adamson Tannahill for one.

Though I had stood well with Bradford heretofore, yet I was apprehensive of him now. He might be dissatisfied at my not supporting him at the Mingo meeting-house; and he might naturally suppose, that it was some of the company with me, or perhaps myself, that had communicated the account of his speech on that occasion; of which speech, the letters intercepted in the mail were conveying the intelligence to government; and on that account had drawn forth his resentment against the writers. I was apprehensive that it would be enquired, upon the ground, who it was that had communicated this information to the writers. The fact was, we had all given it. I thought it

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fortunate for us, that Brison and Gibson, who had touched upon this speech, were not there, to examine them. We would not have dared to justify the information, though we could not but acknowledge the having given it. We should have had to have admitted the possibility of a mistake, and saved ourselves with the tyrant of the day, in the best manner possible.

Under these personal apprehensions for myself, and for the Pittsburgh people in general, it was proposed by me, when near the ground, to advance with a flag, which, even a mob might regard; and pulling out a handkerchief, which happened to be white, I put it on my whip. The committee were of opinion, that we ought not to seem to distrust, and the flag was put down. The fears entertained on this occasion, may appear unreasonable: not to any one who has seen a large and enraged body of men, under the command of one as mad as themselves, or under no command at all. In the first case, they will execute what the one dictates; in the other, what any one suggests. In the present instance, I knew Bradford would have great influence; but the people themselves would have more; and there was reason to fear both. As to burning the town, it was doubtless more talked of, than intended individually; but the talking of it would produce the doing it, contrary to the wish of many who did talk of it. Such is the history of the human mind in a state of anarchy.

C H A P. VIII.

THE ground where Braddock fought, is on the east side of the Monongahela, and on the same side with the town of Pittsburgh. The militia from Washington had therefore to cross the river in order to come upon the ground. They had crossed in great numbers, at the same ford where he did; and were now upon the ground. They were dressed in what we call hunting shirts, many of them, with handkerchiefs upon their heads. It is in this dress they equip themselves against the Indians. They were amusing themselves with shooting with balls at marks, and firing in the air at random, with powder only. There was a continual discharge of guns, and constant smoke, in the woods, and along the bank of the river. There appeared a great wantonness of mind, and disposition to do any thing extravagant. We had advanced within the camp, as it was called, when the committee halted, and waited for General Wilkins, at the head of the Pittsburgh militia, to come forward. I saw him march by us, and discovered in his countenance sufficient evidence of a sense of danger: though I knew him to be a man of great personal intrepidity; yet I did not wonder at his apprehensions. Nothing but his appearing at the head of the militia, who were now to be considered as friends to the cause, could have saved him. I was thinking of his danger, when I turned my head a moment, and was struck with the very man I was most afraid of, Andrew M'Farlane, just by me. He was dressed in a blue coat, with dark visage, lowering countenance, and a rifle in his hand, looking at me. I eyed him in my turn, but did not venture to speak. I trusted to his fear of the people, as he did not know perfectly how I stood with them; after sometime he turned about, and went away.

The next object that arrested my attention was Bradford walking before a number of battalions, that had just crossed the river, and were ranged upon the bank, to be viewed by him. I was solicitous to know what my reception would be. I knew that from his going on to the intercepting the mail, and the procuring of this movement of the people, without my knowledge, he had not expected assistance from me; and his not communi-

cating

eating his intention of it, discovered a mistrust of me. But I found our proceeding at Pittsburgh had satisfied him; for he advanced and spoke to me. The usual questions by him, and and every one else, were, Had we sent away those men? was there no danger of their coming back? our usual answer was, They were gone; they would not be suffered to come back. Epithets of indignity were sometimes used with respect to them, to mask our sentiments the better. It was said by them, that more must go. Every one, from Pittsburgh, that I heard speak at all, assented to every thing that was said; for it was a part of the system adopted; and we trusted to the arrangements that could be made, to soften all matters, and prevent injury to any one, in proportion as we ourselves could acquire confidence with the leaders, or with the multitude.

Having been some time upon the ground, I fell in with Benjamin Parkinson, the other person of whom I had been personally apprehensive. He was in a group of men whom I knew to be warm in the cause. I advanced with great appearance of confidence, and frankness of manner, and saluted them; I was received with cordiality, and thought myself very fortunate. All, or most of those had been at the conflagration of the house of the inspector, and had heard me at the Mingo meeting; but the Pittsburgh hand bill, and my appearance on the ground, now to join them, had effaced the unfavourable impressions.

They sat in a group upon the ground, each with his rifle in his hand, or lying by him. I sat with them. The conversation turned upon the burning of the house; and they expressed great rage against Kirkpatrick, who had been the cause, as they said, of the burning it, and the death of James M'Farlane, by his refusing to let the house be searched for the inspector's commission and his papers. They expressed resentment against Major Butler for sending out soldiers to the house of the inspector. They had enquired for Ormsby, who had accompanied Neville the younger, and the Marshal from Pittsburgh. I said he was upon the ground, but was scarcely worth enquiring after. He was an inconsiderate young man that would go any where. He had gone there, and he had come here, and it was little matter what he did; that we had heard in what manner they had treated him, when they had him a prisoner; that they had taken his horse and pistols and hanger from him; and put him on the bare back of a colt to ride, as a steed congenial with his years and discretion. I had heard something like this;

but whatever might have been the case, I was disposed to give them the impression that I was diverted with the circumstance; and therefore put them on the relation of it, and laughed immoderately; but concluded that he had been sufficiently punished by his apprehensions, on that occasion; and as he had gone there without the knowledge of his parents, and had come with their approbation here, it was not worth while to mind him. It was agreed it was not.

I did not know, that in the mean time, the young man had been on the point of assassination.

Fifteen men had painted themselves black, as the warriors amongst the Indians do, when they go to war. They had gone in search of Ormsby. Zedick Wright of Peter's creek had discovered it, and having a good will for the family, or from motives of humanity, made haste to give him intelligence of it. He had escaped but a few minutes, not a quarter of an hour, when they were seen to pass by openly in pursuit of him. He made his way to Pittsburgh, in the course of the day, by devious routes, and lay concealed in the barracks of the old garrison, until the whole cavalcade was over.

I was greatly disconcerted, on one occasion, in the course of this day by James Ross of Washington. It was the first time I had seen him on the ground, when, sitting with two or three others, at the root of a tree, passing by, said he to me, with a smile, you have got a great of subtily; but you will have occasion for it all. I was alarmed, and looked about to see who must have heard him. There were none near me, but those just with with me, whom I knew, and who were wearing the the mask also. But I gave him to understand that he had alarmed me, for he could not know the characters of those with me; he said he did, and considered that before he spoke. Talking of the arrangements made, he thought the business well managed on part of the town; and that nothing else could have saved lives and property.

People were coming in from every quarter all that day; generally armed: but some without arms. It was impossible to know the real sentiments of almost any one amongst the multitude; how far they were there from necessity or of choice. Every man was afraid of the opinion of another. Sometimes a word dropped, which might be construed away, if not well taken, would lead to a confidence. The great bulk of the people were certainly in earnest; and the revolutionary language and the ideas of the French people, had become familiar. It

was not taring and feathering, as at the commencement of the revolution from Great Britain, but guillotining; that is, putting to death, by any way that offered. I am persuaded, that if even Bradford himself, that day, had ventured to check the violence of the people, in any way that was not agreeable to them; and had betrayed the least partiality for the excise law; or perhaps even a remission of his zeal against it, he would have sunk, in an instant, from his power, and they would have hung him on the first tree. Yet he was weak enough not to have foreseen this; it had been an argument used with him, in dissuading him from a perseverance in the measure undertaken, that no man could calculate the consequence of putting the mass in motion, with arms in their hands. His answer was, that he could say to them, Hitherto shalt thou go, and no further. Certain it is that his influence was great. I saw a man wade into the river, lift cool water from the bottom of the channel, and bring it his hat to him to drink. Applications were made to him that day for commissions in the service.

Nevertheless, whatever his idea might have been, he would have seen the extent of his power, if he had ventured to tell the people that they should return without going on to Pittsburgh. It was the object of all men who were apprehensive of the consequence, to dissuade from this; but it appeared very doubtful, through the whole day, whether or not it was practicable. It was afterwards found that it was not.

Towards the evening, there was a council of the Pittsburgh committee. It had been represented to them, and was the fact, that the people from the town, not expecting to detain that night, had brought no provisions with them; it was suggested that they might be suffered to return to town, and be at the place of rendezvous early in the morning. It was thought expedient, and orders were given accordingly.

I had seen general Wilkins but little through the day; he had remained close with the Pittsburgh people, and ventured little though the multitude. On his first coming, he had gone up to Bradford, apprehensive that he might denounce him, and addressed him: "Sir, have you any thing against me?" No, said he. This resolute behaviour probably prevented him having any thing to say.

On its being known that the people of Pittsburgh were going home for the night, there was a great clamour in the camp. It was said, they were about to desert the cause; and in fact never had been sincere in it.

The fact is, there were of them shrewd enough to discover this. Some would say, pleased with our address, but who would rather have had us all in earnest, "You have acted well; but we understand you. We give you credit for your management." It would be answered, "What! do you doubt our sincerity?" They would say, "We do not dispute your good policy."

Finding the effect of the departure of the Pittsburgh people, it was thought advisable to countermand the leave given. I rode after them with great haste, and turned them to the field; with orders not to leave it, let their want of food be what it might, rather than produce a dissatisfaction with the people on the ground, and bring them irregularly, and in bad humour, to the town. It will be asked, Whence had I this authority? and how was I obeyed so readily? I was of the committee to whom the power had been entrusted of conducting all affairs upon the occasion.

On my return with the Pittsburgh people, I saw James Marshal, for the first time, upon the ground. I saw he was greatly hurt in his mind at the trouble he had brought upon us; and had great solicitude with regard to the event. I explained to him the dissatisfaction that had taken place at the departure of our people, and wished him to ride through the camp, and give information that he saw us all returned. He mounted his horse, with his rifle in his hand, and set out to do it.

In the course of the day, a great subject of conversation had been, the taking the garrison. It would seem to have been the original object of the movement; but had been laid aside. On what principle I do not know; whether on account of the difficulty of accomplishing it; or the projectors of the enterprise hesitating to make war so immediately on the United States. I should rather think it was the danger of the enterprise that operated on the mind of Bradford: for he would naturally reflect, that he could not avoid taking a part in the attempt himself; and I have no idea that he was a man of courage under certain danger. The reason ostensibly assigned, at the relinquishment of this object, was, that it was found the military stores in the garrison were intended for the campaign against the Indians; and it would be improper to derange the operations of that campaign, by seizing them. This part of the enterprise had been abandoned by the projectors of it; but the rumour had gone abroad, and it was not generally known to the people that it was abandoned. The query, every where, was, Were we to take the garrison? I answered always, that

we were. The query then was, Could we take it? It was answered, No doubt of it. But at a great loss? Not at all; not above a thousand killed, and five hundred mortally wounded. This loss, to the more thinking part, appeared very serious.

Various modes were proposed of taking it: Some thought of providing stakes, with sharpened points, and rushing up with those, and putting them in the port holes, obstruct the firing from them; while others were cutting away the pickets. In the mean time, others with their rifles taking off the men at the guns, in the block-houses of the bastions, as the Indians took off the artillery men, in St. Clair's expedition. I was asked, what was my plan of taking it? I suggested the undermining and blowing up a bastion: but they would fire upon the diggers; besides, it would waste powder.

To some complaining, that called out so hastily, they were not well furnished with provision, I proposed starving out the garrison; but these were apprehensive they would starve out themselves.

After night I had a great deal of conversation on this subject, in the bushes, and at the sides of fences; laying our heads together, and whispering. I was for the most desperate measures; but admitted that much blood must be lost.

About midnight, I rode through the camp, where the people were laying at the fires, in their blankets or without. I made a pretence of enquiring for the Pittsburgh battalion; and this with a view, at the same time, to let them know that the Pittsburgh people were upon the ground. My principal object was, to ascertain the determination of the people, with regard to their coming to Pittsburgh. I found the universal sentiment to be, that they would see the town. There was little sleep in the camp. The firing and shooting had ceased; but there was a continual conversation.

Coming up to a fire, a person to whom I was known accosted me: "Is Kirkpatrick gone?" said he. "He is gone. And why the devil did you let him go?" said a person starting up behind him. "The question came so suddenly upon me, that I was a little struck with it; but recovering, I replied, that it was no fault of mine that he went away; I would rather have kept him here, and punished him by law." This was the truth; for I was prosecuting him at that very time, for misdemeanors. The enraged, or enraged man, as I may call him, made no reply; but the person who first spoke to me, gave me a touch in the side, and said, Come, take a dram: we will not detain you. This

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I understood to be a hint to go away. I give this incident, because, that having mentioned it afterwards, it was used by some as a proof that I had endeavoured to inflame the people against Kirkpatrick, by talking of punishing by law. It is true, the man deserves my resentment: nevertheless, I had too much regard for my own feelings, and the opinion of the public, to avail myself of that occasion to do him any injury. But my expression, in the case mentioned, was equivocal; and was understood by them as it was intended it should be understood; viz. as relating to the circumstance which was the ground of their resentment, the defending Neville's house; my insinuation was, that this was punishable by law. The thought was new to the man, and it occupied his mind for the moment.

Passing on to a range of fires, I found Hamilton's battalion. This had arrived late in the evening; it had been long expected, and was called the bloody battalion. The greatest part of it had been at the burning of the inspector's house. We expected desperate measures when these came. It was commanded by John Hamilton, a man very moderate and reasonable; and who was disposed to restrain the people from violence, and with that view had come with them.

Daniel Hamilton, his cousin, was the first that accosted me; and wishing to serve me with the people, called out, This is a true whig. But what do you think of that damn'd fellow, James Ross? he has been here, and all through camp, persuading the people not to go to Pittsburgh. I saw now that it was in vain to oppose the going; and it was better to acquiesce, and say they should go. In that case, there would be more management of them, than if they came in spite of opposition. I saw this, and took my part decidedly.—Damn the fellow, said I, what business has he with Pittsburgh? the people of Pittsburgh wish to see the army; and you must go through it, and let the damn'd garrison see, that we could take it, if we would. It will convince the government that we are no mob; but a regular army, and can preserve discipline, and pass thro' a town, like the French and American armies, in the course of last war, without doing the least injury to persons or property. There was a general acclamation, and all professed a determination to molest no one.

Returning to a farm house, just by the camp, where some of our committee were, I communicated the result of my observations. Some of them had been through the camp, in the same manner; and had the same impressions that I had, with regard

regard to the impossibility of preventing the people coming to town.

In the morning, having convened in the camp, and held a council of principal officers, it was proposed to form a committee, to consist of three deputies from each regiment, who should deliberate on what was to be done. Deputies being chosen, and the committee met, of which I was one, as representative, with general John Wilkins, and captain John M'Masters, for the militia of Pittsburgh; in order that our deliberations might be the more free, it was proposed to withdraw to some distance. We withdrew, and occupied a shady ground in the wood. Edward Cook was appointed chairman. Bradford opened the meeting, by stating the cause of their assembling in arms; viz. in order to chastise certain persons, who had discovered sentiments friendly to the excise law; that their sentiments had come to light through the vigilance of some persons, who had intercepted the mail, and found their letters; that these letters would speak for themselves. Here taking out the letters from his pocket, he read them and commented on them. That, from major Butler of the garrison, giving some account of the outrages committed, and his sense of the atrocity. That, from Neville, the son of the inspector, alluding to the authors of the disturbance and giving them the epithet of rascals. That, from Edward Day, suggesting a project of carrying the excise law into operation. That, from general Gibson, stating a motion by Bradford, at the Mingo meeting, to support the outrages committed. That, from the prothonotary Brisson, to the same effect. At the authors of these two last letters he appeared particularly enraged as distinguishing him at the Mingo meeting, and representing him as making such motion. Addressing himself to me, Were you not there? did I make such a motion? I looked at the man with astonishment. Is it possible, thought I, that you did not know the scope of your harangue? you did not make the motion, but you supported it, and that is all the inaccuracy in the statement of the letter. But is it possible that you would regard the being distinguished to the government, as supporting violent counsels, when you have distinguished yourself so effectually in the very act of obtaining these letters? however it was no time to explain; it would involve myself, and put it out of my power to serve others, to enter into an altercation with the Robespierre of the occasion, by stating, as the fact was, that if he did not make the motion, he supported it. I therefore evaded it, by saying, that the statement in the letter

ter was not accurate, but that might be the fault of the information given to the writers. It was answered, that it became them to be more cautious in giving credit to information; and at all events it evinced a disposition unfriendly to the people, to be communicating information to the government of what they were about. There was no answering this.

Having read the letters, and put them up again, said he, there is another person that is an object of resentment with the people, Major Craig: he has had the insolence to say, that if the inspection office is shut up in the town of Pittsburgh, he will open it in his own house. Calling on the deputies from Pittsburgh; have any of you, said he, heard this? it was answered, no. It was stated by me particularly, that I heard nothing of it; from others I had not. And as to himself I had had no conversation with him for a long time past: the only conversation whatever since the beginning of these affairs, was the other day when we had heard of the rendezvous about to be at Braddock's fields. Falling in with him in the street, said he to me, what is the meaning of their meeting at Braddock's fields? they have found, said I, some pieces of artillery lost on the retreat in the channel of the river, and they assemble there to draw them out, and attack the garrison. I said this, to amuse myself with the engineer, who had accused us with want of courage in not going out to defend the inspector's house. For admitting, that being habituated to the implements of war, he did not regard small arms, I was willing to make an experiment what effect great guns might have. I represented the effect as considerable, and drew a picture of his countenance as betraying symptoms of concern; all this not with a view to hurt the man, but to serve him; or rather to serve ourselves, by allaying resentment against any one in the town, which might render it obnoxious on his account; and I knew no better way, than to turn it to a laugh, and make the man an object of ridicule for the moment; besides concealing thus any partiality for the man on his own account, or ours, I could with the less suspicion parry what might be proposed against him, by substituting something of less effect. It was with this view I went on, and introduced several other incidents respecting Craig; viz. that so far from saying that he would keep the inspection office in his house, it was himself that took down the label on the inspection office in the town; and having torn it in several pieces, presented it to a certain captain Lang to carry it to the country, to convince the people that it was torn. This incident

dent I painted in such a manner as to make the people laugh. I represented it in the engineer to be the effect of vain fear; and that though at first he affected to be a bloody man, and would have had a few of the town to fight the whole country; yet on a report prevailing that the people were coming to the town to pull down the inspection office, he ran and took away the obnoxious signature himself. Bradford was asked by some one, where he had received the information with regard to the language, he said, it was the talk of the camp.

It was now the question, what resolution should be taken with regard to these men. It was proposed and adopted, that the question with respect to them should be taken singly. The case of major Butler was considered first: his offence was two fold; the interfering with the civil authority of the people, by sending a military force to the house of the inspector; and by corresponding with the government.

There was no man so rash as to question the illegality of these acts; but it was observed by me, that being an officer of the United States, he was amenable to the executive, for any thing unconstitutionally done; and on a representation to the President, there could be no question, but that he would remove him; at least from the command in this country. It would be therefore most adviseable to take no order with regard to him, at that time, but postpone the consideration of his case until the meeting at Parkinson's ferry, and then remonstrate to the executive, and obtain his recal. It was agreed.

The case of Craig was taken up next. It was observed by me, that there was certainly ground of suspicion of his being over zealous in behalf of the excise law; nevertheless it might be bad policy to order him out of the country at this time. In his capacity of quarter master, he had the care of the military stores that were sent forward occasionally, and intended for the campaign at that time carrying on against the Indians; that it might derange these operations, and give offence to the people of Kentucky, who were also against the excise law, to disturb the quarter-master in his arrangements, and prevent the forwarding these stores. But he was also an officer of the United States, appointed by the secretary at war, General Knox, and that the same steps might be taken with regard to him; as with Major Butler; a representation could be sent, from the meeting at Parkinson's ferry, to the secretary, with information that he was proscribed by us, and a demand that he should be superseded in his office, and proscribed by him also.

The only difficulty that occurred to any one, in this case, was the question, By whom he was appointed, and to whom the representation ought to be made? was it not the President that had appointed him? James Ross, who was a member of the committee, but who attended late, came in just at this moment; and being of the Senate of the United States, and of course supposed to have an accurate knowledge of the source of appointment, the question was put to him, Who it was that had commissioned the quarter-master? It was his opinion, that though the President was the constitutional source of appointment, yet that, in fact, the secretary at war had the nomination in these cases. It was agreed, therefore, to address Knox on the subject of Craig.

These being disposed of, the case of Gibson and Neville, the two letter writers, was taken up. On their behalf I spoke also: and with regard to Gibson, observed, that he was a man of an inoffensive disposition, not much harm with him; could do little injury, go or stay; was a man in trade, and the being disturbed would affect him in making remittances to his merchants; and the fraud, in that case, would be theirs, not his; that it was no object to banish him. With regard to Neville, he had used harsh expressions, it was true; but it was under the influence of passion, and in a private letter to a relation.

It was discoverable, that it did not go down well to pass over all. There were many that discovered ill humour; there were sundry speakers for and against. In the case of Neville, there was a man, leaning on one knee, with his chin upon the head of his staff, and a slouched hat upon his head, who spoke softly, but with great eagerness, for Neville; but at this moment, a man, whom I afterwards understood to be a captain Murray, with great liveliness of manners, came forward, dressed in a light blue camblet coat, leather overalls, buff waistcoat, and a cutlass by his side; he had not been present until that moment. The fact was, that fresh battalions of militia were every moment arriving; and as they arrived, they chose deputies to the committee. Murray, wishing to make up for his lost time, was very active now; and understanding the question was, with regard to the banishment of certain individuals, he was strenuous for the banishment. If it had been for hanging, it would have been the same thing; for the man had no resentment, politically or personally, but simply wished to distinguish himself, and become conspicuous in the revolution.

I felt little or no concern in the case of Neville, for I did
not

not see it to be of any consequence to him, whether he was to go or stay. I rather thought it was his interest to be sent away, and I had understood that it was his wish to get out of the country. He actually expressed himself to that effect, to the messengers from Washington, who came with the intercepted mail, and applied to them for a passport, mistaking their authority. I had seen him, the morning of our march to Braddock's fields, and with as much anxiety of countenance as a man could discover, who conceived his life to be in danger; his expression was, "The only thing I think of, is to escape assassination." Well, I thought of nothing but this, the saving his life and property. For Gibson I was concerned; not that I thought it would ultimately be of any damage to him to be banished, but I supposed his feelings would be hurt for the present, and he might think it of consequence to be sent away.

I was standing by Bradford at this time; turning to him, I observed, with some warmth, "the sending away the people is a farce; it will be the best recommendation they can have to the government; they will get into office, and be great men by it; it is better to let them stay and be insignificant where they are; you could not have done a better thing to those that are gone, than to have sent them off." My language was candid; and his answer was equally so. But said he, "the people came out to do something, and something they must do." I now saw that, whatever his theory might have been, with regard to the extent of his power over the people, his feelings for his own safety corrected his vanity; and he saw the necessity of giving a tub to the whale. He had heard the declamation of Murray, viz. that we must be firm, and clear the country of disaffected persons, &c.; and conceiving that Murray, just fresh from the camp, had brought its sensibilities with him, he was unwilling to relax in his disposition, with regard to the expulsion. We ought to be firm, said he, and unanimous.

At the first withdrawing of the committee, and taking their station in the wood, we were followed by numbers, who wished to hear the deliberation. The committee being opened, it was moved, and the chairman was directed, to inform the people, that it was our wish to deliberate in private. The chairman addressed them to this effect. Some went away, and others did not; some came again, and others with them. There was a constant intercourse between the committee and the camp. It was frequently told them, that we wished to be by ourselves; but in spite of all that we could do, we had a gallery of rifle-

men. Just at this moment, about a dozen came up, fresh from the camp; and having listened a little, leaning over a log, with their rifles on it, as we were deliberating on the case of Neville and Gibson; "Gentlemen," said one of them, "we do not understand your counselling in mystery; do something speedily, or we will go to execution ourselves." This, with the disposition that had been discovered in the committee, induced us to think it not adviseable to delay the determination in the case of Neville and Gibson, lest the multitude should go on, and the committee of course break up without any determination at all; and in that case, no resolution having been taken and announced, with regard to these persons, they would be left to any resolution of the mob. Under these impressions, our Pittsburgh members, consulting aside, were of opinion, it was best to say at once that they should be sent away, and that we ourselves would engage to have it done; but requested eight days for them to be ready. Before this ground of the question, it was proposed by some one of us, that the consideration of their case should be postponed to the meeting at Parkinson's ferry. But that did not consist with the idea of doing things effectually, and at once; and it was rejected.

Our undertaking to expel those people was not readily received. It was doubted whether we would expel them. This led to the question, Whether those said to be expelled, were actually gone? It was affirmed by us, that they were gone; and we stated the circumstance, that they had crossed the Allegheny river in the preceding morning, but whether to ascend or go down, we did not know. It was doubted still, either seriously or affectedly, as a reason why we should not be trusted with the expulsion of those remaining. I make no doubt, but that these scruples with regard to our sincerity of acting, sprung in the whole, or in greatest part, from a wish to seem extremely zealous in the cause undertaken, and not an abstract principle of severity; but it had the same effect. We were anxious to satisfy the doubt, but could not do it; until, fortunately, a young man, who had just come from the camp, announced, that one of the spies, in the service of the state, against the Indians on the frontiers, had just come in, and brought account, that he had seen Kirkpatrick and Brison ten miles, in what is called the Indian country, on their way towards Sandusky. I have never heard how this story originated, but it was not true: however, it served our purpose at the time; and the doubt now only was, that they would come back. We stipulated that they should not
come

come back. It was said by me particularly, that if they came back "they might seize us in their place." It was said by one, "Remember the forfeit."

It was agreed, that the sending away Gibson and Neville, at the expiration of the time mentioned, should be left to the Pittsburgh committee.

Bradford now moved, that the troops should go on to Pittsburgh. Yes, said I, by all means; and if with no other view, at least to give a proof that the strictest order can be preserved, and no damage done. We will just march through, and taking a turn, come out upon the plain of the Monongahela's banks; and taking a little whiskey with the inhabitants of the town, the troops will embark, and cross the river.

James Ross, at this moment, stepping from another part of the committee, and passing by me, said, "the veil is getting too thin, I am afraid it will be seen through." But the committee had now risen, and were going away.

It is well for you, said Benjamin Parkinson to me, that the committee has broke up in such a hurry; you would have been taken notice of, you gentlemen of Pittsburgh. Give us whiskey! we don't go there for your whiskey. This was said, grinding the teeth, and biting the lip. I considered his umbrage at these words, as no more than a pretence of a quarrel, and was alarmed; but made, in the softest manner, an explanation, that I meant no more than that we should drink together, and not any offence whatever; and that it would affect me in the most sensible manner, if any thing, inadvertently said by me, should interrupt harmony, and injure the cause. I got him to seem satisfied; but I rather suppose, that he had begun to suspect me of not being in earnest in the cause, and that this was the real ground of his resentment.

A number of the Pittsburg committee having met, it was proposed, and thought adviseable, that some individuals, in whom major Butler would have confidence, should ride in before the multitude, and inform him of the state of things: that there was no intention of disturbing him, and this, lest he should mistake the case, and fire upon the people; and they might suppose the town in collusion with him, and make this a pretence of injuring it. Some members set out, and went into town for this purpose. Others were dispatched, who undertook to have the boats ready, at a proper place, to transport the people; and water and whiskey on the ground where we should halt: that there might be no pretence of leaving the ranks, in order to obtain refreshment.

Several

Several members of the committee, and other inhabitants of the town, alarmed at the idea of the people coming, had gone home, to put out of the way, some of their most valuable articles. Some of them buried their books and papers. I had sent orders, the preceding day, for my papers to be carried out of the town, and they had been carried out.

Officers in the mean time having been appointed, Edward Cook and Bradford, generals, and col. Blakenay, officer of the day, the drums began to beat, and the line of march was taken up. By the direction of our committee I went forward to the advanced guard, and undertook to conduct by the proper road to Pittsburgh.

Conducting the militia by what is called the Monongehela road, the route was at a distance from the garrison, which is built on the bank of the Allegany river. Entering the town, and marching to the main street, to satisfy the people, and wheeling to the left, and leaving the town, the whole body was halted on the plain to the east of the town. By the best estimate I have been able to collect, the numbers were about 5400. About a fourth of the whole numbers, at Braddock's field, had returned from thence, and not come to town. So that, at the place of rendezvous, there might have been in the whole, about 7000 men.

By the order of the committee every possible provision had been made for them on the ground, that the short space of time could allow; and as soon as the Pittsburgh militia, who had marched in the rear, could be dismissed from the ranks, they were employed in carrying water to the plain. Members of the committee set the example, by carrying water and whiskey to these whiskey-boys, as they have been since called. I was employed amongst the rest, very busily. I thought it better to be employed in extinguishing the fire of their thirst, than of my house. Most other persons thought in the same manner; and every man had at least a hut that he could not afford to have plundered, or burned down. In spite of all that could be done; straggling companies left the ground, and came into the town, and were extremely insulting and troublesome. By order of the committee the taverns had been shut up, but the tavern-keepers were under the necessity of distributing gratis.

Great activity was used by well disposed men, to preserve order: General Bradford left all to his officers, and gave himself little trouble. I did not see him though the whole afternoon. He had retired to a bower, to cool himself in the shade. There

he was expatiating to those who had accompanied him, on the object accomplished, the expulsion of the obnoxious characters.

It was an object of moment for the safety of the town, to have the multitude thrown across the river, as speedily as possible. There were but three or four boats that could be collected from the ferries, and it would take a long time to transport so great a number with these. But it was recollected that the horse, which might be a third of the number, could ford the river. Knowing the ford, which is at the confluence of the Monongehela and Allegheny rivers, I rode down and attempted it; it was found to be practicable. Returning and leading down a few squadrons, they crossed. When it had been announced, that the river was fordable, the whole of the multitude, that had come on horse-back, came down and crossed the river. The foot in the mean time, the greatest part, had crossed, and we had the prospect of having the town clear that night.

But notwithstanding all exertions, an hundred or two had remained in the town; these were in concert with some of those who had crossed the river, and who were to burn some farm buildings belonging to Kirkpatrick on the hill opposite the town; and the inflaming these, was to be the signal to those in town, to set on fire his house, in town. It was also said, that the house of the company whose clerk Day had been, and Gibson's house, Neville's, and that in which Brison had lived, were to be consumed. The burning these, from their situation, would have burned the quarter part of the town. But if they had begun to burn at all, the whole would have been burned.

A company commanded by a captain Riddle, dressed in yellow hunting shirts, were seen in the evening parading the town, as having something in view. They appeared bent on mischief: About 9 o'clock at night, the alarm was, that these, and others, were about to burn the house of Kirkpatrick. The inhabitants were called upon to defend it; I found general Wilkins, and a number with arms, rushing down. I addressed them, "This will not do; it is contrary to the system we have hitherto pursued, and which has been successful. Return, and lay down your arms. If a drop of blood is shed between the town and the country, it will never be forgiven: it will be known, that there is a tumult in the town, between the inhabitants and the country people; and those that have crossed the river, many of them, will return, and we shall fall a sacrifice. If the house is

to be defended, it must be by the people of the country themselves."

In fact, a number of the people of the country were at this time in arms, to assist in defending the house. James Marshall and Edward Cook, and a brother of M'Farlane that had fallen, had gone down. He had been called forward on the principle, that being supposed to have the greatest cause of resentment against Kirkpatrick, if he should oppose the burning, no other could, with a good grace, insist.

It was on the same principle, (an incident which I had forgot in my narrative), that the committee of Braddock's fields had sent for Andrew M'Farlane; and representing to him our apprehensions of injury to the property of Kirkpatrick, requested him, as we well knew it would be no gratification to a man of sense, as he was, to destroy the property, even of one by whom his family had been injured, that he would express his sentiments in the camp, and make it as public as possible. His answer was, "that he had no wish to injure the property, and would declare it publicly; but that if ever Kirkpatrick and he should meet, one of them should die."

Those in arms, with general Wilkins, rested where they were. Going forward, I addressed myself to the people that were going forward for the purpose of burning the house. Said I, Gentlemen, you cannot burn this house without burning that of colonel O'Hara, that is near it; he is a good man, and he is absent. If it is to be destroyed, let it be pulled down, not burned. I will be the first to pull a board off myself; but what necessity to take the trouble now; or to give yourself the trouble at all? the people of Pittsburgh will pull it down, and throw it in the river.

These desisted to go forward. There had been some at the house, and were preparing to set fire, when Cook, Marshall, and M'Farlane came forward, and prevented it. A mistake of Cook was fortunate. Thinking those he saw before him, at the house, to be of the persons that were there to defend it; said he, Boys, are your guns loaded? Yes. "Then put in a second ball; and the first man that puts fire to the house, shoot him down." Some affected to be there to defend the house, and some went off.

In the mean time, intelligence had been brought, that the people were about to destroy the buildings of Kirkpatrick, on the south side of the river; I fell in with David Hamilton and Thomas Stokely, about to cross for the purpose of dissuading from

from it; I crossed with them, to direct the ferry boats to be sent over to the down side of the river, in order to prevent any part of those already over, from re-crossing to the town. Having ordered the boats over, I was returning, when the flame of a building of Kirkpatrick's, on the hill, began to illuminate the river. It was a barn, with the produce of the harvest in it. This had been the signal agreed upon, for the inflammation of the house of Kirkpatrick in town, or other buildings. This had been prevented, by the measures taken.

I have been minute in my relation of the incidents that respect Kirkpatrick's house, and my concern to save it, because it has been insinuated, that I had a wish to have it burned. I do not affect a regard for the man, for I have none; and it is no presumption of my regard for him, that I wished to save his house; but rather the contrary; for I well knew that, if burned, he would make five times the value of it, out of it. It was in some degree for the sake of the people themselves, that I wished to save them from doing mischief. How would Kirkpatrick make five times the value, by the destruction of his property? It would be considered as destroyed in the cause of the government; and therefore liberally repaired. The being the brother-in-law of the inspector, would establish a connection between his loss and that of the officer.

That plunder had been an object with many of the multitude, is certain. Amongst other proofs of this, I saw a man, on Braddock's fields, put his hat, an indifferent one, on the muzzle of his rifle, and twirling it about, say, I have a bad hat now, but I expect to have a better one soon. On the day the people marched into Pittsburgh, there were numbers of women on the hills opposite the town, from a considerable distance, collected to see the destruction of the town, and to share in the plunder. The day succeeding, a body, near a thousand, at the distance of four or five miles halted, and deliberated, and with difficulty were prevented from coming back to plunder. On their way, on another road, by the farm house of Neville the younger, where a tenant lived, who had been a deputy under the inspector, they deliberated on the plundering and burning the house, and presented their pieces to shoot the wife of the deputy.

It will be queried, Whence the authority, that I insinuate myself to have possessed, in the interfering with the orders of general Wilkins, with regard to the defence of Kirkpatrick's house, by the militia of the town; and in ordering ferry boats

from one side of the river to the other; to remain all night with the hands, to prevent the re-crossing of the people? I have already said, that I was a member of the committee, which was supposed to have superseded, for that occasion, all other authority. We were a kind of national commissioners. The idea struck Henry Purviance, of Washington, who addressed me by the designation of Commissioner Brackenridge. General Wilkins was therefore no general now; I was a member of the committee, and had an equal power with him, and might assume more sometimes; and if not contested, it was exercised.

CH A P. IX.

THE affair of Braddock's fields, and the marching to the town of Pittsburgh, being over, it will be asked, Could 250 or 300 men, which was the extent of the militia of the town, at the time, maintain it against 7000? but there might not be 7000; but suppose only 700. The people of the town were not used to arms; they might parade, on a review day, with empty muskets in their hands, but had no other practice. They had the advantage of buildings out of which to fire; but so had Kirkpatrick, at Neville's house; and yet the buildings were burned. But the inhabitants of Pittsburgh were more, than the party of Kirkpatrick, and the houses more than the houses of the inspector: but the force of the country was proportionably more against it; and if this force had been repulsed, is it to be supposed that a greater force would not return? but there must be supposed to be a proportion of the town that had not yet acquired the same property with others, and would not like to put their lives to an equal risk in defence. Another proportion, from an acquaintance or connection with the country, would presume themselves safe, and would not chuse to defend. The garrison could have been of no use; for they could have taken the town between the garrison and them. They might have taken the garrison itself; it was a quadrangle with bastions stockaded, and a block-house in the north-west, and north-east angles, with a 6 or 9 pounder in each. But the bastions towards the town were naked of cannon; and the port holes might have been closed, and the pickets cut away. The people were mad; and if any man

wishes

wishes to calculate the force of madness, let him think of the French revolution, and the storming the Bastille, and the Thuilleries. It never came into my head, nor did I hear any one else, suggest the idea, of using force on this occasion. I thought it the safest way to give good words, and good drink, rather than balls and powder. It cost me four barrels of old whiskey, that day, and I would rather spare that, than a single quart of blood.

But it will be said, that the seeming to join the people at Braddock's fields, and to support them in their views, did great public mischief, as it deceived numbers in the country, and lead them to an opposition to the laws, or confirmed them in it; and that it would have been better for the government, for us to have, at least, remained at home, or to have made our escape from the town. It is difficult to say, which has had the best effect generally; I admit the truth and full force of the observation, that it was calculated to give a temporary confidence of strength; but on the other hand, the desperate act of plundering and burning the town, in whole, or in part, would have led the perpetrators to every possible extent of violence, in order to protect what had been done; and no possibility of accommodation with government could exist after such an outrage. But in the present case, it was like the raking of the leaves towards the flame, when the woods are on fire: the burning is greater for the moment, but it cannot pass the path, where there is nothing to feed it.

It will be asked, how can we justify the sending away the proscribed persons? I know of no case in our law, strictly parallel. I recollect an oriental case, that may come near it. It is reported in the Negaristan.

Two travellers passing by a pool, on the side of the road, one of them, missing a foot, fell in. The surface of the pool was some feet beneath the level of the bank, and of itself deep; laying hold of the bank, he struggled to get up, but it was steep, and he could not. His companion, extending himself on his breast, and reclining over the bank of the pool, and reaching down his hands, got hold of the hair of the other, and with some difficulty, extracted him from the pool. But in dragging him against the bank, by some means an eye was injured, so as to lose the sight of it. He conceived himself intitled to damages against his companion, who had thus, without his interference and application, dragged him out. He claimed the sum of 10,000 dinas. The cause came before the cadî, who was puzzled,

zled, and laid it before the califf, who was puzzled, and took the opinion of a famous lawyer, Ala Joseph.

The decision recommended by Ala Joseph was, that the injured man should have his election of two things; either to go back to the pool, from which he had been rescued, and take his chance of getting out, or be satisfied with the act of his companion, and the consequence of it, even though an application for assistance had not been made by him, and his consent to be dragged up formally obtained.

The morning after Braddock's field, I had an interview with Neville, at his own house; and the conversation turned on the state of the country. I was of opinion, that it would not be an easy matter to reduce the insurrection by force. He was of opinion that 3000 men would do it. I was of opinion, that if it was attempted by less than 15,000, it would answer no other end than to give strength to it, and lead to a lasting civil war. I reflected at the time, that going to the government, he would be likely to mislead it, in the same manner as Amherst, in England, with regard to America, before the revolution, asserting, that he could march from north to south with 5000 men; or as the emigrants, at Coblenz, at an early period of the French revolution, affirming, that it was a matter of little difficulty to restore the despotism: but I have understood since, that his opinion to government, on this head, was the same which I then expressed. He had thought more deeply on the subject.

A day or two after this, Henry Purviance, of Washington, gave me to understand, that Neville the younger had expressed to him his suspicion that I was in confidence with Bradford, and had been privy to the intercepting the mail; and had laid the plan of the expulsion of the persons denounced; and this with an immediate view to them particularly. It was observed to him, that this was totally improbable; as I could not, at the time of projecting the intercepting the mail, provide that those persons should write letters by it. This would exceed the power of any one, that had not an invisible power over the minds of individuals, so as to make them act as the projector wished.

This observation was decisive. I must have had a supernatural power, or uncommon good fortune, in having these persons do what would give pretence for the expulsion, which had been previously projected.

Neville could not answer this; but said, that if I had not projected it, I was pleased with it now, that it had taken place.

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I was struck, for the first time, with the knowledge that Neville had not a perfect confidence in me; but it did not make much impression on me, as I conceived him in a fever; and, like persons in a fever, ready to complain of those that were taking the best care of them.

Suppose me to have been inimical to him, and the others; would expulsion have served my turn? would I not rather have had them knocked in the head at once? had any arrangements been made to keep them away? would not the government restore them? It was like school-boys baring out a master in the Christmas holidays. They would come back again. No; I knew the sending them away might wound their feelings for the moment, but would not do them any essential or permanent injury. On the contrary, it would ultimately serve them. It would hold them up as martyrs of the government, and give them offices and emoluments. I expressed this at the time; and it has so happened with some of them.

It was said, that I had been at variance with all these persons. I had with Kirkpatrick, but with none else, to my knowledge. If there was any variance, it was in their minds only, and not known to me. There had been a variance with Gibson, but it had passed away; at least I had forgot it. There might be still a degree of distance; but it was the awkwardness of pride in coming to a formal reconciliation. With Neville I had no difference, real or apparent: but his observation shews, that he was not well disposed towards me. With Day there was both a real and apparent good understanding. I knew Brisson to have had malice of an old standing against me; but I had thought it was dead. I never had any against him. As to Kirkpatrick, I was prosecuting him for misdemeanors. But it was defeating my purpose to send him away. I had him under recognizance to court.

The second day after the departure of the multitude from Pittsburgh, it was rumoured that Kirkpatrick had been seen in town. It was traced to an inhabitant of Pittsburgh, who said, he had it from a person from the country, who said he had seen him. The committee was called, to enquire of this inhabitant; and censure him, if, without foundation, he had circulated this report. As the committee were meeting, at a public house, Neville the younger, and Craig, were coming down from the garrison: they were interrogated, and acknowledged, that Kirkpatrick had returned to town, and was then in the garrison. It excited great indignation, because he had deceived us, leading

us to suppose that he had gone, and to pledge ourselves to that effect. Neville and Craig alleged, that he had not intended to return, but that he had been dogged by parties, and had been under the necessity of returning, to be safe. It was answered, why not then have given early information to the committee, that they might have taken measures to escort him? Neville said, that he had not known of his being in town until within half an hour; and on saying this, they left us. It was thought ill usage, after all the pains we had taken on behalf of Kirkpatrick. If he had gone to the garrison at first, there could have been nothing said about it; but the being there now, would not excuse us, who would be supposed to have deceived the country. The committee were determined on decisive measures. Having had a difference with the man, I gave this as an apology, and declined acting; but the resolution was, that Neville and Craig should be seized in his place, and sent to Washington. Persons were dispatched to demand their persons. It was believed that they were privy to his being in the neighbourhood of the town, the whole time; and that he had never attempted to go away. Craig made his escape to the garrison; Neville gave his word of honour, that in half an hour he would appear before the committee. He did appear, and came up smoking a segar. I conceived the man was amusing himself with our concern; and in fact he was, or affecting to do so; for his pride was wounded, and he had misconceived the sincerity of our good will, and earnest desire to save every one, and hurt none. He passed by me with that compressed laugh, which conveys insult without saying any thing. I saw that he considered me as diverted with his embarrassment: he did me great injustice.

However, when he came before the committee, he expressed himself with discretion, and gave assurance, that if they would provide Kirkpatrick with an escort, he would leave the garrison, and go away. This had been offered to him when he went at first, but he declined taking it. The committee undertook to do this, and an escort was provided.

Some of the people of the town, who had heard that Kirkpatrick was in the garrison, and not knowing that the committee had taken measures, had determined to lay in wait for him; presuming that he would come out in the night. Their view was, to take him and surrender him to the country. It has been said, that some talked of shooting him; and that he was actually fired upon, as he came out of the garrison, when he went away.

The committee hearing this, next day, called a town meeting in the evening, in order to explain to the people the impropriety of such behaviour; all things that regarded the police of the country, or the management of the affairs of the times, having been delegated to them, for the occasion. It had become necessary on another account; the idea had prevailed, that all law was at an end, that a justice of the peace could issue no warrant, or constable serve it.

It was put on me to harangue the meeting, which I did; and denounced, in strong terms, the impropriety of acting as in the case of Kirkpatrick, without the orders of the committee; informing them also, that law was in force.

I was diverted with an expression of John Wilkins, senior, on this occasion—"It is only the excise law that is repealed."

I had said, that it was only that law that the country had suspended. It will be seen from hence, the manner in which we had to accommodate our language, even to the town of Pittsburgh.

Had the denounced persons left the country immediately, before it became known extensively that they were obnoxious, they could have got out of it without difficulty; but it was no easy matter afterwards. The cause of their proscription was not distinctly known; and it was thought to be some great state crime that had come to light. The people had an idea, that it would be no harm to shoot them down; at least to arrest and imprison them.

Kirkpatrick was to have had an escort of two men, but one only had been able to join him; the other had been detained by the people, who, not knowing the measures of the committee, were lying in wait, to apprehend him. With the person that had been able to join him, he escaped, by a circuitous route, on the frontiers of the country, as far as the Allegheny mountains, and then ventured to take the road.

Prothonotary Brison had been detained a night at the house of the deputy attorney for the commonwealth, at the distance of some miles from Pittsburgh. It was rumoured in the neighbourhood, that he was there still. A party, of about forty persons, had collected in the night, and surrounded the house. They demanded of the attorney, to give them entrance, that they might search for the culprit. It could not be refused. The lady of the attorney had fainted with the fright; a mulatto woman had been dispatched to the spring hastily, for a glass of cool water; and mistaking her complexion, in the dark, she

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was taken for the prothonotary, making his escape in the disguise of a night cap. She was pursued; and supposing herself obnoxious, she left the glass, and took to the woods. It was thought that the prothonotary had escaped, and the resentment fell on the attorney, for harbouring a criminal; and it was with great difficulty, and not until the mulatto woman, recovering herself, had come back, that he could convince them of the truth.

Edward Day had taken the safest route, and descended the river to fort Washington.

The inspection offices, through the whole survey, comprehending five counties, had, at this time, been burned down, with the dwelling houses of the deputies. Liberty poles, with inscriptions and devices, raised every where. Inscriptions, such as, "an equal tax, and no excise;" devices, such as a snake divided, with this motto, "united we stand, divided we fall." I met with no man that seemed to have an idea, that we were to separate from the government, or to overthrow it, but simply to oppose the excise law; and yet the people acted and spoke as if we were in a state of revolution. They threatened life and property familiarly. They talked of not suffering Alexander Addison, the district judge, to return to the country. He was, at that time, at Philadelphia. A report, that, on his way down, he had met the marshal, and encouraged him to come forward with his writs, had rendered him obnoxious. They proceeded to acts of violence among themselves; every man avenging his own injury. Persons have consulted me on the expediency of coming to town, to shelter themselves there. I dissuaded from this measure, as dangerous to them, and to the town both. We could not defend it; and if we could, yet whence our provisions? It was better to conceal, and lie by a little, until it could be seen what arrangements could be made for the restoration of order; or if, in the mean time, any man was apprehensive of injury to himself personally, he had better cross the Ohio, and be absent for a while, under the pretext of discovering and improving vacant land. I was consulted by many, supposing me to have a knowledge of the times; and when I thought myself safe, I gave my real sentiments; as will be seen by my vouchers. I could produce a thousand of these, were it not troublesome to take, and voluminous to print them. My sentiments were, that the people must be brought to order by arrangements amongst ourselves; or the government would reduce them. When I thought myself not safe, not knowing the

the persons, or suspecting myself to be watched, my answers were evasive or equivocal.

The most delicate conduct was necessary, in order to avoid giving offence. Some days after the cavalcade at Braddock's fields, I was reading an advertisement, by one who had been there, put up at a public house in Pittsburgh, and laughing, with some persons present, at the singularity of the phraseology and orthography. Looking round, I saw two or three from the country, who discovered, by their countenances, strong emotions of resentment; they had conceived our merriment at the expense of the advertisement, to indicate an undervaluing of the writer and his service. I turned it off suddenly, by saying, that it was no matter; he did not spell well; but he might be a good soldier, and fight well. This restored their good humour.

I took and kept it, as a curiosity, and subjoin it in a note*, not so much on account of the phraseology or spelling, as on account of one word, the "revue" or review; as it shews an idea, which many of the people had, that they were called out, by authority, as in the case of the reviews of the militia.

In the mean time, a kind of temporary block-house was constructed in the middle of the garrison to defend the curtain on the south, of which I have before made mention, and exertions were made to furnish the garrison with two months provisions. Application was made to a person, concerned in buscuit baking in the town, to sell the public the buscuit he had on hand. He consulted me, apprehensive that it might not be safe, as the country might hear of it, and make him the object of resentment. I thought they could not take offence at his disposing of what was in the way of business; but that, to save appearances, it might be well to let the public barge come round and take it from him. I mention this to shew the delicacy of the apprehensions of individuals.

It was suggested by me, and approved by others, that the records of the county, in the prothonotary's office, should be

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put

* ADVORTUSMENT.

Notis is hereby givin to the publig that there was a par of portmantles lost last time I went with the revue from Braddik's ground to Pisburgh, between the nine mild run and the too mild run and with pirvishins in them and hankenther in them. Bot I car for noting but the sadbags, every person that his fond them, will send them to Elisabet-toun, or live them at Mr. Wadins tavrin, at Pisburg so that the oner may get them shall have risonable chares paid for there truble.

September 2d. 1794.

put up, and kept ready to be removed to the garrison, at the shortest notice, if the town should have any reason to apprehend any thing from another movement.

As to myself, I canvassed my situation fully, and begun more seriously to think of emigration; but in that case, I would be considered in the light of a deserter, and my property become a sacrifice. I thought of disposing of my house, which was perishable, to some individual less conspicuous, and under his name save it. But that would be suspected or discovered. I thought of being absent on some pretence that might be plausible; and it struck me to prevail with the people of Pittsburgh to appoint me as an envoy to the executive, to state the motives of their conduct, and explain their situation. I mentioned this to James Ross, who approved of it, and at my request, to sound General Wilkins, to get him to favour it. Mr. Ross did so, but informed me that General Wilkins was not willing that I should leave the town. He was in the same situation himself, and did not like to lose company. I have learned since, that there were more in the same situation, and with the same reflections, elsewhere, who had planned the getting out of the country, by pretending to go below, to purchase powder. Subscriptions were opened in reality, in places, for the sending below for arms and ammunition.

I made up my mind now to wait the result of the meeting at Parkinson's ferry. My object was, a pacification of the country, by means short of force. With a view to this, I wished the government to have a just idea of the situation of the country; the magnitude and extent of the opposition. In that case, the executive might be disposed to adopt conciliatory measures. On this principle, having received a packet, containing some papers, from Tench Coxe of Philadelphia, on agricultural subjects, to be communicated to the people of this country, it struck me, to communicate to the government, by writing to him, my impressions, with regard to the disturbance. This letter was misunderstood, and considered as proof that I was engaged in the insurrection. Some expressions led to this misconception, which I had used to save myself with the more violent of the people of the country, if it should fall into their hands, by the intercepting the mail; a thing constantly expected. In writing to Tench Coxe, I considered myself as writing to the government, understanding him to be in an official situation near the President.

A term had come into popular use, before this time, to designate

signate the opposition to the excise law; it was that of Tom the Tinker. It was not given, as the appellation of whig originally was, as a term of reproach by adversaries; but assumed by the people who were active in some of the masked riots, which took place at an early period. A certain John Holcroft, was thought to have made the first application of it. It was at the time of the masked attack on a certain William Cochran, who rendered himself obnoxious by an entry of his still, according to law. His still was cut to pieces; and this was humorously called, mending his still; and the menders, of course, must be tinkers, and the name, collectively, became Tom the Tinker. Advertisements were now put up on trees, in the high ways, or in other conspicuous places, under the signature of Tom the Tinker, threatening individuals, or admonishing, or commanding them, in measures with regard to the excise law*. In the march from Braddock's fields, the acclamation was, Huzza for Tom the Tinker. It was not now, Are you whig or tory? but, Are you a Tom the Tinker's man? Every man was willing to be thought so; and some had a great deal of trouble to wipe off imputations to the contrary. Advertisements appeared in the gazettes, from individuals, appealing to the public, and averring the falshood of aspersions upon them, as favouring the excise law.

It having been announced to Gibson and Neville, that, by our undertaking, in their behalf, with the committee of battalions on Braddock's fields, they were to leave the town in ten days, I received a note from Neville, addressed to me, as chairman of the committee of 21, demanding a passport from the country, and an escort. I discovered a symptom of ill humour, in

* The following is a specimen:

“ In taking a survey of the troops under my command, in the late expedition against that insolent exciseman, John Neville, I find there were a great many delinquents, even amongst those who carry on distilling. It will therefore be observed, that Tom the Tinker will not suffer any certain class, or set of men, to be excluded the service of this my district, when notified to attend on any expedition, in order to obstruct the execution of the law, and obtain a repeal thereof.

“ And I do declare, upon my solemn word, that, if such delinquents do not come forth, on the next alarm, in equipments, and give their assistance, as in them lies, in opposing the execution, and obtaining a repeal, of the excise law, he, or they, will be deemed as enemies, and standing opposed to the virtuous principles of republican liberty, and shall receive punishment according to the nature of the offence; and that, at least, consumption of his distillery.”

in addressing me as chairman; for he knew it had never been my place to be chairman, but to be amongst those that addressed the chair. I was the more disposed to construe it in this manner, having found him, in a conversation the day before, in an irritated state of mind, with regard to the part that had been taken by me and others, in his expulsion. His expression was, that he understood "it was the members from Pittsburgh that insisted on his expulsion." It might have been so represented to him; and his informants may have misconceived our conduct.

I was hurt with these suspicions, and the unreasonable dissatisfaction with me personally. Nevertheless, considering the circumstances, I was determined to maintain a perfect apathy to all impressions of resentment, and go on to render him every service in my power. Having taken the trouble to go round, and collect the committee; passports were made for him and Gibson: double passports for each: one in a few words, to serve them to pass through the country; and couched for them, as for prisoners under a guard. I have not a copy of it.

Another, and the principal one, was a statement of the ground of expulsion: that it might be seen below, and manifest the futility of the charges against them. The idea of this was suggested by me, and the passport dictated to the secretary. It was afterwards published in the gazettes of Philadelphia. I subjoin a copy in a note*.

Agreeable to our resolves, prior to the meeting at Braddock's fields, delegates were to be elected to the meeting at Parkinson's ferry.

Circumstances were so materially changed, from what they were at the time of the Mingo creek meeting, that I had declined all idea of going forward as a delegate; and gave it to be known in the town, that in the appointment, I would not chuse

* At a meeting of the committee of 21 of the town of Pittsburgh, August 4, report was made to them by the committee, who were a part of the committee of battalions, on Braddock's fields, viz. that in the committee on Braddock's fields; it was stated on the part of the committee of four, that the three persons proscribed, of the town of Pittsburgh, viz. Abraham Kirkpatrick, James Erison, and Edward Day, were expelled the town, and had disappeared.

It was then taken into view what other persons were obnoxious, as being suspected of being friendly to the excise law; as might appear by letters, or otherwise; and on certain letters being read, which had been intercepted in the mail, from Pittsburgh to Philadelphia; viz. one from colonel Presley Neville, to his father-in-law, contains in a certain paragraph, words unfavourable to the opposers of the excise law, though no person in particular

chuse to have my name mentioned. There appeared to me but little prospect, that the meeting should rest short of deliberate and systematic hostility. I had heard of the language of Bradford, after his return to Washington, from the march to Pittsburgh. "A glorious revolution accomplished without bloodshed." I conceived from thence, that he must have an idea of supporting, at all hazards, what had been done. My impression of Marshall, from what I had heard, from others, and what I had seen of his conduct, was, that he had inconsiderately involved himself in the business, but would be happy to get out, if he could. But I knew the people would not let him; he would not dare to talk of any thing, but going on to war; and such was his situation, from his personal acts, that it had become as much his policy, as any man's, to meditate defence.

On these principles, I thought it most adviseable to send to that meeting some persons, who would not be under the necessity of acting a conspicuous part, by being called upon to speak, not being supposed in the habit of it, as I professionally was. That in short, to save appearances, it was adviseable to send some persons; but, at the same time, such persons as could have it in their power to remain obscure.

James Ross and general Wilkins, to whom I communicated these ideas, were of a contrary opinion, and thought it adviseable to go forward; and, at the same time, to use endeavours to get forwards, from all parts of the country, delegates, opposed to violent measures. I yielded to their opinion; and gave it to be understood, that I was willing to go to the meeting, if I should be chosen.

General

particular was named; but this being considered as a sufficient evidence of his enmity to the cause, it was resolved that he should be expelled the country within ten days.

Also another letter from general John Gibson to the governor of Pennsylvania, which, in a certain paragraph, evinces a like disposition, by a mistatement made by him, on information, which information was not thought to be exact, and which he had too hastily credited, it was resolved that he should be subject to the like sentence, and that the committee of Pittsburgh should carry into effect these measures necessary to the public safety.

Resolved, therefore, That notice of their respective sentences be forthwith given to those persons, and that they depart accordingly; and that a guard be ordered for each of them, to conduct them to a proper distance.

Resolved, also, That a copy of these resolves be given to each of these persons as a passport from the country.

On behalf of the committee,

JAMES CLOW,

General Wilkins and others, in the town and adjoining country, were active in getting forward persons in the county of Allegheny, of the description before suggested. James Ross had gone to Washington, with the same views.

The election for delegates to the meeting took place, with some form, in Pittsburgh, and under the appearance of being warm in the cause of Tom the Tinker. John Wilkins, senior, was made a judge of the election; and being a man of humour, with great gravity, made it a test of the right of suffrage, the being for Tom the Tinker; and affected to scruple the votes of some, who, not perceiving the burlesque, hesitated to say they were for Tom. When I came in, to give my vote, said Wilkins, I need not ask any test from you, for you are Tom the Tinker himself; meaning, that I had acted his part, in the affair of Braddock's fields, in the most distinguished manner. The whole of this was understood to be a jest: nevertheless, affidavits of this pleasantry of Wilkins, in the case of the test, were carried to the executive; and he was afterwards alarmed about it.

I was chosen a delegate, with general Wilkins and others. The first great object to be accomplished by that meeting, was, the taking the business out of the hands of the multitude, by establishing an organisation, through which alone they could act: First, resolving it to be the sense of the committee, that the state laws were in force; and that the authority of all civil officers was to be respected; and no violence to be done by any man, on his mere motion, under pain of being denounced by the committee, as an enemy to his country.

For it will be understood, that the idea of a committee had become more formidable than that of a court. It was a new authority, springing fresh from the people's power, and had the force of opinion on its side. The mulct of a court, for a breach of the peace, would affect the property; but the censure of a committee, would render a man infamous.

Secondly, resolving, that the meeting address the President; stating what had taken place, and praying a suspension of force against the country, and an oblivion of what had taken place; under such arrangements as might be obtainable.

Thirdly, resolving, that a standing committee of safety be appointed, to be conservators of the peace, in support of the civil authority; and to be the organ of negotiation with the executive, on the subject of an amnesty, and the arrangements that might be obtainable.

Fourthly,

Fourthly, resolving, that the meeting publish an address to the people, explaining what had been done, and their views in doing it; and enjoining an obedience to all the municipal laws*, during the pendency of the negotiation with the government.

Agreeable to the scheme of these resolves, I had drawn up an address to the President, and another to the people, on the principle stated, and had them prepared to be laid before the meeting.

General Gibson, at this time, or before it, had left the country. Colonel Neville was about to go; but had some reluctance. It struck me with surprise: I had been thinking how to get away, and he had been thinking how to stay. We saw things from two different points of view.

He came to me after the delegation to Parkinson's ferry, and expressed an idea, that he had a right to expect of me, and others delegated from the town, that, at the meeting, we should go forward, and demand an examination of his case, and a repeal of the sentence of the committee of battalions, on Braddock's fields; that he had a right to expect this, in as much as it was on the account of the town, that the sentence was to be carried into effect.

I was hurt at his want of a just conception of the case, in supposing, that it was on account of the town, that he was to go away. It was on account of him, and others, that the town had been in danger; and it was for his own sake, that he was to go away. I had considered him as consigning his case to my management, from what he had said to me, the morning I went to Braddock's fields; and I never managed the case of a client, at the bar, with more fidelity, than I did his, on this occasion. I had thought the business well managed, in diverting an infuriated mob from coming in to seize him, and others: and this was accomplished, by the policy of getting the mob to condense themselves into a committee; and then managing that committee, to adopt the mild resolution of leaving him in the hands of the committee of Pittsburgh, as guardians, in fact, of his safety, though nominally the executors of the sentence.

I do not mean to blame him, or others, for writing by the mail, or for what they wrote; but I state the writing as the occasion of the cavalcade, and our disturbance.

I stated this candidly to Neville; and, perhaps, in a more pointed

* It was necessary to use this plea, to avoid the odium of including the excise law.

pointed manner, than I would otherwise have done, had not my feelings been hurt, by his suspicions which had been suggested to me.

But I farther observed to him, that, supposing it demandable of the town, to go forward, and propose the recalling him; was it practicable? did he not know, that he was considered by the people, as the inspector himself? what the father got, the son had. It is known, that, before your father accepted the office, you were consulted, and advised the acceptance. It is known, that application has been made to you, to advise your father to resign the office: You have said, No; would any of them resign an office of such value? It is known, that you are the author of that advertisement, which has appeared in the gazette, alledging, that certificates and bonds were plundered and carried off, at the time your father's house was burned*.

I am not about to question the truth of the loss, nor the propriety of advertising, I only speak of the effect on the minds of the people, who may be offended with the imputation; and, in fact, they are offended. They know your father had gone, before the appearance of the advertisement; and you are supposed to have written it: and though they admit the loss may have taken place by the burning, they resent the being thought capable of theft or forgery.

In your letter to the Mingo meeting, you gave offence: they thought your casuistry, prevarication; and Kirkpatrick's intrepidity, of which you spoke, they thought stupidity. From this emblazoning, they join you with Kirkpatrick, in their feelings; and more especially, as it is known to be a trait in your family character, to support any branch of it, however insupportable †.

Neville

* At my house, on Bower hill, on Chartier's creek, which was attacked, plundered, and burned by the rioters, on Thursday evening last, were 4615 dollars and 64 cents, funded debt of the United States, in my own name, in two certificates, viz. N^o. 775, for 3631 dollars, 21 cents, 6 per cent; and N^o. 603, for 980 dollars, 43 cents, 3 per cent. This, to caution the public, lest they may be offered for sale, with forged powers and conveyance. Interest is stopped at the bank, and every legal measure taken, to prevent imposition. If they have fallen into the hands of an honest man, he can return them to Colonel Neville, in Pittsburgh. I also caution the public not to receive assignments on any bonds, or notes to me, as they are in the same situation.

JOHN NEVILLE.

July 20, 1794.

† This was an impression of my own, more than that of the people; for they did not know it so well: but the other ideas were all in the minds of the multitude.

Neville behaved mildly, and said little; but, I suppose, thought the more; and set this down in his mind, as a further proof that I was an insurgent. I have heard that he has mentioned it as a proof; and that he resents a declaration made by me, at the time, that, if I was to advocate the case of any person, it would be that of judge Addison; who, it seems, had become obnoxious. I am not capable of the indelicacy of wounding the self-love of any man, by a personal preference of another, to his face; but I gave this as a proof, that, even in a case where my own interest was materially concerned, as the having the president of the court in the circuit, without whom the business of my profession must, in a great degree, be at a stand, I would not think it expedient to go forward, and mention his name. By that direct mode of acting, I could not bring him back; and I would put myself away. I had in view, to save the influence that I happened to possess, in order that the people might let me work with them, in constructing the wheel, the revolution of which, would set all matters right, and bring Alexander Addison and Presly Neville into their places again.

The fact is, there was a great proportion of those at the burning of the house, capable of all that was alleged; but the bulk of the leaders, were themselves led by false ideas of patriotism, and though guilty of a great offence, at the moment, would have shrunk from the violation of moral truth, or the commission of dishonesty. I write this, not to make their apology, but to explain human nature.

I had frequently heard it said, by the people of the country, since the introduction of the excise law, that it were better for them to be under the British; and at this time, such language began to be very common. But I cannot say, that I ever heard any person of note breathe the idea. It was said, that arms and ammunition could be obtained from the British.

At this time, reports from the east of the mountains were, that the people on that side, were as violent as those on this; that they had proceeded to outrages. This was alarming. I saw before me, the anarchy of a period; a shock to the government; and possibly a revolution,—a revolution impregnated with the Jacobin principles of France, and which might become equally bloody to the principal actors. It would be bloody unavoidably to them; and to the people, destructive. Let no man suppose, that I coveted a revolution. I had seen the evils of one already, the American; and I had read the evils of another, the French. My imagination presented the evils of the

last so strongly to my view, and brought them so close to a probable experience at home, that, during the whole period of the insurrection, I could scarcely bear to cast my eye upon a paragraph of French news. This is not a statement of sentiment, invented now; they were my expressions at the time. It was not the excise law, alone, that was the object with the people; it was, with many, not the principal object. A man, of some note, and whose family had been at the burning of Neville's house, was seen on horseback, in Pittsburgh, the day of Braddock's field, riding along with a tomahawk in his hand, and raised over his head—"This is not all that I want: it is not the excise law only, that must go down; your district and associate judges must go down; your high offices and salaries. A great deal more is to be done; I am but beginning yet."

In the appointment of associate judges, there were great disappointments among individuals; and the justices of the peace, many of them, wished to be again upon the bench.

I saw the course of things; that there would be no occasion for a lawyer for a while; and on a retrospective view, I had conceived such a detestation of pleading before justices of the peace, that, if that order of things should once more take place, I would never plead at all. Of all things that I ever met with in life, it was the greatest absurdity, to be appealing to men, as judges of principles, the knowledge of which requires a study and practice of twenty years; to men, destitute of a knowledge of a single element of the science. I had considered the constitution of the courts of Pennsylvania, as a great acquisition, and was unwilling that it should be disturbed: but, as a proof that reforms of this nature were meditated, let me state, that, far before this time, representations to the legislature, had been circulated in the country, and subscribed; praying a reduction of salaries of judges, and a reinstatement of justices of the peace upon the bench. A committee, instituted a year before, at Mingo creek, and which was the cradle of the insurrection, went further; and proposed suspending the courts and the justices of the peace altogether; and actually drew causes to their own examination, and exercised judiciary authority. Benjamin Parkinson was president of that committee.

There was an accidental circumstance, which, independent of fixed and permanent causes, in the minds of the people, contributed to the inflammation of this period. It preceded the election of sheriff, and members of assembly; and without meaning any thing more than to be elected, the candidate was clamorous against

against excises and salaries; and was for taking arms, not having the least expectation of fighting, but willing to make other people think that he would fight. This class of men were numerous, and greatly vociferous. Strange as it may seem, it never once struck them, that if things went on in that manner, there could be no election.

I have given the above, as the state of the country, previous to the meeting at Parkinson's ferry.

C H A P. X.

IN the morning of the meeting at Parkinson's ferry, I saw James Marshall; and in order to reconcile himself with his feelings, and dispose him favourably towards me, I observed, that the calling out the people to Braddock's fields, was a rash act; but it might have a good effect. It would impress the government with a fear of the extent of the opposition to the law. He seemed pleased with the apology made for it, and observed, "that Bradford was hasty in undertaking things, and had not abilities afterwards to manage them." I considered this as an apology to me, for the rashness of what had been done.

But I found that he contemplated the going on to support, by force of arms, what had been done. He shewed me a set of resolutions, which he had drawn up, to lay before the meeting; one of which contemplated force against the government. He gave me to understand, that Bradford also, had made a minute of some things that he meant to move. Bradford here joined us, and I saw his schedule. It contained the heads of particulars, that would be the subject of consideration. A committee of safety, magazines, arms, ammunition, clothing, provisions, &c.

There were two or three of the resolutions of Marshall, in substance, the same with those I had devised in my mind, and I approved of them. I developed my plan of sending commissioners to the executive, and shewed the address I had drawn up to be presented to him. They approved of it.

In order to retain the management of Bradford, it was my policy, at that period, to conceal from him my total disapprobation of what had been done. I said not a word with respect

to it; nor did I venture to oppose, on the subject of making war; but to keep him from thinking, and coming to a close conversation, I amused him with pleasantries, and kept him laughing. I made use of major Craig for this purpose, and encored the story of the big guns, to be drawn out of Braddock's ford; and that of taking down the inscription of the inspection office, as related to me by captain Lang.

Just before the opening of the meeting, Bradford came to me, and put it upon me to introduce the business; by giving a history of what had taken place, since the meeting at Mingo creek; and offered me the letters which had been intercepted in the mail, to read to the people. I declined it, by observing, that his accurate dignified narrative, was more his talent than mine. And besides, there had been people expelled from Pittsburgh, on account of those letters; and living in the same village with the connections and families of these, it was a case of greater delicacy with me, than it could be with him, to explain the propriety of their expulsion, or read the letters.

The meeting was opened, by placing Edward Cook in the chair, and making Albert Gallatin secretary. The credentials of our election were produced; and there appeared to be members from Ohio county, in Virginia, and five counties of Pennsylvania. In the whole, there were 260. Our hall was a grove; and we might well be called the Mountain, for we were on a very lofty ground, overlooking the river. We had a gallery of lying timber and stumps; and there were more people collected there, than there was of the committee.

Bradford opened the meeting, by giving some deduction of what had taken place;—the appearance of the marshal to serve his writs, the attack on Neville's house, the flight of the inspector, the expulsion of other obnoxious characters, &c. Here he read the letters intercepted in the mail.

Marshall now brought forward his propositions:

First, That taking citizens of the United States, from their respective abodes, or vicinage, to be tried, for real or supposed offences, is a violation of the rights of the citizens, is a forced and dangerous construction of the constitution, and ought not to be exercised by the judicial authority.

It was alleged by Marshall, that the language of this resolve, as of the others, might not be correct, or the idea well expressed; and he wished the secretary to frame it as might seem proper. I spoke on this occasion; and observed, that, by the constitution,

stitution, the whole state was made the vicinage * ; and the judiciary had it in their power, to make use of it to that extent. Nevertheless, it certainly was an abridgment of that advantage which the citizens had before the constitution existed, where the vicinage was the county ; and that it was a hard construction of the constitution, to suppose, that it contemplated such a judiciary system, as would bring citizens from one end of the state to the other. For that reason, I approved of the substance of the resolution ; but as probably it might be improved in expression, I proposed, that we should go over the resolutions, and having agreed upon the substance, to refer them to a committee of three, or more, to digest the arrangement, and express the sense, in the best manner, and lay them before the meeting for their final consideration. It was agreed, and we passed on the second resolution, viz.

That a standing committee be appointed, to consist of members from each county, to be denominated, a Committee of Public Safety ; whose duty it shall be, to call forth the resources of the western country, to repel any hostile attempts, that may be made against the rights of the citizens, or of the body of the people.

Comparing this resolution with the first, I saw that Marshall had conceived, that the act of the district officer, in serving writs in this country, to answer at Philadelphia, was illegal and void, and that it might be constitutionally resisted ; and also, that an attempt of the government to enforce such an act, by pursuing those that had resisted, might be constitutionally opposed ; on the same principle that the money tax, and the force of government in aid of it, was constitutionally opposed by Hamden ; or the declaratory act, and the enforcing of it, was opposed by America against Britain. Coupling, therefore, these resolutions, they would seem to contemplate the resisting the authority of the officer of the district, and protecting, by arms, those who had resisted him. Taking the words by themselves, they were not exceptionable : for, doubtless the people retain the right to repel hostile attempts against their rights ; on the same principle that I may repel the officer, who would seize me without process. But coupling the words with the preceding resolution, and with the acts perpetrated in the country, and with

* Art. III. Sect. 3.

Trials shall be held in the state where the crime has been committed:

with the state of it, they appeared to me exceptionable. These were my reflections, from the time I had read the resolutions, in the morning, until that time.

The resolution being read, secretary Gallatin rose:—What reason, said he, have we to suppose, that hostile attempts will be made against our rights? and why, therefore, prepare to resist them? Riots have taken place, which may be the subject of judiciary cognizance; but we are not to suppose a military force, on the part of the government.

If I am not accurate in stating this language, or these ideas of the secretary, it ought to be attributed to defect of memory, not design. It was my impression, at the time, either that it was the only pretence that occurred to him to use, to wave the resolution, or that actually he did not know, that the acts committed brought it within the power of the President to order out the militia.

I saw the principle, and respected the courage of the secretary, in meeting the resolution; but I knew that it was a favourite one, with all those that had been involved in any of the outrages, and, at the same time, a popular one generally. I was alarmed, therefore, at the idea of any discussion of it; and instantly, before any one could have an opportunity of speaking, I affected to oppose the secretary; and thought it might not be amiss to have the resolution; but it might be softened in terms, without altering the substance, and it might be said, the committee should have power to take such measures as the situation of affairs might require; and that the committee of four, to whom the modelling of the resolutions was to be committed, might model the terms. Marshall acquiesced, and there was no question, or debate.

Third resolution, That a committee of — members be appointed, to draft a remonstrance to Congress; praying a repeal of the excise law, and that a more equal, and less odious tax, will be cheerfully paid by the people of these counties; and that the same remonstrance be signed by the chairman of this meeting, in behalf of the people whom we represent.

This resolution was opposed, on the principle, that it was useless to remonstrate to Congress; that body having treated with contempt, all former remonstrances on that subject. It was, however, carried; those who had opposed it, acquiescing.

Fourth resolution, Whereas the motives by which the people of the western country have been actuated, in the late unhappy disturbances, at Neville's house, and in the great and
general

general rendezvous at Braddock's fields, &c. are liable to be misconstrued; as well by our fellow citizens, throughout the United States, as by their and our public servants, to whom is consigned the administration of the federal government, Resolved, That a committee be appointed, to make a fair and candid statement of the whole transaction, to the President of the United States, and to the governments of Pennsylvania and Virginia; and, if it should become necessary, that the said committee do publish to the world, a manifesto or declaration, whereby the true motives and principles of the people of this country, shall be fairly and fully stated.

This was committed, without debate, to the committee of four, to be modelled as to arrangement and expression.

Fifth resolution, That we will, with the rest of our fellow citizens, support the laws and government of the respective states in which we live, and the government of the United States; the excise law, and the taking away citizens out of their respective counties, only excepted: and, therefore, we will aid and assist all civil officers, in the execution of their respective functions; and endeavour, by every proper means in our power, to bring to justice all offenders in the premises.

On the consideration of this resolution, the state of the country, without law and safety, to persons or property, was represented, at some length, by me. Mr. Gallatin supported the necessity of the resolution, with a view to the establishment of the laws, and the conservation of the peace.

Though he did not venture to touch on the resistance to the marshal, or the expulsion of the proscribed, yet he strongly arraigned the destruction of property; the burning of the barn of Kirkpatrick, for instance. What! said a fiery fellow in the committee, do you blame that? The secretary found himself embarrassed; he paused for a moment.—If you had burned him in it, said he, it might have been something; but the barn had done no harm. Ay, ay, said the man, that is right enough. I admired the presence of mind of Gallatin; and give the incident, as a proof of the delicacy necessary to manage the people on that occasion.

A member of the committee, who had seen the schedule of Bradford, moved that it should be brought forward. It was brought forward, and laid upon the table. Several persons spoke on the subject of constituting magazines of arms and ammunition; and seemed to wish resolutions pointedly to this, on the ground of Bradford's schedule. Gallatin was labouring hard

to divert this, by attacking it in front. It did seem to do: there was danger of some question of this nature being taken. I had been out of the circle; but returned at this juncture. I affected, as before, to oppose Gallatin; and made an apology for those, who were for providing means of war.—Said I, it may not be amiss to talk of these things, and to hold out the idea of fighting, with a view to avoid it; just as a general displays columns, meaning, by that display, to avoid engaging. The idea of our being about to fight, may induce government to accommodate with the country. But enough is done. These things will all be left to the direction of the standing committee.

The apology saved the pride of the speakers, and satisfied the hopes of the violent; and there was no more said. I was thought to be for war, if it should be necessary. I was applauded by the gallery; and it was said, I had gained what I had lost at Mingo creek.

I had sounded the public mind, before I came to the meeting, with regard to the recal of the prothonotary of Allegheny county. He had left a young man in the office: nevertheless, the absence of the prothonotary himself, was a great inconvenience to the country, and to me, in my profession. I had sounded the committee, since I had come, and made up my mind, that it was not adviseable to introduce his name. A circumstance, independent of his letter writing, had made him obnoxious.

While the state excise had been in force, writs had been issued from his office, against delinquent distillers; 70, or upwards, to one term. The prothonotary was supposed to have had some concern in the matter, for the sake of his fees. Besides, by purchasing claims in litigated cases, he had acquired the reputation of a speculating prothonotary.

However, persons of his acquaintance, members of the committee from Allegheny, were anxious to make trial of having him recalled; and one of them, George Wallace, a judge of the court, solicited me to speak to Bradford, to prevail with him not to oppose the motion. I did so; and made use of the address which my judgment suggested.—There is no question, said I, but this prothonotary has acted with great impertinence, in writing to the government, and introducing your name; and the coxcomb deserves what he has got, for his pains. Nevertheless, it is an injury to the country, and to myself, that the prothonotary should be absent; let us recal him for the present, and have him removed in due time. I know there is a difficulty

in the way, from the prejudices of others against him, on account of his speculations, and the affair of the 70 writs; some of the distillers, against whom they were issued, being now of the committee; but, if you do not oppose the motion, probably it may be carried. He said, he would not oppose it; but the people had thought they had done something, by going to Braddock's fields, and if it was undone, they would be dissatisfied.

I related this answer of Bradford to judge Wallace; and also said, I would support the motion, provided he could get some person to make it. He could get no one.

My introducing the idea of difficulty from others, in the case of Brison, was a stroke of art. It was as much as to say, I know you care very little about it, whether he comes or stays; but there will be objections from these people. This was interesting him with me, to overcome the objections; at least, to withdraw his own. It had the effect.

The committee adjourned to the next day. The committee of four, who were to model the resolutions, were to meet early the next morning. This committee were, Gallatin, Bradford, Herman Husband, and myself.

I lay, that night, at a farm house in the neighbourhood, with an hundred, or more, of the gallery or committee about me. The whole cry was, War. From the manner in which they had understood me, I was greatly popular with them. Stand by us, said they, and we will stand by you.

I felt my situation, with extreme sensibility. I had an attachment to the people, because they had an attachment to me; and I thought of the consequence: What suppose that, in the prosecution of the plan I have in view, arrangements cannot be made to satisfy them, and that a war must ensue; what shall I do? I am under no obligation of honour, to take a part in supporting them; for I have no way contributed to produce the disturbance. And though, on principles of conscience, it may be excusable in them to make war, for they think they are right; yet it would not be so in me, for I think them wrong. But, on the score of self-preservation, and personal interest, what am I to do? It is a miserable thing to be an emigrant; there is a secret contempt attached to it, even with those to whom you come. They respect more the valour, though they disapprove the principle, of those that stay at home. All I have in the world, is in this country. It is not in money; I cannot

carry it with me; and if I go abroad, I go poor: and I am too far advanced in life, to begin the world altogether.

But as to these people; what chance have they? They may defend the passes of the mountains; they are warlike, accustomed to the use of arms; capable of hunger and fatigue; and can lie in the water like badgers. They are enthusiastic to madness; and the effect of this is beyond calculation.

The people on the east of the mountains are, many of them, dissatisfied, on the same principle; and will be little disposed to disturb the people here, if they should mean to defend themselves. It is true, the consequence of war, supposing the country independent of the United States, will be poverty, and a miserable state of things, for a long time; but still, those who stand by the country, where they are, have the best chance, and the most credit in the end. Should I emigrate, and the country be reduced, I cannot live in it again, for a thousand reasons. I am in a quandary; and in either case, the election is painful. The only thing that can suit me, is an accommodation, and having the matter settled without a civil war. But is there any prospect of this? Will the executive be disposed to act with mildness, or rigour, in this instance? The excise law is a branch of the funding system, which is a child of the secretary of the treasury; who is considered as the minister of the President. He will feel a personal antipathy against the opposers of it; and will be inclined to sanguinary counsels. The President himself, will consider it, as a more dangerous case than the Indian war, or the British spoils; and will be disposed to apply more desperate remedies. He will see, that here the vitals are affected; whereas there, the attack was upon the extremities. Nevertheless, the extreme reluctance which he must have, to shed the blood of the people, with whom he is personally popular, will dispose him to overtures of amnesty.—These were my reveries, as I lay with my head upon a saddle, on the flooring of a cabin.

In the morning, the committee of four having met, we proceeded to the arranging and mending the resolutions. Bradford was not satisfied with the indefinite expression of the power given to the standing committee, but wished to have it in plain terms; probably with a view to get something to pass the committee, that would involve all equally with himself, in the treasons committed. I wished to evade it; and endeavoured to divert his attention, by keeping him laughing. I dispensed with Craig, on this occasion, and made use of Herman Husband. I endeavoured

endeavoured to amuse Bradford with him, as a person would a boy, by playing with a bear.

I had heard of this extraordinary character, many years ago, when a principal of the insurgents, known by the name of Regulators, in North Carolina. I had seen him in the year 1778, when he was a member of the legislature of Pennsylvania. I was present, when a Quaker lady was introduced, and preached before the house. Herman, who was a divine, as well as a politician, thought her not orthodox, and wished to controvert; but the house, willing to avoid religious controversies, would not suffer him.

I had visited him, in the year 1780, at his residence, in the glades of the Allegheny mountain, on my way from Philadelphia to Pittsburgh. He had then just finished a commentary on a part of the prophet Ezekiel: it was the vision of the temple; the walls, the gates, the sea of glass, &c. Logger-head divines, heretofore, had interpreted it of the New Jerusalem; but he conceived it to apply to the western country; and the walls were the mountains, the gates, the gaps in them, by which the roads came, and the sea of glass, the lake on the west of us. I had no hesitation in saying, that the commentary was analagous to the vision. He was pleased; and said, I was the only person, except his wife, that he ever got to believe it. Thought I, your church is composed, like many others, of the ignorant and the dissembling.

It was to this topic I drew him at present, and wished him to explain his reveries. But Bradford was too intent on getting the resolution amended, to an explicit provisional declaration of war; he complained of my laughing, and wished me to be serious. Gallatin, not perceiving my drift, said, cynically, "He laughs all by himself." I let Bradford alone then, and he puzzled the secretary enough, and obliged him to put in a sentence, to avoid a worse, viz. that in the last of the second resolution, as it was brought in.

The resolutions, as brought in, are as follows:

1st. Resolved, that taking the citizens of the United States from their respective abodes, or vicinage, to be tried, for real or supposed offences, is a violation of the rights of the citizens; is a forced and dangerous construction of the constitution, and ought not, under any pretence whatever, to be exercised by the judicial authority.

2d. That a standing committee, to consist of _____ members,
from _____

from each county, be appointed, for the purposes hereafter mentioned, viz.

To draft a remonstrance to Congress, praying a repeal of the excise law; at the same time, requesting that a more equal, and less odious tax, be laid; and giving assurances, that such a tax will be cheerfully paid by the people of these counties: To make and publish a statement of the transactions, which have lately taken place in this country, relative to the excise law, and of the causes which gave rise thereto; and make a representation to the President on the subject: To have power to call together a meeting of the deputies, here convened, for the purpose of taking such further measures as the future situation of affairs may require; *and in case of any sudden emergency, to take such temporary measures as they may think necessary.*

3d. That we will exert ourselves, and that it be earnestly recommended to our fellow citizens to exert themselves, in support of the municipal laws of the respective states; and especially in preventing any violence or outrage, against the property and person of any individual.

The first resolution was read, and adopted.

On reading the second, it was moved by me, to fill up the blank with the number two, and to change the word county to township; so that the standing committee should consist of two deputies from each township. My argument was, that a great object being to have them conservators of the peace, in aid of the civil authority, it was necessary they should be numerous, and every where also, that by them the standing committee could the more readily disseminate their ideas and resolutions amongst the body of the people.

There were persons who thought my object was to have them scattered, to prevent less promptitude of action, and the violent measures which a small body, close together, might suddenly effect. Perhaps they were right. The amendment was carried.

It was moved by me, to insert, before the words "to call together a meeting of the deputies," these words, "a meeting, *either of a new representation of the people, or of the deputies here convened.*"

My argument was, that a frequent change of representation was correspondent with democratic principles; but my real reason was, to have it in my power to be quit of the business, provided I saw no prospect of accommodation with the government, or submission with the people. I was seconded in this, with a-

vidity,

vidity, by an associate judge of Washington, James Edgar; and though I have not conversed with him, yet I will venture to say, it was upon the same principle. The motion was supported by a number, and I am persuaded, from the same motives. It was carried.

An adjournment took place, to chuse the standing committee; which was done by each township for itself. I was one for the township of Pittsburgh.

The committee now met again. I had drafted the following resolution, viz. "That commissioners be appointed to wait on the President of the United States, with the representation of the people, and report to the standing committee the answer they may receive."

But it having been announced, in the course of our sitting, that commissioners, from the executive to us, had arrived in the country, I changed the resolution to the following, viz. "That a committee, to consist of members of each county, be appointed, to meet any commissioners that have, or may be appointed by the government; and to report the result of this conference to the standing committee." It was carried; and the blanks filled up with "three" members.

There was a considerable opposition to this. It was said, that, as the commissioners were now in the country, and said to be but a day's journey distant, the committee could wait until their arrival, and hear their propositions, and determine themselves.

This was considered as extremely dangerous to the object in view. James Ross was present, and had just received his appointment, as a commissioner from the executive; and thought that, from the temper of the committee, and that of the gallery, by which they would be influenced, it did not appear probable that any propositions the commissioners could have it in their power to make, would be received. The business must be more gradually broken, and brought by degrees, and with cooling time, before the people. It was, therefore, a great object to carry the resolution as it was.

In support of this, the inconvenience of staying at the place was alleged; no accommodation for ourselves, or the commissioners: that it would take a long time for us to understand them, and them to understand us: that the negotiation would consist of conference and correspondence; that there was no convenience of writing at the place.

The resolution was carried, with considerable difficulty, that commissioners should be appointed.

But it was moved, that the committee should wait where they were, or in the neighbourhood, until the commissioners, appointed by them, should report to them.

This was thought dangerous, on the principle before suggested. The report would come better, in the first instance, to the standing committee; in chusing which, address had been used, to get the more reasonable and moderate members; and that committee, being a smaller body, would be more easily managed.

The time the conference would take up, and the inconvenience of waiting on the ground, or in the neighbourhood, was urged; but such was the avidity of curiosity, that they were anxious to remain. Gallatin had exerted himself very much in these debates, and on this last point especially: others had supported him, but seemed to fail.

I was walking on the outside of the circle; commissioner Ross came to me, and wished me to step forward. I do not see that I can do any thing, said I; Gallatin, and others, have said all that is reasonable in the case, and yet have failed. You can do it, said Ross.

I then stepped forward. Knowing that it was the impatience of curiosity, that made them anxious to stay, I observed, that it was not probable these commissioners had any thing of much consequence to propose, the President not having seen our representation before they had set out; and therefore though, on principles of common decency, it was proper to hear them, yet it was not worth while for the committee to waste their time waiting for them.

It was agreed, and the resolution carried as it stands.

It may be said, that it is from motives of vanity, that I introduce myself so much in these transactions. No; it is from motives of self-defence. I am explaining my conduct. Might I not do this, without introducing my speeches so much? No; these speeches have been misconceived, and misrepresented; I am explaining the *quo animo*, or view with which they were made.

The instruction movers now came forward. We must be instructed by the meeting. This was parried, by getting it to be observed, and pressed, that instructions could not be given, with regard to propositions, when it could not be known what those propositions were.

It was now moved, that the time of the meeting of the standing committee should be fixed. It was carried, that the standing committee should fix their time of meeting themselves.

The committee adjourned without day.

The standing committee met, and fixed for their day of meeting the of September; and the place, Brownsville, on the Monongahela.

The commissioners to confer with those on the part of the United States, fixed the time the 20th of August, and the place Pittsburgh.

Before my going to Parkinson's ferry, an old man, of the name of Bar, from Mingo creek, calling at my office on business, informed me, that though the people in his quarter had been offended with my speech at Mingo creek, they had come home well pleased with my behaviour in the affair of Braddock's field; and now talked of making Bradford or me governor, on this side of the mountains. This led me to think there must have been some talk of an independent government. I had taken it for granted there had been; and in my letter to Tench Coxe, which I wrote about this time, suggested it. But on going to Parkinson's ferry, I heard not a whisper of the kind. I found James Marshall, by asking, when I read his resolutions, that seemed to contemplate defensive operations, By what system he meant to act? was it by the organization of a government; or simply by a committee? I found that he had never thought of any thing but a committee.

In our way to this meeting, we had found liberty poles in abundance. At Parkinson's ferry, I think it was the morning of the second day, one was raised, with a flag with six stripes, emblematical of the six counties there represented. I fell in with Benjamin Parkinson, carrying down a board, with an inscription, to fix upon the pole. I read the inscription; it was,
 "Equal taxation, and no excise.

"No asylum for traitors and cowards."

Thought I, there are two of us, then, that ought to be away: For you are a coward, and I am a traitor; for I do not mean to go to war, and if you do, you will not fight. This was the character of Benjamin.

This morning, just before the opening of the committee, Torrence Campbell, of Westmoreland, came to me, and informed me, that the excise law was not the only object with which the people were dissatisfied; the high salaries of officers, both in the general and state governments, were a grievance; that he had
 prepared

prepared resolves on this, and some other subjects, which he would hand to me to bring forward. I took him aside into the bushes, as if to communicate some great state secrets, and informed him, that the plan agreed upon, was not to take up more things than one at once;—let us bull-bait the excise law for the present, and, in due time, we will knock down every thing else.

Campbell had been secretary to a meeting in his county, and had draughted a remonstrance against the use of judges in courts, and wished only justices.

A number of other persons were anxious to bring forward resolves, and motions, to the same effect with Torence. But it was given them to understand, that the policy of the occasion did not admit so general a reform all at once.

CHAPTER XI.

I HAVE mentioned James Ross, as a commissioner on the part of the United States; the others were, William Bradford, attorney general of the United States, and Jasper Yates, a judge of the supreme court of Pennsylvania. The two last had arrived at Parkinson's ferry, a short time after the adjournment of the meeting; from thence they came Pittsburgh. Being known to the attorney general, and the judge, I waited on them, at the public house, after their arrival. I found major Craig giving them a tragical account of the cruel treatment of Kirkpatrick, Neville, and the others, by the people of Pittsburgh, in sending them away. I felt great indignation; and addressed him before the commissioners: Said I, The representation is not just; you are imposing upon these gentlemen; you are leading them to suppose, that the people of Pittsburgh expelled these men; it was the country. We acted as their guardians in sending them away; the act was for them, more than for ourselves. Here I gave a detail of the circumstances. He was silent, and withdrew.

I had discovered in the commissioners, unfavourable impressions towards me; I was at a loss, whether to attribute them to what they had heard on the way, or to the account of Craig.

An expression of the attorney general struck me much. In my observations on the account of Craig, I had said, that I had never considered myself as an insurgent. I was employed to negotiate for those who were; but that did not involve the fact, that I was one myself. Said the attorney general, "That will be a subject of future consideration." I was with the commissioners but a short time; finding the point of view in which I conceived myself to stand with them. The expression of the attorney general had hurt my mind; and, with the language of Craig, became the subject of very serious reflections. I considered Craig but as an automaton; and that his impressions must be those with which colonel Neville went away. That being the case, I had reason to suppose that this representation would be the same which Neville would make to the executive. The people of Pittsburgh, and in particular myself, would be held up as insurgents. After all my labour to get matters settled, this family would consider me as having injured them; and when they returned, I should be insulted by them. I had found it hard enough, in the village before, to support myself against them; but it would be worse now. I began to consider, whether it would not be better to stand with the Sans Culottes of the country, and keep these men away, while they were away. But was it practicable? I could not reconcile it to myself to disturb the union; that would be a wickedness beyond all possibility of contemplation. But this country might secede from it. That is a right that is never given up in society. A part of a country, as well as an individual, may quit a government; and no doubt this country will quit the United States, in due time. That may be by a consent of the union, or without it. But at present there would be no consent. The example would be dangerous to give. Common interest would not suffer it. We are bound to the union for our proportion of the public debt. We must discharge demands against the partnership, before the firm, as to that, can be legally dissolved. The United States have land beyond us; they cannot suffer us to shut them out from these, by an independent government between.

But is it practicable to establish and support such a government? Perhaps it might;—claim these lands to the westward, and invite all the world to take possession of them. Collect all the banditti on the frontiers of the state, to help us to fight for them; tell the Spaniards to come up to the mouth of the Ohio, and give us a free trade; let the British keep the posts, and furnish us with arms and ammunition; get the Indians of the

woods to assist us; tell them, that the people on the east of the mountains want our whiskey, and their lands;—we might wage war, and perhaps succeed. It is true, we should succeed to misery, for a while, and poverty at last. But even this would be more tolerable to me, than to live under any circumstances, suspected by the government, and treated with contumely by these people, when they had returned, loaded with the favours of the government, as having been the great defenders of it.

These were the thoughts of a night. When I saw James Ross in the morning, I explained to him my chagrin of the preceding day, and my reflections in consequence of it; and gave him to understand, that I had half a mind to become an insurgent. He took it more seriously than I intended it; his expression was, “The force of genius is almighty; give them not the aid of yours.”

I told him, that nothing but self-preservation would lead me to think of it; or the being unjustly suspected. He soothed my mind, by assuring me, that no suspicion could possibly fall on me; that the commissioners, the preceding day, were perfectly satisfied with the explanation I had given in the presence of Craig; and that what he had said, had not left the least impression.

Commissioners on the part of the state of Pennsylvania, had been appointed by the governor; and had arrived. These were, the honourable Thomas M’Kean, chief justice of the state, and general William Irwin.

A liberty-pole was raised in Pittsburgh, in the presence of the commissioners; and it was with the greatest difficulty, that we could prevent the hoisting the six stripes upon it. The flag was made, and ready to be put up. The people were prevailed upon to substitute the fifteen. Yet it was in a town where the pole was to have been raised.

I fell in with Gallatin, the morning of our opening our conference with the commissioners. Said I, You understand me, Mr. Gallatin. I do, said he, perfectly. It was the first conversation I had with him, since our modelling the resolutions, at Parkinson’s ferry; and I did not know but that he might have misconceived my speeches. I explained to him the policy with which I had found it necessary to act; and the fears I had entertained on that occasion, least, by openly opposing, and bringing the matter to question, it should be carried against him: That he had presumed more upon the powers of eloquence, and the reason of the people, than he was warranted in

in doing, where the passions were so violent; that a more particular acquaintance with the fury of the people, from what I had heard from Washington, and seen at the Mingo meeting, and at Braddock's fields, enabled me to judge.

This was the first conversation that I ever had with Albert Gallatin in my life. I have understood from him since, that, at Parkinson's ferry, he had been somewhat at a loss to know my drift perfectly; but that James Ross had explained to him, and he understood it.

The point was now gained, to which I had always looked forward; the point where the foot was to be fixed, in order to make an open stand against the insurrection. This was my expression to James Ross, when I walked out of the circle of the committee, at Parkinson's ferry, having carried the appointing the committee to confer with the commissioners. The point is gained, said I; there is a basis now laid, from which we can act: to this point I had always looked forward, not expecting commissioners from the government, but propositions from it to commissioners, on our part, holding out an amnesty, which I took to be the great secret of composing the disturbance. Until that appeared, the disposition of those involved, would lead them to cut throats, to support themselves; and the whole country, conscious that every man had, in some degree, contributed, by words or actions, to produce that mental opposition to the law, which had terminated in actual force, could not reconcile it to their feelings, to abandon those who had acted, with precipitation, in the late instances. But an amnesty being given, these could say to their countrymen, You are now on a ground with us; stop, we will go no further.

I considered the appointment of commissioners, on the part of the executive, as a pledge of amnesty; though I had yet no information of their powers. I therefore saw the way clear for the country to get out; and now the conduct ought no longer to be, a concealment of intentions, and a half-way acquiescence, but an explicit avowal of opinions.

On this principle, I took the first opportunity I had with Bradford and Marshall, and it was in the presence of one of the committee, before any conference with the commissioners, to inform them of my real sentiments, with regard to the violation of the laws, which had taken place; and particularly with regard to those in which they had been implicated; the intercepting the mail, and the rendezvous at Braddock's fields. Bradford looked red and angry, Marshall pale and affected.

My impression always was, that Marshall had become sensible of the rashness of the acts, and would be willing to make a good retreat as speedily as possible. Until this time, also, I had an idea that Bradford would be manageable, as soon as he could see his way out. I had some apprehensions now, and explained this to James Ross; and it was agreed, to speak to general Irwin, whom we understood to be a favourite with Bradford, to take him in tow, and see what he could do with him. Our reason for supposing Irwin a favourite, was a circumstance of Bradford, while in the legislature of Pennsylvania, voting singly for Irwin, in the election of a senator of the United States, notwithstanding Irwin was not in nomination at the time, and no other person voted for him. The chief justice also undertook to manage him.

It was with a view to manage Bradford, and also to have a good effect with others of the committee, whose sentiments I did not know, that in our first conference with the commissioners, I stated, at some length, in strong terms, the past and present grievances of this country. My idea was, that having shewed myself impressed with a sense of all these evils, in addition to the excise law, and yet disposed to yield, others well might, who had not appeared to have so strong an impression of them.

Our committee had conceived themselves appointed only to receive and report propositions. But the commissioners insisted on acquiescing or rejecting; as otherwise they would not think it worth their while to continue the negotiation. I did not think our acquiescing would be of any use. We would appear to have exceeded our authority; and having given our assent, we could not come forward in the committee, to which we were to make report, as deliberating with others, whether we should accede, or not; and a state of deliberation for myself, as others, is that in which I would chuse to be, in order to bring others with me; making them believe that they had half persuaded me, when in fact I had wholly persuaded them.

My system from the commencement, had been to take the business out of the hands of the multitude, as speedily as possible, by instituting an extensive committee. Not to take a final question; but having enlightened that committee, and rendered them moderate, to make use of them as evangelists amongst the people, when they went home, to disseminate the proper doctrines. It was on this principle, that I had suggested the Parkinson's ferry meeting. The fury of the people, at that meet-

ing,

ing, led me to see the necessity of reducing the country into still smaller bounds, by a committee extracted from the first. It was on this principle, I approved and supported the appointment of a standing committee; even this committee was too large, with which to break the business, and therefore I wished the smaller committee of twelve, to be the body with which we should begin to act. Having instructed and enlightened these, and gained their assent, we should come forward with them to the standing committee, as so many disciples, not wounding the pride of others by having taken it upon them, without their concurrence, to judge; but deliberating, as if not having judged at all.

Having instructed and converted the standing committee, we should send them home to disciple as many as they could; and come forward in the original and extensive committee, in order to govern the result. In the mean time, by the gazettes and hand bills, to reach the body of the people with reasonings on the subject. If this system could have been adopted, it might have succeeded. For it is a great mistake to suppose that Bradford or Marshall, or others, led the people. It was the people led them. It was the mass of the people that commanded; and it was the fear of them, that operated on the minds of the more conspicuous individuals. Even Bradford was the most obstinate, because he was the greatest coward. He had not reach of thought, to see the danger from the government; but the danger from the people was just before his nose.

This was the system of proceeding which I had laid down in my mind, and agreeable to which, we urged with the commissioners the suffering us to go forward to the standing committee, with the report merely; without having given our opinion on the proposition, as a committee; and to wait until the standing committee should have called the original representatives at Parkinson's, or a new general convention.

The commissioners thought it more adviseable that the committee of twelve should declare their sentiments, on the proposition, and make it part of our report to the standing committee; and as to delaying until the original or a new representation of the people could be called, at Parkinson's, it was impracticable, as the season was advancing; and if offensive operations must be commenced against the country, the President must know it soon.

This was decisive. I had it, also, in confidence, at the time, from one or more of the commissioners, that there was danger

of the flame spreading from the country; that discontents had actually begun to shew themselves, and the like outrages to break out, in other places; that, for this reason, if conciliation did not answer the end, severe remedies must be speedily applied.

Thus, the conduct of the people below, contributed to deprive us of that time, that was necessary to bring the public mind, amongst ourselves, to a proper sense of interest and duty.

In draughting our report, which had been committed to me, on the part of our committee, I had introduced our statement, at least the statement made by me, of our general grievances in this country. It was with a view to shew the people, that we had made the most of our case, and of course must be supposed to have got the best terms, that could be given; and if we, who had been thus impressed, had yielded, they might. The commissioners thought it might rather strengthen opposition in their minds, and it was struck out.

I had stated strongly, on the part of the commissioners, the sense they had expressed of the outrages committed; the burning, the expulsions, and especially the intercepting the mail, and the march to Braddock's fields. It was with a view to bring these strongly before the minds of the people, that, sensible of the atrocity, they might the more appreciate the value of an amnesty. But I am disposed to believe, that this gave offence to Marshall and Bradford, who had been implicated in the last acts. For I can no otherwise account for the dissatisfaction they discovered towards me, from this time. I cannot believe that Marshall, especially, was at all dissatisfied at being relieved from the extremely hazardous situation in which he had been involved.

Concluding the report, I added some reasons, which had been suggested, at least by myself, in the committee, as grounds of conceding to the propositions of the commissioners. They were such, as I thought would have weight with the people. Albert Gallatin, in his speech, in the legislature of Pennsylvania, on the subject of the insurrection, speaking of these reasons, says, "They are, I suppose, such as, in the judgment of the author, would make the most impression upon the people. On that head, however, I think he was mistaken." I think now, as I did then, that they were the most likely to impress; but that is a matter of opinion, I am not going to dispute about it. The true democratic principle, on which it should be put, doubtless was, that "the will of the majority should govern;

vern: the national will had made the law, and it should be obeyed." However unequal and oppressive, on this part of the community, we might suppose it; yet the good of the whole demanded our submission.

It is an abstract argument that must satisfy the understanding; but can never reconcile the heart. It is precisely the same with the theological argument of the divines, The good of the whole requires that some should be damned; and a man cannot be a saint, until he feels a disposition to be reconciled to the Divine will, in this particular, even if it should fall to his lot to go to hell. A man regenerated may come to this, but a natural man never will: so an enlightened politician, may comprehend and acquiesce in the principle of submission, to inequality of burdens, when the nation dooms him to it; but the common mind revolts; and nothing will quiet him, but the consideration, that he cannot help himself. My argument, therefore, chiefly contemplated the want of power; and sometimes, by introducing an idea of postponement, on the ground of existing circumstances, I endeavoured to get an acquiescence for the present. Using this argument with one, his answer was, "The people never can be roused again." I knew that; and it was on this principle I suggested it. It was quite safe to talk of another day; for if the devil had been once laid, it would be difficult to raise him again. The people would begin to look back, and be made sensible of the precipice on which they had been standing. Let the law be put in operation, and they would not find it the evil they had conceived it to be.

At the request of the commissioners, it had been urged to call a meeting of the standing committee, at an earlier day than appointed. They were called to meet on the 28th of August.

C H A P. XII.

OUR committee of conference met at Brownsville, on the morning of the 28th of August. Brownsville is on the Monongahela, at the mouth of a stream, known by the name of Redstone.

The first thing that struck us, was a party of men, perhaps 70, armed with rifles; who had marched from the upper part of Washington, with a view, as we understood, to take the person, and burn the buildings, mill, dwelling house, &c. of Samuel Jackson, near that place, who had given offence, by an expression disrespectful to the committee. Pains were taken to dissuade from outrage; informing them, that, by the arrangements made at Parkinson's ferry, all complaints against offenders, were to come before the committee, who were to decide upon the criminality, and upon the punishment. They were prevailed upon to be contented with having him brought before the committee, and tried in form; but insisted upon going, with a file of men, to bring him.

The committee of sixty having met, which was under a shade of boards, constructed for the occasion, Edward Cook was constituted chairman, and Albert Gallatin, secretary.

Samuel Jackson had been, by this time, brought up and was before the committee. He was of the denomination of the people, called Quakers; a tall man, with a broad brim to his hat. He preserved a grave demeanor, and stood with an appearance of composed submission to the sufferings that might await him.

The charge against him was, that speaking of the committee, he had called it a Scrub Congress. The charge was proved by two witnesses. The question now was, What punishment should be inflicted if he was found guilty, in the language of scripture, of "speaking evil of dignities?" By the Scottish law it was what is called "lese-making," and subjects to transportation. By the common law of England, which is our law, it might be construed "sedition," indictable and punishable as a misdemeanor. In the delicate situation in which the country then was, it was thought to be a dangerous language, tending to lessen the respect due to the newly constituted authorities, and

evincing

evinced a bad disposition towards the cause of the people. A general and sincere concern was felt for the man, because it was made a serious matter by the country, and especially by the body of armed men who had marched a distance of 20 or 30 miles, to do execution on his person and property. There were of the committee, who must be supposed incensed, and of course resentful of the insult.

I had recourse to my usual expedient in desperate cases; pleasantry. I recollect, said I, to have read, that, in the time of Oliver Cromwell, lord protector of England, when he was in the height of his glory, a person came to him, and gave him information of words, used by another, greatly contemptuous of his dignity; viz. he has said, that your excellency may kiss his —. You may tell him, said Oliver, that he may kiss mine. This Quaker has called us a Scrub Congress; let our sentence be, that he shall be called a Scrub himself.

The story of Cromwell had produced a sudden, involuntary, and loud laugh, and thrown a light upon the affair of Jackson; introducing a proper sentiment with regard to him, viz. that there was more magnanimity in disregarding his expressions, than in punishing them. The troop that had brought him, laughed, and took him off to give him the epithet. He got a bucket of whiskey and water, to drink with them, and we heard no more of it.

The report was now about to be read; and a number of copies having been struck off, they were distributed amongst the members. While it was reading, there appeared great agitation in the committee. At some sentences, a rumour, as in a church, at the response.—Not, “Lord help us to keep this law;” but that of, “Good Lord deliver us.”

The popular mind had, by this time, gone far beyond the idea of an amnesty; and they rather thought of giving an amnesty, than of taking it; passing by the injuries of government, on condition that it did not repeat them. They had expected a suspension of the law; or, at least, a promise of a repeal of it.

I was a good deal alarmed; and saw that it would not do to come forward in defence of the report, immediately. It would be necessary to give them time to reflect a little; and to prepare the way, by a general conversation, out of doors. Finley, Smiley, and other popular men, were on the ground, and might contribute to inform the people.

It had struck Gallatin, and others, in the same point of view; and it was moved to adjourn, until the next morning. It was

with a view to give the members time to consider the report. An adjournment took place; and I heard Bradford calling out, for the Washington members to convene by themselves.

I had crossed the river that night, and lodged at a farm house, on the west side; and this, not only with a view to convenience, but also to be out of the way, if, in consequence of dissatisfaction with our report, any personal violence, to the committee of twelve, or any of them, should be meditated; a thing which I thought not at all improbable: for what avails popularity in such times as these? it is but the turning of the hand; the palm up or down; from the height of favour, to the lowest point of obloquy and persecution. Was there any man in Pennsylvania, more popular than John Dickinson, at the commencement of the American revolution? he was said to be opposed to a declaration of independence, and became obnoxious. James Wilson was at the height of political fame, amongst the people; but he had disapproved of the form of constitution, they had adopted in the commonwealth, and they were about to murder him in his own house. I possessed, at this present time, the best kind of popularity, viz. that obtained after much obloquy, through a series of years, suffered to correct itself: a popularity obtained, doubtless, by sailing a little with the popular gale; at least, not opposing it; but chiefly by a steady and upright demeanor in my profession. The popular mind, though passionate, is generous; and if it becomes sensible that it has wronged a man, will repair it. I mean to explain this more fully, as far as regards myself, in the conclusion of this narrative.

But though possessing, at this time, a solid popularity, I knew that a breath, on the subject of the excise law, would put it to a temporary death. However, I had no thought now of the loss of popularity, but so far as it would produce permanent danger, on the ground. Gallatin was in his own county, amongst a people more moderate, and he might be in less danger; nevertheless, he was not without apprehensions, and had reason.

In the morning, crossing the river, and coming into the village, I was led to understand, that, at the private meeting of the Washington members, the preceding evening, great warmth, and a talk of guillotining, was heard, and the clapping of hands. I met Gallatin, and James Lang, a member of the committee of twelve; and who was of that village, and was greatly alarmed, from what he had seen and heard. It was early, and the committee of sixty had not yet collected; and the gallery, of
which

which great numbers were from the neighbourhood of the Mingo meeting-house, had not yet convened. I had conversed with some, the preceding evening, before I left the village; and found strong prejudices against me, as having made use of my talents, as a lawyer, to persuade the committee of conference to the acquiescence with the propositions of the commissioners. It was insinuated that we had been bribed; and it was told myself, that attorneys would take fees. I hesitated, therefore, whether I should remain or not. It might be safest to return to Pittsburgh. I thought of this; more especially, as I had observed, that Bradford had preserved a distance from me, and appeared to be dissatisfied. I knew that the example of arresting members in the French Convention, the knowledge of which was familiar here, might lead to the arresting me, or others that were obnoxious; and between an arrest and putting to death, as there, so here, there would be but little interval. Gallatin acknowledged himself not insensible of the delicacy of the situation; and that insult, at least, might be offered; but observed, that we had bound ourselves, in honour, to the commissioners, to come forward, and support the propositions. I reflected with myself, that, nevertheless, in this undertaking of our committee of conference with the commissioners, it was not understood, that we were to run a risk of life, or even indignities, in recommending their own interest to the people. However, as Gallatin was disposed to try it, I was willing. It was then considered, what should be the order of our speaking; there was a reluctance with each of us, to break the business. I proposed, that we should get James Edgar, a member of the committee of twelve, to begin. He was an associate judge of the court of Washington, and a kind of a rabbi in the Presbyterian churches of the western country: had been a presbyter, or elder, from his youth; had been a member of committees, in the early period of the American revolution; and of legislative assemblies, executive and censorial councils, or deliberative conventions, ever since. His head was prematurely hoary, with prayers, and fastings, and religious exercises; his face thin and puritanic, like the figures of the old republicans, in the time of the long parliament in England. He was a man of sense, and not destitute of eloquence. It was agreed, that he should open the way for us. It was proposed to him, but he appeared reluctant; I know not on what principle. It was imposed, therefore, upon Gallatin.

The committee having convened, with a formidable gallery,

as the day before, Gallatin addressed the chair, in a speech of some hours. It was a piece of perfect eloquence; and was heard with attention, and without disturbance. I shall not undertake to give the scope of this speech, as I could not do it justice; and probably may have misconceived, and might mistake some part of it.

I followed Gallatin, in a speech of some length, but under that advantage, which a speaker feels, when he attempts a subject recently exhausted. In the course of advocating, Gallatin had amply traversed the ground of distinction between our case, and the case of America at the revolution. In our case, no principle was violated; we had been represented, and were still to be represented in the body which enacted the law. He examined the excise law itself, and shewed the ameliorations, which had taken place, as to the quantum of duty, and the mode and means of raising it, and represented the probable extinction of it in due time altogether. He explained the concessions made by the commissioners, in the relinquishment of arrearages, comprehended under a stipulation in the propositions, that "beneficial arrangements would be made." He discussed the local, and existing reasons of our complaints; the Indian war; our obtaining the posts, the Mississippi trade, by the negociation of the union. He painted the mischiefs which had been done, and would still farther be done to this country, if we persisted in opposition; by weakening the spirit of liberty itself; of which the insurrection in the state of Massachusetts was an example, formerly the most democratic state in the union, now the most aristocratic. For certain it is, that illegal opposition, when reduced, has a tendency to make the people abject, and the government tyrannic. He considered the injury to the spirit of liberty throughout the union, and the injury to the republican cause throughout the world. He demonstrated the superiority of the structure of our republic, over all that had been; and painted the atrocity of undermining or shaking the fabric. He took a full and conspicuous view of the comparative strength and resources of a contest of this country with the United States; the superiority in numbers, advantage of funds, sea coasts. He repelled the absurdity of expecting, if any did expect, countenance or assistance from Spain, or Britain. If even by assistance, or without, a defence would be made, the much to be lost, and the little to be gained in the result. Finally, the complicated ignominy and ruin, on all these principles, of persisting in a course, that was bad in itself, and hopeless in its success,

It was a difficulty with me to find any thing new that could be advanced; and I spoke more for the sake of shewing that I had courage to speak, than from an idea that I could add to the argument, or improve the impression that had been made. However I exerted my invention to vary the light of the argument, and to add something new. Gallatin had addressed himself chiefly to the patriotism of the audience. I addressed myself to their conscience and fears. I confess that it was in their fears that I had the most confidence. Gallatin had been didactic and deliberate, though animated. I became more impassioned, and declamatory. My observations were to the following effect:

It seems to be an idea entertained by the people that we can remain a part of the government, and yet wage war against it. That is impossible, in the nature of the case; we are known to the government by representation only, and not by force. We must therefore either overthrow it, or it must overthrow us. But we have sworn to support it. If we contemplate the overthrowing it, Where is our oath of allegiance? But can we overthrow it? we might as well think of tossing the Allegheny mountain from its base.

But we may obtain a repeal of the law, by an exhibition of force; by possessing the mountain, and making a shew of arms. That is not probable, after the steps taken by the President. On principle of example, it would so vitally affect the safety of the government, that it can never be countenanced. We are told by the commissioners, and we have no reason to doubt it, that the whole force of the union will be exerted, to crush such a precedent.

But cannot we secede from the union? not, and remain a part of the government at the same time. We must dissolve our connection with Pennsylvania, before we can cease to be under the government of the United States. But have we a right to dissolve our union with both? an individual may emigrate from society; and a part of a society may separate from the whole, but an individual cannot leave a state in war, because he owes service for the benefits he has enjoyed in peace. He cannot leave it without discharging debts he owes to individuals, or to the public. How then can a part of the community separate, before it has discharged the obligations contracted by the whole? we are bound for the payment of the public debt, a part of which has been contracted for our special protection. The state

of Pennsylvania has yet a right on some unfold lands, and we should be unjust to deprive it of these.

But is it our interest to secede? having no sea coast, we are at the mercy of the imposts of all around us, even for the necessities of life. If the weight of the union, in the scale of nations, cannot procure us the surrender of the western posts, peace with the Indians, and the navigation of the Mississippi; how shall a half uninhabited, uncommerced extent of an hundred and fifty miles square, command it. There is no manner of question, but the time will come when the western country will fall off from the eastern, as north will from the south, and produce a confederacy of four; but surely it is our mutual interest to remain together as long as possible; to bear with inequalities, or local and partial grievances, while we enjoy general advantages, and avoid general evils. In due time the situation of affairs will provide for itself; and as in nature, so here, dismemberment or subdivision, will maturely take place, with consent and mutual adjustment of interests. But these dis-jointings are yet premature, and will produce convulsions and death to the part that attempts it.

But are you able to secede? Can you fight the United States? Can you beat the 15,000 that are in requisition by the President? grant it. Perhaps 30,000 in the passes of the mountains, for a heat. What of that? Are you able to beat a second 15,000 or a second 30,000? Are you able to beat a third army of that number, or of a superior force to these? Can you maintain a war of years against numbers, and the purse? you must do that, or be in the same situation with the Miami Indians, that beat Harmer, beat St. Clair, and now are lately driven into the lake by general Wayne. I know your spirit, but condemn your prudence.

But do you know, that you are mistaken in your support at home? Do you think that all are sincere, who have been clamouring for war? Some clamour, because they are cowards; and wish to be thought brave; because they are ignorant enough not to expect a war. Others, because they have not estimated the fatigues of campaigning, and do not consider how soon they will be tired. Others, because they have contracted for the sale of their lands, and are about to remove to Kentucky, or elsewhere. Others, and this class numerous, because they have nothing to lose, and can make their escape by the floods. If you depend upon these, you will by and by have

to

to take the same course, *and descend the current with the frogs* *.

But men affect to be for war, because they are afraid to speak their real sentiments. I have my eye upon those, here present, and could name them, who are thought to be strenuous for the most violent measures; and yet, in the course of our committing, have acknowledged to me, what they really think; and it is their earnest desire, to get out of the scrape, upon almost any terms. After what has happened, any terms, short of life, ought to be accepted.

The outrages have been grievous, wanton, and useless; in construction of law, amounting to high treason. *Having had no privacy with these transactions, or concern in the perpetration,* but disapproving, when and where I could speak with safety; nevertheless, for the sake of those involved, I have laboured hard to bring them out; and have ever looked forward to that amnesty, which is now before you. If I, who have nothing to apprehend for myself, have been ready to embrace it; surely those, in a different predicament, well may.

I have heretofore felt myself embarrassed, in knowing what to do. I considered the feelings of the country with partiality of heart; knowing the ground of them to be, the unequal law in question. I made excuses for these breaking into acts; knowing it to be the error of judgment, not distinguishing between what feelings are, and what acts ought to be. I was impressed with the reflection, that the disapprobation of the law having been general, in the country, and expressed by almost every one, no man could tell how far, by words, he might have contributed to that current of resentment, which, at length, swelled beyond the constitutional banks of representation and remonstrance, and broke out into outrage. He must, therefore, have a disposition to repair the mischief; and save those, who have gone to an excess, not contemplated. Besides, living in the country for a number of years, and, in my professional capacity, having much acquaintance, and many attachments, it was natural for me, to wish to save, from error of conduct, and danger of life, those who had violated law, by accomplishing an accommodation, and settling terms of oblivion. If these are not accepted, I am done; and consider myself as discharged, in honour, and in conscience, from all further concern in the business. It is, therefore, the last and only advice I have to

give,

* This expression escaped me, in the hurry of the speech, and gave great offence.

give, that you acquiesce with the propositions of the commissioners, and accept the amnesty offered you. It is the expedient left to save the country, which has been already impaired and reduced, by our late history. It was improving in agriculture, replenishing with buildings, becoming an object of emigration from abroad; and is now dejected, from this height, to a considerable depth, from what it was. The value of property is reduced, from what has happened. I do not consider what I possess, at this moment, as of more than one half of the value of what it was three months ago; but it will be still worse, unless the evils that are impending, are prevented by an immediate acquiescence.

The above is the substance of what was said by me, but at that time developed and detailed to a greater extent.

Edgar followed me, with great earnestness, and with the solemnity of an evening sermon, in a discourse of great length.

Bradford now rose to speak; and, contrary to his engagements with the commissioners, personally, and his agreement with the report of the committee, he opposed the acceptance of the propositions, in direct and violent terms. Speaking of the resources of war, arms, ammunition, &c. said he, "We will defeat the first army that comes over the mountains, and take their arms and baggage."

"Not so easy neither," said a man in a blue coat, who was in the gallery. This, I understood afterwards, was a colonel Crawford, a brave Indian warrior of the frontiers. He had some experience of what fighting was, and an idea there might be fighting; Bradford had none.

Alluding to my observation, that I considered that what property I might have in the country as having lost half its value, on account of the disturbance, Bradford used this expression—"Dastardly to talk of property, when liberty is in question." This was contemptuous and provoking; nevertheless, I did not think it prudent, on the conclusion of his speech, to rise again, or to make any observations. I saw, from the countenance of many of the committee, that they were with him.

Gallatin spoke a little; and moved to take the vote, on the propositions of the commissioners. Objections were made to the taking any vote at all. The question was then put, Shall a vote be taken? This was negatived; not a single person rising, but the committee of twelve, who had made the report. It was again moved, on our part, to take a vote by ballot, on the propositions; presuming, that an unwillingness to let their sentiments

ments be known, on the subject, was the reason of objecting to the taking the vote publicly. The question was put, Shall a private vote by ballot be taken? It was negatived; the twelve only, as before, rising.

Here was a moment of delicacy indeed. The taking no vote was rejecting the propositions; and what was the consequence? Measures must have been taken instantly, to prepare for war. Bradford would have come forward with the schedule, baffled at Parkinson's ferry, with his heads of ammunition, arms, money, provisions, &c. Gallatin and myself would have been arrested, upon the spot. For the example of the Terrorists, as they have been called, in France, was in the public mind, especially with Bradford, who had some light wandering information of French affairs, as he had of other subjects; and had heard of their arresting one another, after their debates, and cutting off heads; and coupling the successes and the executions together, he would conceive the idea, that the executions produced the successes.

Gallatin, with great presence of mind, seized the moment, and proposed, that we should take a final vote, by ballot; not to be made a part of our answer to the commissioners, but simply in order to know our own minds.

There was hesitation, even at this; for every man was afraid the hand writing, even of his ballot, would be known; and by some means it might transpire, in what manner he had voted.

At this instant, a member of the committee rising, and having a scrap of paper in his fingers, with the word Yea written one part, and the word Nay on the other, held it up, and proposed that 60 such scraps, with the words yea and nay, written in the same manner, should be made out by the secretary, and a scrap given to each of the members; and let every one divide his scrap in two parts, with the Yea on one, and the Nay on the other; and let him chew, or tear the Yea or the Nay, as he thought proper, and put the other piece into a hat, held by the secretary. When these were drawn out, it would be seen, what the private sense of the committee was, without the possibility of any one knowing how another voted. This mode was thought sufficiently safe, and adopted.

It struck me greatly, to observe the carefulness of every one, in dividing or putting in his yea or no, to conceal it. All having been put in, and the tickets drawn out, there were found 34 Yeas, and 23 Nays.

It verified what I had stated, that the sentiments of a great
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part were not, privately, what they publicly avowed. I must confess, I was rather surpris'd, that, in a committee which had been selected with great care and address, from the general committee, at Parkinson's; and after the amnesty offered, and the masterly reasoning of Gallatin, and the direct and plain explication made by me, and the peroratory sermon of Edgar, there should have been so many Nays. It may be seen, from this, what would have been the case, if the question of war had been suffered to be directly called for, and taken, at Parkinson's.

Bradford appeared struck, on finding that the majority was with us. His countenance became dark and dismayed; for I remarked him with attention. The members that had been for war, were pretty easily discoverable, by the dissatisfaction they evinced by the countenance, or by language. There were some of them considerably enraged. But the gallery were the most explicit, in shewing satisfaction or dissatisfaction with the vote. It was, in general, not a popular one.

However, it had changed the face of things; and there appearing a majority in favour of adopting the propositions, it remained for the committee to go on, and make up their answer to the commissioners. But having sat a long time, it was thought proper to adjourn, and meet again for the purpose. During the adjournment Bradford went home.

It may be asked me, How will I account for his conduct in coming forward with his inflammatory speech? Had he conceived originally any project of ambition, either in subverting the government, or erecting a separate commonwealth? Not at all; he had not scope of mind enough to think of either; he thought of nothing, but an exhibition of force inducing the Congress to repeal the excise law. He did not consider, that, though in such a government as the republic of Rome, where there were two distinct powers, actually in operation, the senatorial and tribunitial, the secession of the people, to the Palatine or Aventine mount, might impose terms upon the senate; and that, though in a monarchy, such as Great Britain, where the statute of the parliament is sometimes the statute of the minister, a dissatisfaction and disturbance may alarm the minister, for the enjoyment of his place; knowing, that the king may reconcile his subjects, by removing him; and he may use the same influence to have the law repealed, that he did to have it enacted;—but that, in our government, there was but one organ of the public will, the Congress; and no temporary officer, on whom the odium of an unpopular law could be thrown,

so as still to save the dignity of the enacting power. It was impossible, without sapping all foundation of authority, to yield to the force, not the requisition of a part.

Was Bradford sincere in conceding finally to the terms of the commissioners, and engaging to go forward and advocate them with the committee? I believe he was. How then will I account for his change of disposition? In this manner: while the committee of conference sat with the commissioners, at Pittsburgh, there were individuals from the country, waiting for the result, and some occasionally in town, upon business, but who were solicitous to know what was done. It had transpired, therefore, that "we were to submit to the excise law." This was carried to the country, and produced a flame. It was said that the commissioners had brought up gold, that I had got enough to make it unnecessary for me to plead law any more. I had heard so much of this, that in riding to Brownsville with the report, and passing through the Mingo creek settlement, I made haste, apprehensive that I might be stopped, and the report taken from me. Bradford had gone to Washington, and finding how the current ran, he denied that he had acquiesced, and laid the blame on Gallatin and me. Yet he had not intended to take any active part in opposing, but simply to glide with the current, until he went to Brownsville, and saw the unfavourable manner, in which the report was received the first day; nor even then had he not perfectly made up his mind, until in the committee, a short time before he spoke, when two of the members urged him, saying, Will Brackenridge and Gallatin run us intirely down? Can we have nothing to say on this side? This information I have from James Allison, his brother-in-law, a judge of the court of Washington, to whom Bradford acknowledged it, before he went away. I am the more inclined to believe this, from recollecting an observation of Bradford to me at Parkinson's ferry, when I mentioned to him, that the march to Braddock's field had been a rash act; he laid it upon the people; and said that Marshall had nearly ruined himself by retracting, but that he had saved himself by falling in with them. In short, I knew him to entertain the idea, that it was safest always to stand with the people, not distinguishing in this case, who were the people. If this country had been lopped off from the world, it would have been all well enough.

It may be asked, Was he a man of eloquence? Could his harangue have such effect? It served to give a face to an opposition, and doubtless prevented the general acquiescence. Had

he taken a contrary part, he would have lost popularity, for the time; but there would have been no thought of further resistance.

The committee having met, the question now was, Whether more favourable terms might not be obtained from the commissioners; or at least time to convene the original meeting of deputies at Parkinson's ferry, in order to lay the propositions before them. It was well known to those who had been of the committee of '12, that no better terms could be obtained. We were doubtful that the commissioners would not wait for a convention of the deputies, at Parkinson's, after a dissent of so considerable minority of the standing committee; nevertheless, in order to satisfy the people, as to the first, and to leave it to the commissioners, as to the last, it was perfectly agreeable to us, that a new committee should be appointed, to wait upon the commissioners. It would at least suspend the expectation of the people, and prevent any violent measures being adopted in the mean time. Accordingly it was approved, on our part, that a new committee of conference should be appointed.

A new committee of 12 was appointed, three from each county, and the standing committee adjourned without day.

No gallery, or little, had attended in the afternoon. On going out I saw clubs, and clusters of those, who had been the gallery, in private and close conversation in different places. Passing by some of them, I spoke with confidence, as if I suspected nothing; but was received with silence, and with looks of indignity. These were persons, who were at that time, my clients, in causes of moment, and whom I had served with success in former cases, and with whom I had been long in habits of attachment; yet notwithstanding every lien of amity, they behaved to me in this manner: A man, whom I had brought with me from Pittsburgh, to carry the copies of the report, a few hundred of which had been printed, gave me to understand, that from what he could over-hear, there was something on foot. I gave him money to discharge my bill at the public house, and as speedily as I could, without seeming to be in haste, crossed the river; my horses had been left in a pasture, on that side; I assisted a lad in driving them up, bridled them, and had them saddled, and was ready to mount, when the man, whom I had left, had got over. Some persons had crossed over with him; amongst these were four of the Allegheny members of the committee. It was then dark; we rode eighteen miles that night, and got through the bulk of the Mingo creek settlement.

I have

I have learnt since, that nothing but a want of decision, prevented them from arresting me, after my speech, in the forenoon. It was in agitation, but they wavered in attempting it. The going away of Bradford also discouraged them. They had talked of arresting Gallatin, but his speech had been more abstract and guarded, and had not given so much offence as mine. It was in agitation, some days after this, to take him, and a body of men had actually collected at Fredericktown, on the west of the Monongahela, for that purpose. They were dissuaded by persons who went over from Fayette county, and who endeavoured to remove their misconceptions.

In our company that night, of the four Allegheny members that were along, was one of the name of Miller. When he first joined us, I was suspicious of him, knowing that he had been a principal, in the two attacks upon the house of the inspector, and commanding a company upon Peter's creek, in a settlement through which we had to pass. I did not know but he might have been dispatched with orders to arrest me, as I went through. I communicated this to some of the other members in the company; and we took care to ride fast enough not to put it in his power to be much a-head of us. He lodged with us, where we halted a few hours, and slept on the planks, at the house of a German.

In the morning when we had set out, which was early, on our way, I kept close by him, and fell into conversation. He had been in the American service during the war with Great Britain; had been employed chiefly in the western country, in the war against the Indians. Had distinguished himself for fidelity, activity, and bravery, on every occasion. I led him to talk of his services, and he gave the history of a variety of incidents. Sliding gradually from thence, I touched upon the present affairs of the country; the coming of the marshal, the opposition to him, the attack upon the house of the inspector, &c. I knew he had been one of the delinquent distillers, and that it was on leaving his house, after having served a writ, that the marshal had been fired upon; which was the first opposition he had met with, in the service of process. Miller gave me, with frankness, a relation of the whole circumstances. The federal sheriff, said he, was reading the writ, and general Neville was on horseback in the lane, when he called to the sheriff to make haste. I looked up, and saw a party of men running across the field, as it were to head the sheriff. He set off with general Neville, and when they got to the head of the lane, the people
fired

fired upon them. Do you think, said I, they fired with balls, and meant to hit them? Said he, I believe they meant to hit them; they pursued them, and would have killed them.

That night, continued Miller, it was concluded that we would go on to Neville's, and take him and the marshal. I felt myself mad with passion. I thought 250 dollars would ruin me; and to have to go the federal court, at Philadelphia, would keep me from going to Kentucky this fall, after I had sold my plantation, and was getting ready*. I felt my blood boil, at seeing general Neville along, to pilot the sheriff to my very door. He had been against the excise law as much as any body. When old Graham, the excise man, was caught, and had his hair cut off, I heard general Neville himself say, they ought to have cut off the ears of the old rascal; and when the distillers were sued, some years ago, for fines, he talked as much against it as any body. But he wanted to keep in the assembly then. But whenever he got an offer of the office himself, he took it. I am a relation of Kirkpatrick, his mother and my mother were sisters; I was always for general Neville, in his elections; and it put me mad to see him coming to ruin me.

I desired him to give me the particulars of the attack upon Neville's house, the first day. He did so: he said they had about thirty men, with fifteen guns, six only in order. They found the general just got up; after some words, he fired first. It was from the windows. A horn was blowing in the house, the time of the firing. Was the door open? said I. It was, said he. Why then did you not rush into the entry? We were afraid, said he, that he had a swivel, or a big gun there.

The negroes, continued Miller, by this time, fired out of their cabins upon our backs, and shot several; and we got off as well as we could.

Well, what now; are you for war? No, said he, I voted for peace; but if I was to acknowledge that, I need never go home. I will have to deny it; and I will have to do whatever my company will insist upon me doing now. But I expect to get away soon, and to be clear of it.

By this time, we had arrived at his house, about eight miles from Pittsburgh. As we came up, three pretty children presented themselves, in the inside of the fence that enclosed the cabin; and one of them said, putting his fingers between the rails,

* This was one of the men that was thought might be depended upon, in case of a war.

rails, Daddy, I have got a little brother*. I was sensibly affected with the reflection, that possibly that daddy might come to be hanged, and that brother fatherless, before it could know that it ever had one.

The new committee of conference met at Pittsburgh, on the first of September. Nine only attended. They requested a more general and explicit relinquishment of arrearages; and demanded until the 11th of October, to take the sense of the people.

The commissioners could not relax, in a single particular, from their former propositions. But, considering the stipulations with the former committee of conference as at an end, there not being a prospect of that general submission, on which the amnesty was to depend, yet willing to grant it to those who were disposed to submit, they proposed a mode of taking the sense of the country, and putting it in the power of every individual to save himself; viz. that on the 11th of September, any man, in his district, should subscribe his name to a paper, declaring his willingness to yield obedience to the law, and faithfully promising acquiescence for the future.

The necessity of individually signing, would be considered by the people as humiliating; nevertheless, it became necessary now, under a prospect of war, in order to enable the government to distinguish the penitent or peaceable, from the obstinate or refractory. But an advantage was gained, as the amnesty was made to depend upon the conduct of the individual himself, and not upon the peace being kept by the whole country.

Alexander Addison, president of the district on the west of the mountains, had arrived at Pittsburgh, before this time. He had been returning from the court of errors and appeals, at Philadelphia; but hearing of the personal prejudice against him, of which commissioner Rois, after consultation with me, had informed him by letter, he had remained at Bedford, at the distance of 105 miles from Pittsburgh. I had, in the mean time, ventured to write to him, recommending the coming directly to Pittsburgh; but not to his residence at Washington. The letter had passed him on the way; for he had adopted, from his own reflections, a resolution, the same that I had suggested, and had come on to Pittsburgh. Meeting here, with gentlemen from Washington, and a pacification being now agreed upon, he thought it safe to go on to Washington. He went; and had
been

* The woman had been brought to bed in his absence.

been present at the meeting at Brownsville. He had returned from Washington, and was now in Pittsburgh. In the mean time, having considerably allayed the prejudice against himself, by his conversation with the people; by a candid statement of his conduct, viz: that on his way to Philadelphia, he had met with the marshal, and gave it as his opinion to him, that he would meet with no insult in the execution of his duty; and this was the confidence that he had in the reason of the people, at the time, and it was unfortunate that he had found himself mistaken. Judge Addison, also, was active in conciliating to an acceptance of the propositions of the commissioners.

The court of Allegheny, to be held the first Monday in September, was now to be opened. It was a question, whether it was best to be opened at all, or not? It was suggested, that that the suspension of justice might strike the public mind, with view of the lurid state of things; like the interdict of the pope, on the performance of religious rites, in the catholic countries. It did not appear to me, that it would displease generally, but rather please, as a liberation from the restraint of law; and leading to a wish, with the most violent, that it should always remain so.

The court was opened; but it was a question, whether the grand jury should be charged with the present merits of the offences lately committed in the country, in opposition to the excise law. The chief justice and judge Yates were consulted by judge Addison, and it was thought adviseable, that they should not; as an amnesty, under conditions of submission, was in offer to the country; and it could not be known who would avail themselves of it.

Such was the state of things, when the commissioners, both of the United States and of the state of Pennsylvania, having done all that was in their power to do, left the country. And here I cannot deny myself the pleasure, of expressing the sensibility with which I then felt, and do now feel, the patience, the mildness, and the philosophy, discovered by the commissioners, both on the part of the United States, and of the state of Pennsylvania, in hearing every thing, in conceding every thing that was tolerable or practicable, in our negotiation; their solicitude to save the people here from destruction, and the government from embarrassment; their thoughts to be in union with us, I speak of those of us; and the greater part of the twelve conferees were such, as had the same single point in view, to heal the mischiefs of the country.



I N C I D E N T S, &c.

C H A P. I.

FROM the temper of the country, I was not without apprehensions that the commissioners might be insulted on their return. It had not been thought safe for them to go to Brownsville, and be present at the deliberations of the standing committee. I found that it would not have been safe for the chief justice, a commissioner on the part of Pennsylvania, to have gone. It had been carried to the country, by individuals occasionally in town, that the chief justice was very rigid in the management of the negotiation; and particularly insisted upon having the recalling the exiled, made an article of agreement with the commissioners. This, doubtless, had been urged by the chief justice; but relinquished, on our observing, that the submission on the part of the country, which was stipulated, as the condition of the amnesty, drew with it, necessarily, the discontinuance of all personal violence; and that the return of these persons would be of course, without saying any thing about it; that the idea of submission itself, would be sufficiently difficult of digestion, even though not accompanied with any other circumstance, at which the mind would revolt.

At Greensburgh, the seat of justice of Westmoreland, a rioter had the impertinence to charge the servant of the chief justice with stealing his boots and spurs, and, under this pretence, had collected a party, to attack the house in which the commissioners lodged. They were troublesome, during the

greatest part of the night. A liberty-pole stood near the house, and creeping up, they would fix themselves behind this, and give abusive language. They threw stones at the house, and broke the glass of some of the windows. The commissioners were armed with pistols, and stood on their defence. The party had been intoxicated, and were not heard of in the morning.

It was unfortunate, that, at this time, the spirit of insurrection, on the east of the mountains, had shewn itself in the midland parts of Pennsylvania, and in the upper parts of Maryland; and whatever of it did exist, was greatly exaggerated by intelligence. Every one that came to our country, gave the most flattering accounts of the congeniality of temper elsewhere, with the people here. They brought messages in reality, or pretended to bring messages, desiring the country to stand out. This had a most unfavourable effect, in prejudicing the public mind against a submission.

A publication, also, had appeared in the Pittsburgh Gazette, of the 23d of August, filed, "AN INDIAN TREATY*;" it had
a bad

AN INDIAN TREATY.

SPEECHES intended to be spoken at a Treaty now holding with the Six United Nations of White Indians †, settled on the Heads of the Ohio, at the Town of Pittsburgh, on the 20th of August, 1794, by the Commissioners sent from Philadelphia for the purpose.

Captain BLANKET, an Indian chief, spoke as follows:

BROTHERS, we welcome you to the old council fire at this place.—It is a lucky spot of ground for holding Indian treaties. No good has attended your treaties at Beaver creek, Muskingum, &c. As the proffer of this treaty has originated with your great council at Philadelphia, we therefore expect you have good terms to offer. But you know, brothers, that it ever has been a custom, to pay Indians well for coming to treaties; and you may be assured, that unless we are well paid, or fully satisfied, your attempts, of any kind, will have not the least effect.—However, we doubt not but the pay is provided; and that you have a sufficiency of blankets and breech-clouts, powder and lead; and that the waggons are close at hand. You know, brothers, that our neighbours the British, over the lakes, pay their Indians well; that they have inexhaustible stores of blankets and ammunition, and that if they were offering us a treaty, they would not hesitate a moment to satisfy all our demands.

Captain WHISKEY spoke next.—

Brothers—My friend captain Blanket has indulged himself in a little drolery about blankets, &c. but I must speak to the point.—I am told, that the people

† *A fashionable phrase, lately adopted by certain gentlemen in the service of government.*

a bad effect. The sentiments contained in it, were quoted as arguments against submission. It was attributed to me, by those who had not known my sentiments, and drew with it all the advantages, that any reputation I might possess for understanding, could give it. At Brownville, and other places, I did, in the most public manner, disavow it.

At

people of your great council call us a parcel of drunken raggamuffins; because we indulge ourselves with a little of our homespun whiskey; and that we ought to pay well for this extraordinary luxury. What would they think, if the same was said of them, for drinking beer and cyder? Surely the saying will apply with equal force, in both cases. We say that our whiskey shall not be saddled with an unequal tax—You say it shall; and to enforce the collection of three or four thousand dollars per annum, of nett proceeds, you will send an army of 12,950 men, or double that number, if necessary. This is a new fashioned kind of economy indeed. It is a pity that this army had not been employed long ago, in assisting your old warrior, general Wayne; or chastising the British about the lakes. However, I presume it is the present policy, to guard against offending a nation with a king at their head. But remember, brothers, if we have not a king at our head, we have that powerful monarch, captain Whiskey, to command us. By the power of his influence, and a love to *his person*, we are impelled to every great and heroic act. You know, brothers, that captain Whiskey has been a great warrior, in all nations, and in all armies. He is a descendent of that nation called Ireland; and, to use his own phrase, he has peopled three-fourths of this western world with his own hand. We, the Six United Nations of White Indians, are principally his legitimate offspring; and those who are not, have all imbibed his principles and passions—that is, a love of whiskey; and will, therefore, fight for our bottle till the last gasp. Brothers, you must not think to frighten us with fine arranged lists of infantry, cavalry, and artillery, composed of your water-melon armies from the Jersey shore; they would cut a much better figure, in warring with the crabs and oysters, about the cupes of Delaware. It is a common thing for Indians, to fight your best armies at the proportion of one to five; therefore, we would not hesitate a moment to attack this army at the rate of one to ten. Our nations can, upon an emergency, produce twenty thousand warriors; you may then calculate what your army ought to be. But I must not forget that I am making an Indian speech; I must therefore give you a smack of my national tongue—Tougash Getchie—Tougash Getchie, very strong man me captain Whiskey.

Captain ALLIANCE next took the floor.—

Brothers—My friend, captain Whiskey, has made some fine flourishes about the power of his all-conquering monarch, Whiskey; and of the intrepidity of the sons of St. Patrick, in defence of their beloved bottle. But we will suppose, when matters are brought to the test, that, if we should find ourselves unequal to the task of repelling this tremendous army, or that the great council will still persevere in their determination, of imposing unequal and oppressive duties upon our whiskey, who knows but some *evil spirit* might prompt us to a separation from the union, and call for the alliance of some more friendly nation. You know that the great nation of Kentucky, have already suggested the idea to us. They are at present Mississippi mad, and we are whiskey mad: it is, therefore, hard to tell what may be the is-
sue

At this time also, just after the commissioners had left the country, a certain John Gaston, calling on the printer of the Pittsburgh Gazette, presented him with a note, which he had received, signed Tom the Tinker; commanding him to have it inserted in the Pittsburgh Gazette. In the situation of the country, even then, the printer thought it prudent, for his own personal safety, to insert it. It shews the sentiments of the violent,

sue of such united madness. It appears as if the Kentuckians were disposed to bow the knee to the Spanish monarch, or kiss the pope's a—e, and wear a crucifix, rather than be longer deprived of their darling Mississippi: and we might be desperate enough, rather than submit to an odious excise, or unequal taxes, to invite Prince William Henry, or some other royal pup, to take us by the hand, provided he would guarantee equal taxation, and exempt our whiskey. This would be a pleasing overture to the royal family of England; they would eagerly embrace the favourable moment, to add again to their curtailed dominions in America, to accommodate some of their numerous brood with kingdoms and principalities. We would soon find that great warrior of the lakes, Simcoe, flying to our relief, and employing those numerous legions of white and yellow savages, for a very different purpose to what they have now in view. If the Kentuckians should also take it into their heads, to withhold supplies from your good old warrior Wayne, who is very often near starving in the wilderness, his army must be immediately annihilated, and your great council might for ever bid adieu to their territory west of the mountains. This may seem very improbable indeed; but as great wonders have happened in Europe, within the course of three years past.

Captain PACIFICUS then rose, and concluded the business of the day.—

Brothers—My friend Alliance has made some very alarming observations; and I confess they have considerable weight with me. A desperate people may be drove to desperate resources; but as I am of a peaceable disposition, I shall readily concur in every reasonable proposition, which may have a tendency to restore tranquility, and secure our union upon the true principles of equality and justice. It is now time to know the true object of your mission; if you are the messengers of peace, and come to offer us a treaty, why attempt to deliver it at the point of the bayonet. If you are only come to grant pardons for past offences, you need not have fatigued yourself with such extraordinary dispatch on the journey; we have not yet begged your pardon; we are not yet at the gallows, or the guillotine, for you will have to catch us before you bring us there. But as I am rather more of a counsellor than a warrior, I am more disposed to lay hold of the chain than the tomahawk: I shall therefore propose, that a total suspension of all hostilities, and the *cause* thereof, shall immediately take place on both sides, until the next meeting of our great national council. If your powers are not competent to this agreement, we expect, as you are old counsellors, and peaceable men, that you will at least report and recommend it to our GOOD OLD FATHER who sits at the helm.—We know it was his duty to make proclamation, &c. &c. but we expect every thing that can result from his prudence, humanity, and benevolence towards his fellow creatures.

A BELT, on which is inscribed, "Plenty of whiskey without excise."

olent, at this time, on the question of submission. It will be seen in the note*.

John Gaston, the person who brought Tom the Tinker's letter to the printer, was a client of mine, in an ejection brought for him against a certain M'Clure. He called upon me at my office, and, with a freedom which he thought he could take with his lawyer, who would not suspect him of personal ill will, he inveighed against me much, for having consented to the propositions of the commissioners. What? said he, five men scare 75.—The court being at hand, he was led to enquire, when his cause would come on? Not at all, said I. How so? said he. Why, said I, the government is gone to the devil; the courts are overthrown; all law is at an end; there can be no justice now. The strong hand must manage all things. Is this M'Clure a stout fellow? has he any sons? Cannot you and your sons beat him? take the cudgel and drive him off. Ah; said he, that will not do. It may be, said I, there is no help for it; that is all that can be done now; at least until some other government, and other courts of law, are set up, in the place of those that are overthrown †. He did not appear sensible of the scope of my observations, but thought it a play of fancy, on my part, and laughed; and, after inveighing an-

other

* TO JOHN GASTON.

Sir,

You will please to have this printed in the Pittsburgh paper, this week, or you may abide by the consequence.

POOR TOM takes this opportunity to inform his friends, throughout the country, that he is obliged to take up his commission, once more, though disagreeable to his inclination. I thought, when I laid down my commission before, that we had got the country so well united, that there would have been no more need for me, in that line; but my friends see more need for me than ever. They chose a set of men whom they thought they could confide in, but find themselves much mistaken; for the majority of them have proved traitors. Four or five big men from below, has scared a great many; but few are killed yet. But I hope none of those are any that ever pretended to be a friend to poor Tom; so I would have all my friends keep up their spirits, and stand to their integrity, their rights, and liberty, and you will find poor Tom be your friend.—This is a fair warning; traitors take care, for my hammer is up, and my ladle is hot. I cannot travel the country for nothing.

From your old friend,

TOM the TINKER.

† If this language to John Gaston had transpired, and he had come forward and stated it, the quo animo with which I spoke being out of view, it would have been strong evidence of my insurgency.

other while against the committee of conference, he would return to the question, "When will my cause with M'Clure come to trial?" I mention this incident, to shew the indistinct conception, on the part of the people, of the connection between the state government and the federal. Though laws of the state are not the laws of the union, yet the laws of the union are laws of the state. I scarcely ever met with a man, that I could get to comprehend this.

On the first of September, Alexander Addison, the president of the court, delivered an excellent charge to the grand jury of Allegheny county. It was published in the Pittsburgh Gazette, of the 6th of September; and has been since republished in most of the gazettes of the United States. However excellent, yet the grand jury could not be brought to approve of it. It appeared in the paper, with the following note:

"The above sentiments of peace and obedience to the laws, would have received the sanction of the grand jury, but a few members declined their assent; silence was thought better, than an approbation not unanimous."

This was the best apology that could be made, and putting the best face on it. The grand jury, though summoned by a sheriff well disposed, and themselves chiefly well disposed, yet were under such apprehensions from the country, as not to think it safe to manifest an approbation of the sentiments contained in the charge.

The language of individuals, from the country, had all along from the commencement of the disturbances, been highly contumelious, and we were constantly threatened with Tom the Tinker. The system of tolerance and conciliation had been that, which we had hitherto pursued; we had thought it prudent to use the utmost policy, from the first, to mask our sentiments, and to save ourselves from the odium that existed against the town. To give an instance, which I have omitted in my narrative, I think it was after the affair of Braddock's fields: A man came to me from the country, and mentioned the circumstance of one of the men, who had been wounded at the attack of Neville's house the first day, being at the house of a doctor in the neighbourhood, who was to take care of him, on principles of humanity, for that the man himself had nothing in the world; that the congregation of the rev. Mr. Clerk had proposed to raise a collection for him, to help to subsist him, and to pay the doctor. That it would have a good effect in the country, and allay the fury against the town,

town, if we were to raise something for the wounded man. I thought so; and spoke to a person to go about to collect, and gave half a dollar myself. I did it on the double principle of humanity, and the policy suggested. I always wondered that this circumstance was not brought forward against me, as a proof that I was an insurgent. I never heard it mentioned.

The union of the people being now broken by the propositions of the commissioners, and a standard erected, round which those, opposed to the insurrection, could rally. It was suggested, as adviseable for the town of Pittsburgh, to associate and form a system of defence; to protect against the insults of individuals; or an attack by the insurgents; should any part of the country be finally disposed to go to war against the government. General Wilkins thought it might be now safe to take a step of this nature. I doubted it, not with regard to the expediency of an association to protect against the insults of individuals, but with regard to the holding out the idea of protecting against the country; should any part of it embody in arms against the government; I had doubts of the prudence of such a measure. It might put it into the minds of the country to come and attack the town, when otherwise they would not perhaps have thought of it. It might be best to continue, for some time, our system of conciliation, and affect to repose a confidence in the good disposition of the people towards us. I was not sure, if the country should go to war, what proportion of the town would go with it. It might be well enough to wait the result of the taking the sense of the people, on the 11th of the month, as proposed by the commissioners, before we entered on a step of this nature. However, General Wilkins had lost patience, and said, he would lose his life, rather than to be bullied any longer. I yielded, contrary to my judgment, and proposed the calling a town-meeting and explaining the reasons for the measure, and taking their sense upon it.

A town-meeting was called, accordingly, on the 6th of September. It was opened by me, taking a view, in a speech of considerable length, of what had taken place since the commencement of the insurrection; the principles of the policy, which it had been necessary for the town of Pittsburgh, to adopt; the change which had taken place, in the situation of affairs, and the probable safety now of avowing real sentiments; and the possible expediency of associating for the purpose of defence, in
 case

case of insult from individuals of the country, or an attack from a body in arms, should a war be contemplated.

I saw instantly, that this idea produced a revulsion in the minds of the people. It struck some, as unsafe to set the country at defiance; and probably others, as ineligible, because they meant at all events to stand with it.

General Wilkins supported the expediency and necessity of associating; however it did not appear to go down with the meeting. There was a visible reluctance. On this I suggested a postponement for the purpose of consideration.

The meeting broke up. In the evening, General Wilkins with a number of gentlemen met in a public house, and a note was sent, requesting my company, in order to deliberate on the subject of an association. We met; and as before, I expressed my doubts as to the expedience of an association, bringing expressly into view a defence against the country, should it embody in arms, to attack the town. If a war should ensue, there was no manner of question, but that the garrison would be the first object; the town could support it very little; and the garrison could not support the town at all. The town might be safe by lying by and remaining quiet. That for my part, if a war should ensue, it was probable I should quit the country, and not consider myself as bound by any association to remain and defend the town. However, if it was thought adviseable to associate at all, it might be under an idea of defending against banditti, and small parties, who, for the sake of plunder, might be disposed to come against us.

This idea met with approbation, and an association was drawn upon that principle, with all possible caution. It was as far as appeared prudent to go at that time*.

It

* WHEREAS by the committees appointed, on the part of the people to confer with commissioners on the part of the union and the state of Pennsylvania, certain propositions have been agreed upon, and recommended to the people, viz. an amnesty or oblivion of offences in the violation of the laws, with other accommodations and beneficial arrangements; reserving the constitutional right of remonstrating, and pursuing, at all times, a redress of grievances. And WHEREAS by resolves of those, and other committees, it has been determined to preserve the peace amongst ourselves, and nevertheless there may be persons disposed to violate the peace, in the person or property of those, who may not be willing in resistance to the laws. We, the undersigned, do associate to preserve the peace for ourselves and property, meaning to preserve a neutrality in any opposition to force, that may take place

It was carried round, and generally signed by the inhabitants. A system of defence was then adopted, and arrangements made for the purpose of repelling hostility.

At the town-meeting, I had recommended strenuously to the inhabitants the signing the paper of submission, on the 11th. I recommended it then, in as much as I would not be present to recommend it on that day; I urged, that it became them to sign, notwithstanding they might consider themselves as having no need of an amnesty. But for example, and more especially as by this test, the government would be able to determine the question, whether force was, or was not necessary.

VOL. II.

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CHAP.

place against the government, as that, in the one case, we will not be the champions of government, and join in any hostilities, that may take place, for the enforcing the laws; so, on the other hand, we will not be the subjects of compulsion in being drawn into opposition against the government, but remain, as we are, neuter and at peace.

It is also agreed, That a meeting of the associates shall take place at 10 o'clock, on Monday next, and a committee be appointed to devise and execute such measures, from time to time, as may be expedient to carry the object of the association into effect.

C H A P. II.

I HAD now set out to attend the court of Westmoreland, at the seat of justice at Greensburgh. The state of the public mind in this county was, as elsewhere, unfavourable to submission. The same charge; with additions, was delivered by Judge Addison; here, as at Pittsburgh, but I recollect no reply or approbation of the grand jury. The election for a member of Congress, and for the state legislature was approaching, and the people talked familiarly of resisting, and yet electing. The tide of popularity had not ebbed so far against me, in that quarter, being remote from Brownsville, where I had declared myself. Applications were made to me to let my name run for Congress, in that district, as they were dissatisfied with Findley, on account of his recommending it to them, to submit to the laws. They considered it as strangely inconsistent, that he should have been speaking and writing against the law, and should, all at once, turn round, and be in favour of it. Having had a political difference with Findley, which had become personal, I might have been disposed, on a less delicate occasion, to improve the prejudice against him; and it might have been amusing to have taken advantage of the adverse gale to sail by him, in a popular vote, in his own district. But it must have been at the expense of the people and myself, in an essential point of allegiance and fidelity, to have availed myself of this error of the people at the time; I had therefore to justify Findley, in his recommendation to them, to submit. This had a good effect; for, if so strong an adversary to Findley, as they conceived me to be, and with the offer of a seat in Congress against him, nevertheless supported the same sentiments, which were rendering him unpopular; these sentiments must be right, and for their interest.

During the sitting of the court, great pains were taken to inform the people and persuade them. The second evening, all that were attending, were convened and harangued by Findley; and by gentlemen of the bar of that county. The disposition appeared to have become general, to submit; that is, to make a declaration of committing no outrage, for the future, upon
 officers

officers of the revenue. But there was a reluctance at the idea of signing the words in the form of the commissioners.

In the evening of the third day, I understood that a young man, by the name of Parker, who resided in Westmoreland, was about setting out from Greensburgh, to his father's family, near Parkinson's ferry, in the county of Washington, in order to inform them of the general disposition to submit, in his county, and induce them to sign, and to take advantage of the amnesty; as several of his brothers had been involved in the affair of Neville's house. It struck me, at the moment, that it would be rendering an essential service to humanity, and to the object of composing the country, if that settlement, from which the insurrection sprung, could be brought to submit. I reflected, that my apprehensions at Brownville, might have been, in some degree, imaginary; but, if not, by this time the public mind might have cooled a little, and reason have begun to take place; and that this young man, coming from Westmoreland, and informing them of a disposition, in that county, to submit, the fear of being left by themselves would take place, and reduce their violence. I felt a passion, at the moment, of risking my own safety, to assist in accomplishing this object; and proposed to the court, to excuse my attendance, and I would ride into the Parkinson's ferry settlement. The distance to Parkinson's ferry, was about 25 miles. Having set out, and crossed the Youghageny river, in the night, we halted, and went to sleep, for some hours, in the ferry house. Setting out, we arrived at the Monongahela, opposite Parkinson's ferry, early in the day. Enquiring of the keeper of the ferry, of the name of Devore, with regard to the sentiments of the country, he referred us to a major Scott, who was standing by, loading his rifle. I was over, said major Scott, the other day, on Mingo creek, when there were about 200 present, and they all, to a man, pledged themselves not to sign, and to shoot any man that will. I am going to the meeting in the forks of the rivers, and I will take care that nobody shall sign there.

I was silent; and crossed the river. When on the other side, I addressed the young man, and observed, that, from this account of major Scott, I thought it dangerous for myself to go further; I would take the road directly down the river, and make my way to Pittsburgh. He suggested the enquiring at the ferry house of Parkinson, who was a brother to Benjamin, and hearing what intelligence there. We did so; and had a contrary information, that the people were disposed to submit.

On

On this, it was suggested by the young man, to ride on to the house of Benjamin Parkinson, about a mile a-head. I hesitated; informing him, that I knew of but two men in the settlement, who had any predisposition to assassinate me; and that Benjamin Parkinson was one of them; Andrew M'Farlane the other. He urged me with great earnestness, and pledged himself to lose his life before I should lose mine. I rode on.

Coming opposite to the house, and having leapt over a small pair of bars, into the yard, I was struck with a horse standing saddled, and a rifle, at the door. I took it, that Benjamin Parkinson was setting out for the place of meeting, for the purpose of taking the sense of the people that day; and the taking his rifle with him, was no good symptom of a disposition for submission.

Alighting, and entering the house to an inner apartment, I was all at once appalled, with the sight of Benjamin Parkinson and Andrew M'Farlane together; Andrew M'Farlane with a rifle standing by him. I was shocked; but concealing my sensations, I addressed Parkinson with an appearance of perfect confidence. He spoke frankly, and with a countenance of pleasure. Stepping out with young Parker, he left me with M'Farlane, to whom I had bowed, but not yet spoken. I was sitting just by him, within a step, in the small room. I kept my eye upon his hand, and his rifle, and thought, if I saw him move, to seize his rifle; I could, perhaps, by a sudden spring, gain the door. I cast a glance at a window in the room, and thought of springing, head foremost, through it, if I saw him move. My fear was, that the young man would not have the resolution to offend the country, by interfering to defend me, after what Parkinson might communicate to him, out of doors. I thought my situation precarious, and the chances against me. While these were my sensations, I turned round, with an open and direct countenance, to M'Farlane; Mr. M'Farlane, said I, these are disagreeable times. Indeed they are, Mr. Brackenridge, said he. The expression, and the manner, relieved me from my apprehensions in a moment; and left me only at a loss to account for his seeming cordiality. For, continued he, I have been, for these two days, afraid of my life, because I recommended submission. I have been afraid to sleep at home, and I am obliged now to go with my rifle. Ah hah, thought I, I shall not be shot yet.

Benjamin Parkinson, in the mean time, came in, and expressed himself extremely happy at the information he had received from

from young Parker; and much obliged to me, for my intention of coming over to serve the settlement; that, for his part, he was heartily disposed to submit, and was going to the meeting for the purpose. I asked him, if he had a form of the submission? that, if not, I had a number of them in my pocket. He said, he had one. On enquiry, I found that the district, where he had to attend, lay up the Monongahela, and out of my way to Pittsburgh. Young Parker and Parkinson urged me, with great solicitation, to ride there, in order to assist in persuading the people; but, judging from their apprehensions, I did not think it advisable to run the risk. I answered, that the Parker's family would doubtless credit their brother; and that he could give the same information that I could, and state my solicitude, in riding all night, to serve them; that if I went to any meeting at all, it would be to the Mingo meeting, which was on my way, and to that of Peter's creek district, which was on my way also. The only question now was, Whether it would be advisable to go to the Mingo meeting? M^rFarlane, with candour, and good will towards me, gave his opinion, that it was not advisable; that the rage of the people, against our committee at Pittsburgh, and me especially, was violent; that, for his part, he was under apprehensions of going himself to the Mingo district, though amongst his neighbours; and meant to go to David Hamilton's, about four miles distant, in a lateral direction, in order to find out, whether it would be safe to go to the meeting. On this, I declined going; but purposed writing, by him, to Hamilton, an open letter, which might be read at the meeting, or elsewhere, as containing information from me. The letter was as follows:

“ DAVID HAMILTON:

“ Sir,

“ I have rode all night, from the court at Westmoreland, with a view to come to the meeting of the Mingo creek district, but, from what I hear, do not think it safe; but I state my sentiments, by letter, which you may consider as written to you and to others. It is to inform them, that the greater part of Allegheny county will submit, and all Westmoreland will, and I presume Fayette. You will then be left alone. Surely you would not wish to give the excise officer the satisfaction of having you hanged. For this reason, all those that have been involved in any violence, ought especially to save themselves. It is from motives of humanity that I have taken this trouble.

If

If there could have been any doubt of a force coming before, after the propositions of the commissioners, if the people should persist, there can be no doubt; and it will come with rage against the country, after having rejected what is so reasonable."

I took the road now towards Pittsburgh, but not the direct road, as it would have led me by the Mingo creek meeting-house. As I rode, I fell in with numbers, crossing my course, in a direction to the meeting, and all of them armed. Stopping at a cabin, to enquire the way, I was struck with the appearance of John McDonald, the secretary of the Mingo creek society, stepping out. I was not afraid of him, having had a conversation with him in Pittsburgh, and knowing his sentiments to be moderate. His advice also to me was, not to go to the meeting: his expression was, "Let them go to the devil their own way."

Enquiring the way to Pittsburgh, he directed me by the house of John Holcroft. That is the very man, said I, that I am the most afraid of; he is Tom the Tinker. I was obliged to put up with the insulting language of one of his sons, the other day, in Pittsburgh; not thinking it safe to resent it, in the present state of things. He threatened the town with Tom the Tinker.

McDonald gave me directions, in what manner, crossing a certain road, that led from the house of Holcroft, I could avoid it, by a circuit through the woods, and come into the road again. But before I had got to that point, I met two men on horseback, one of whom accosted me by name, and expressed himself sorry, that he had set out before I had got to his house, that he might have offered me a little whiskey, and something for my horse to eat; but, said he, I will go back with you to the house. I was not without apprehensions of every man; nevertheless, I thought the safest way was, to affect to have confidence, and I suffered him to ride back with me. The man with him accompanied us.

When we came in sight of the house, I knew the farm to be that on which a certain Samuel Irwin, some years ago, had lived; and which I knew had been sold to Holcroft. Heavens! thought I, is this Tom the Tinker? is he to get his sons to help to murder me, that he is taking me to his own house? pretending civility, but meaning to put it out my power to negotiate with commissioners any more. However, I concealed my apprehensions, and entered his house. Our conversation turned
upon

upon the business of the day; the signing a submission. Holcroft gave me to understand, that the people were greatly averse in that neighbourhood, and threatened death. That is unreasonable, said the man that was in company; it is not so with us, in our settlement. We allow free liberty of conscience, and molest no man for doing what he pleases. Every man that chuses to submit, let him do it; and we give him five weeks, to sell off his effects, and move out of the country. I was diverted with his ideas of perfect freedom; but thought that, in five weeks, probably, the situation of the proscribed and the proscribing would be changed, without the days of grace, to sell off effects and move away.

I could discover, in Holcroft, hesitation to know what to do. I explained myself fully; informed him of the history of crossing from Westmoreland, with what views, &c. He expressed himself happy in having seen me, and wished me to go to the meeting with him, and to which he had been on his way; but acknowledged there would be danger of insult. I declined going for this reason, and because I was now on my way past the ground. I took leave of Tom the Tinker, and came on.

On my way to Peter's creek, I understood that a company of rifle-men had gone forward, in order to oppose a submission. Nevertheless, I did not hesitate to go on, as it was in the neighbourhood of Pittsburgh, viz. about 7 miles distant; and I felt myself more at home, and knew the people more generally, and had a greater confidence in my influence with them. On my arrival at the meeting, I was informed, that captain Miller, the member of the committee, of whom I have given some account, with his company, had opposed the signing the submission, and threatened death; but that the signing was then opened in the house, and persons had begun to go in. I saw Miller's company by themselves, under some trees, at a distance. Crowds of the people came around me, and I gave them an account of my having come from Westmoreland, the preceding evening, and of the disposition of that county to submit. Having delayed half an hour, and conceiving all things to be going on well, I set out to Pittsburgh. Coming to town, I was happy to learn, that the people had generally signed the form of submission. It was too late, and the hours of signing expired; but it was not for this reason, but because I had no solicitude to bring myself within the amnesty, not conceiving myself to have any need of it, that I did not go forward, even then, to put my name to the paper. I went forward next day and put my name to it,
that

that I might shew the people, that I would do what I had recommended to them to do; and that it had been my absence only, that had hindered me from being amongst the first.

CHAP. III.

BEFORE the day of submission, great pains had been taken, not only by the civil officers, and men of political appointment, and by the bar in different counties, and prudent men every where; but, in particular, by the clergy, in various congregations. The reverend Samuel Porter, and the reverend John M'Millan, and others of the same denomination, had, from the first, borne a decided testimony against the forcible opposition to the laws. Previous to the day of giving the test of submission, M'Millan having appointed a day for giving the sacrament of bread and wine, adjourned the celebration, until it could be known who would submit; meaning to exclude those from the ordinance, who should remain obstinate, and refuse this declaration of fidelity. He attended himself, on the day of submission, and used his immediate influence, but not to much effect. The table was carried away, on which the papers were put, to be signed; and such was the disturbance, that the meeting had finally to break up.

At Mingo creek, a body of men armed, paraded, and menaced death to any one that would breathe a thought of submitting. A justice of the peace had taken his seat, and a few persons had got their names on his paper, when the armed multitude broke in, and prevented any more. They tore the paper in pieces; and it was not until after night, when every thing was thought to be over, that the same persons, and some others, getting together with the magistrate again, signed anew; and the justice, putting it in the pad of his saddle, got off with it, to the place of return, at Washington.

At Washington, Bradford had become a convert to submission; putting it on the principle of being deserted, and left to himself, and therefore it was in vain any longer to stand out. At a large meeting of the people, in the court-house, he made a speech of two hours, and recommended submission. He himself signed on the day. James Marshall, John Canon, and a considerable

considerable number of others, who had appeared in the scene, also signed. Some were obstinate, and would not.

In the upper part of Washington county, the signing was inconsiderable. In the upper part of Allegheny county, and the lower part of Westmoreland, in what are called the forks of the Monongahela and the Youghagheny rivers, major Scott, whom I saw at Devore's ferry, attended with his rifle, and headed the violent, who prevented the signing. At the district where Benjamin Parkinson went, there was an opposition, but some signed; the Parker family particularly; Parkinson had not the resolution. In the lower part of Allegheny county, the member of the committee, who had carried down the papers, was surrounded, in his house, by a masked body of men, and had his papers taken from him. In some places, and some at all places, signed for war instead of submission.

In Fayette county, the form prescribed by the commissioners was not signed at all; it was under an idea, that the last committee of conference, from Brownsville, had not authority to change the terms agreed upon with the first. They were commissioned only, to endeavour to procure an enlargement and amelioration. This was true; and they did not change. It was the commissioners that changed; considering themselves as absolved from their engagement with the first stipulations, in consequence of what amounted to a rejection, by the vote of the committee. And there was no question, but by the negative of the minority they were absolved; for the condition of amnesty, in the first, was, "that the peace being kept, and the law obeyed, by the whole country, to the 10th day of July, then next following." Here was what amounted to a declaration of war, by twenty-three townships; and put an end to all contemplation of a general and sincere acquiescence in the execution of the laws*.

This was the idea of the commissioners, as expressed to the second conference †.

The matter seems to have been understood otherwise, by a meeting of committees, from the several townships of the county

* If there shall be a general and sincere acquiescence, in the said laws, until the said 10th of July next, a general pardon and oblivion, of all such offences, shall be granted.

† The terms required, have not been acceded to. You have come hither to demand new terms, and it is now necessary for us to decide, whether we will return home, or enter into other arrangements.

ty of Fayette, held at Union Town, on the 10th of September, 1794. Twenty-one members present, at least; they preferred the giving government assurances of their submission, agreeably to the terms settled with the first conferees, and made a declaration to that effect *. The fact is, the committee had no power to make new terms; but the commissioners had power to offer, through the organ of the committee, new terms to the body of the people. The inhabitants of Fayette county, met in three districts, out of four; 721 attending, out of whom 560 declared their determination to submit to the laws.

Numbers, that had been prevented signing on the day, or who, on reflection, thought it adviseable to sign, came to the officer in possession of the paper, and signed afterwards. I was consulted on the subject by many, who came from a considerable distance to have my opinion on the validity of signing after the day. I had no hesitation in declaring a perfect confidence in the executive, that a liberal construction would be given to the terms of the commissioners; and that where it should be proved

* The terms which had been obtained by the first committee of conference, having, however, been changed, in point of form, at the last conference, in which we were represented only by one member, altho' the committee had not received power for that purpose, it is necessary for us to take them into consideration. It is alledged by the commissioners, on the part of the union, that the standing committee of the western counties, having neglected at Redstone, to make the declaration and recommendations required of them, in the explicit manner which was settled at the first conference, the terms are broken on the part of the said committee, and the commissioners now required that those declarations, which it was the duty of the standing committee to make, should be made by the people themselves, and testified by the individual signatures of the citizens, excepting at the same time, from the amnesty, such of the concerned in the late offences, as shall refuse or neglect to sign the same. To that, or to a similiar mode of giving assurance of submission, which was proposed at the first conference, it was objected, that such a mode, if adopted, might be misunderstood, and have a tendency to defeat the proposed object, in as much as persons not immediately concerned in the riots, would not chuse to sign individually, for fear it might be construed as a tacit acknowledgement that they had actually broken the peace. And we may now add, that as a great inducement for the persons not concerned to give assurances of submission at all, was to procure an amnesty for the offenders, this motive exists no longer, since the pardon for every individual concerned, depends upon his own signature. In as much, therefore, as the body of the people of this country can derive no benefit from an act of oblivion, for offences, in which they have not had any share; we are of opinion, that, however disposed they hitherto have been, and still may be to submit to the laws, they would not chuse to sign individually the declaration proposed. But our determination to proceed, as we have begun, in exerting every endeavour, on our part, to compose the disturbances, and the bad effect that a refusal of the inhabitants of this county, might

proved, to the satisfaction of the executive, that the not submitting was owing to a force preventing them, and that they had signed as soon as they could have it in their power, after the removal of the force, it would be considered as equivalent to a signing on the day. It could not be pleaded in a court of justice, as a pardon; but the executive would not be able to reconcile it with the spirit of the terms, to proceed in the prosecution; or, at least, he would not chuse to proceed against repentant offenders, under these circumstances.

The return of the papers, from the several districts, were to be made to James Ross, of the commission, on the 16th, at Union Town; who, from thence, was to set out for Philadelphia.

Having set out, he was pursued a day's journey by two men, under pretence of taking the papers from him; but who, coming up, informed him, they wished to get their names put down; and, as it afterwards appeared, these very men had been active, in their own districts at home, to hinder others from signing, and had not signed themselves.

The

might have in the neighbouring counties, will induce us to use every means to render the assurances of submission more easy, and of course more acceptable to the citizens. The best mode of doing it, is, for ourselves, who are the committee for Fayette county, to make those declarations, which were required from the standing committee of Redstone, and having thus strictly adhered, on our part, as far as relates to this country, on the question contained in the letter of the commissioners, of the 22d of August, without requiring from them any individual signature.

For these reasons, and upon these principles, wishing however to have it fully understood, that from the following declaration, no implication is to be drawn of an acknowledgement that we have ever failed, either directly, or indirectly in that duty which every citizen owes to his country, viz. submission to its laws; we, the committee of townships, for the county of Fayette, do not hesitate explicitly to declare our determination to submit to the laws of the United States, and of the state of Pennsylvania, not to oppose directly or indirectly the execution of the acts for raising a revenue on distilled spirits, and stills, and to support (as far as the law requires) the civil authority, in affording the protection due to all officers and citizens; and we do further recommend to our fellow citizens, a perfect and entire acquiescence under the execution of said acts, and also that no violence, injuries, or threats be offered to the person, or against the property of any officer of the United States, or of the state of Pennsylvania, nor of citizens complying with the laws. At the same time we make those explicit or sincere declarations and recommendations, we also candidly and openly declare our intention to persist in every legal and constitutional measure, that may tend to obtain the repeal of the excise law; nor shall we think ourselves bound to give it any further support and countenance, than what is required by the laws.

The officers of the district subscriptions, had been pursued, in many places, after they had left the ground, under the same pretence, by some that had appeared the most violent, in opposing the submission, but who now, with tears in their eyes, solicited to have their names put upon the paper. This was the policy of those, who wished to preserve popularity at home, by affecting not to have submitted; and yet, to save themselves with the government, by clandestinely taking advantage of the amnesty.

CHAPTER IV.

IT began now to be mentioned in Pittsburgh, that it might be safe to recal the exiles. A town meeting was called, to consider of it. The idea was suggested, chiefly a by gentleman related to Kirkpatrick, and who had not been present during the fury of the disturbance, and had not a perfect knowledge of the yet unsettled disposition of the people. He was, moreover, supported in his proposition by a gentleman of the bar, who had also been absent from the country, the greatest part of the period, and came forward, at this juncture, to distinguish himself, in doing something. He was an adversary of mine; we had been upon bad terms for a long time. It is on account of his connections, that I do not introduce his name.

The first of his appearance, after his return, was at Brownsville, the first morning of our meeting. The moment I saw him, I knew his object would be to do me mischief; but it would be some time, before he could reconnoitre the ground, and determine upon the ways and means of acting. I knew him to be intriguing, and to have exercised the powers of his mind in this way, and in no other way, through his life; but I was at a loss to know what he could lay hold of. He would have sense enough to discover, that the insurrection was broken, by the propositions of the commissioners; and that it would not be safe, now, to take any part with it; and therefore it would not do to oppose the submission, or disapprove of it. He could not, therefore, join in the clamour, with open mouth; or support Bradford, in direct and plain terms. But I saw him using all address with Bradford, with a view to some object.

After my return from Brownsville, my brother of the bar
having

having also come on from that place, his first address was with the commissioners; insinuating, that I had been concerned in the insurrection, and privy to the transactions of Bradford; that Bradford had given him this information at Brownsville.

I had traversed in my imagination, all possible ground which he would find to injure me, but I had never thought of an insinuation of that nature. I had thought of nothing, but his inflaming Bradford and the people against me, and had attributed the dissatisfaction, which Bradford had discovered, to his management, in some degree. I had also observed him in close conversation with a younger brother of M^rFarlane, that had fallen, and other violent men; and I apprehended a good deal from that increase he would give to their resentment. It never had entered my mind that he would venture upon a calumny of this kind. I had averred in my public speech, my not only having nothing to do with any of the acts of violence, but my total disapprobation of them. I was not contradicted by Bradford; though he replied to me in warm invectives, yet he had not the audacity to insinuate any thing to this effect.

I was unwilling that any unfavourable impression should be made upon the minds of the commissioners, and I took the first opportunity of giving them a key to all that could be said by my brother of the bar; by informing them that a difference existed between us, and referring to James Ross, for a knowledge of the fact. The commissioners assured me, that any thing he had said, had made no impression, and should make none; that even taking it for granted that Bradford had said so, he had given sufficient proof of his want of truth and honour, in violating his private promise, and public stipulation, in support of the propositions, to put the credibility of any assertion of his, altogether out of view. This was the language of commissioner Yates to me, in the presence of James Ross.

My brother of the bar had, in the mean time, made all possible experiments upon the minds of the people of Pittsburgh, to induce them to believe that I had been privy to the transactions of Bradford; that, at the Mingo creek meeting, I had projected the intercepting the mail, in order to get the letters that were found, and have the writers banished; that, having private malice against these persons, I had planned the matter to injure them. But it was asked, How did I manage, at the same time, to get these people to write letters? He was laughed at, as advancing what was absurd, and ridiculous. But it was on account of this insinuation, that I was anxious to trace

trace the origin of the fact, as I have explained, in the course of my narrative. It has been seen that it was contrived before the Mingo creek meeting, and before I saw Bradford, to have any communication with him.

It was to have the credit of seeming to have done something for the exiles, that my brother of the bar had supported the recalling them at this time.

I had notice of the town-meeting, and attended. My brother of the bar opened the meeting, with an harangue of considerable length. The scope of it was an invective against those who led the people into the insurrection, and had now deserted them. This was the only sentiment he had to express, but if he wanted variety of thought, he made it up by variety of action. But as there was no one, who deserted the people, his invective was without an object. He put me in mind of a man, whom I knew in early life, who had been taught the use of a small sword, and when he had taken a cup, as he was accustomed to do, and was coming home, in a moon light night, and seeing a bush with a shadow, he would imagine it to be the devil with a tail, and would begin to fence with his staff, "there I have you, Satan; there I have you, devil." So it was with my brother of the bar, here he was with violent gestures declaiming against some devil, and no one, but himself, saw any.

The idea, however, of deserting the people, was a string to harp upon. I never knew the people themselves complain of this. They knew that no one had deserted them; but some of them were obstinate, in not coming off the ground, when a parley had been beaten, a negotiation taken place, and the conditions of peace were announced, by the persons whom they had appointed to negotiate. Men of sense accepted the stipulations, and drew off, and told all to do so. Some, like fools, would stay and fight. Was this deserting them?

After this harangue, to which there was no reply, the gentleman, related by affinity to Kirkpatrick, brought forward a proposition for the recal of the exiles. I was alarmed, and thought it not prudent. The present interval of quietness in the country, might be an insidious calm. The first movement that would take place, if any did place, would be on hearing of the advance of a force, on the part of the government. It would be well to wait, until that force was at a supporting distance, before we would venture on a measure, that might irritate the minds of the violent still more against the town of Pittsburgh. That it was useless to the exiles themselves; for
certainly

certainly they would entertain no idea of returning in the present situation of affairs.

However, it was urged, and I acquiesced; but it was contrary to my judgment, and not agreeable to the general sense of the town. There were some for it; and it was improper to divide upon it. The resolution was modelled by my brother of the bar, and published in the gazette*.

It was contrary to my judgment to publish it. It would depend upon the circumstance of any part of the country taking arms, whether it would not be unsafe to the town. I advised to enclose the resolution to the exiles, with a statement of the real situation of the country; which their particular friends could transmit; and leave it to themselves, to use their discretion, in returning or staying. But my brother of the bar wished to have it published, and I did not chuse to trouble myself, by opposing much. He would make it a presumption of his allegation, that I had contrived the original expulsion. I let pass. Nevertheless, I thought it sufficiently absurd, to be taking pains to recal people, when others were watching occurrences, in order to enable them to determine on going away. I was, in the mean time, making contingent arrangements for quitting the country, the moment I should have reason to apprehend the embodying in arms, in any part of it. We had frequent reports of this nature, and were looking every day to find them realized.

CHAP.

* At a meeting of the inhabitants of the town of Pittsburgh, for the purpose of considering the proscriptions of certain citizens, during the late disturbance; in which necessity and policy led to a temporary acquiescence, on the part of the town, it was unanimously resolved, that the said citizens were unjustly exiled, and the said proscriptions are no longer regarded by the inhabitants of the town of Pittsburgh, and that this resolution be published, for the purpose of communicating these sentiments to those who were the subjects of the proscriptions.

C H A P. V.

THE return made to government, of the signatures for submission, bore so small a proportion to the number of the inhabitants, that it had been considered, on the part of the government, as unavoidably necessary to send a force to reduce them. It began now to obtain credit, that a force would be sent. In the Pittsburgh Gazette, of September 20th, several extracts*, from the public papers of Philadelphia, appeared, announcing that a force was collecting. Intelligence by individuals, was to the same effect. Many still affected to disbelieve it, because they had heretofore said, that a force would not come; and some did really disbelieve it. Nevertheless, the belief in it was gaining ground every day; and bringing to some sense of danger, those who had hitherto stood out.

Though I had hesitated to go the court of Washington, which was to begin the 22d of September, yet now, under these circumstances, I thought it safe to go.

At the court, I was informed of what I have stated, viz. that
Bradford

* *Philadelphia, September 13.*

The quota of this state, and that of New-Jersey, are to rendezvous at Carlisle; passing, on their route, through Lancaster and Reading. The governor will, in a few days, pitch his tent on the other side of Schuylkill, and open a list for the enrollment of volunteers. The legislature; it is hoped, will allow them a bounty, in some degree proportionate to the price of labour.

At a meeting of the old City Troop of Cavalry, commanded by captain Dunlap, at the City Tavern, and of the Volunteer Greens, commanded by captain M'Connell, at M'Shane's, on Wednesday afternoon, we have it from good authority, that every member of both troops offered themselves, as volunteers, on the expedition against the western insurgents. The second troop, commanded by captain Singer, we hear, had a previous meeting, at which the same republican spirit was displayed, in support of the laws, and violated authority of the state.

In addition to the foregoing very agreeable intelligence, we have the pleasure to inform our readers, that two troops of New-England horse, said to come from the neighbourhood of Boston and Concord, are on their way to join the army against the insurgents; and that a large body of the Jersey militia, about 1600, are already encamped between Trenton and Lambertton, amongst which are several troops of cavalry.

Bradford, on the day of submission, had recommended to the people to submit. The popular language, with respect to him, was, that "DAGON was fallen."

I do not know that he had any idea, at this time, that he was not within the amnesty. I presume not; for he had been solicitous to gain the concurrence of the people to sign, in order that he might venture to do it himself. He was out of the amnesty, no doubt*, by his speech at Brownsville, on the 28th; but the man had not precision of thought sufficient to discover it.

My brother of the bar was paying great court to him; their heads were constantly together, at the table, whispering; and out of doors, they were arm in arm, walking; or hats off, at a distance, to each other. I knew my brother of the bar had despised Bradford, and Bradford had disliked him; but the ancient enmity of the one towards me, and the recent dissatisfaction of the other, had cemented them in great apparent cordiality. I was determined to wait quietly, to see what this hatching would produce. I did not know what Bradford might be brought to say; I knew my brother of the bar to have will, and not to want ingenuity. From the incidents I have traced, in the course of this narrative, it will be seen, that Bradford was not incapable of a deflection from the truth. I did not know how far the preservation of himself, in the hope of obtaining the clemency of the government, might lead him to gratify those who might have the ear of it. But I trusted to this, that it is so difficult to make falsehood consistent, that he would not be able to put it together, in such a manner as to render it probable.

The Democratic Society, of Washington, was convened, during the court. It had been proposed to publish resolutions, expressing the sentiments of the society, with regard to the late violations of the laws, after the example of the Democratic Society at New-York, and Philadelphia. A committee was appointed, to draw up the resolutions.

A young gentleman of the bar, Dorsey Pentecost, was one; and having drawn a sketch, he shewed it to me, and wished me, as having more politically considered these matters, to assist him in forming it, to be laid before the committee. I assisted him; and expressed myself, with regard to the outrages, in very strong terms. I was present, as a spectator, when they were

VOL. II

D

read

* No prosecution, &c. for offences committed before the 22d day of August last.

read in the society. Bradford, who was a member, heard them with embarrassment, and moved for a postponement, for a consideration of them, at that time. He said, a fuller meeting was expected the week following. The consideration was postponed, and I never heard any more of them.

At the opening of this court, judge Addison delivered his charge to the grand jury, and received from them an explicit approbation of the sentiments contained in it. The people seemed to have become sensible of their error, or at least of their danger. I believe that great numbers had become better informed; but I must admit, that the conversion, with the bulk, was the result of fear.

Judge Addison had held a court, in the mean time, in Fayette, and brought a favourable account of the impressions of the people of that county. On the 17th of the month, a committee of townships had met at Union Town, at which resolutions had been taken into view, and adopted, expressive of a good disposition to preserve order, and support the laws*; and holding out an idea, that, so far as it respected that county, it would not be necessary to have recourse to the aid of military force.

During the session of the court, the like favourable account had been received from almost all quarters. With the suitors of the court, and all persons attending, there appeared the most perfect good disposition to submit to the laws. In the countenances of the unfortunate persons, who had been involved,

* Whereas the inhabitants of this county, by a large majority, determined to submit to the laws of the United States, and of the state of Pennsylvania; and, whereas the general committee, of the western counties, held at Parkinson's ferry, entered into resolutions, for the purpose of protecting the persons and property of every individual; and, whereas it is necessary to shew to our fellow citizens, throughout the United States, that the character of the inhabitants of the western country, is not such as may have been represented to them; but that, on the contrary, they are disposed to behave in a peaceful manner, and can preserve good order amongst themselves, without the assistance of a military force,

Resolved, That it be recommended to the inhabitants of the several townships, to take such measures, as, in their opinion, will be best calculated to preserve peace and order amongst themselves; and that the members of that committee be requested, to promote such associations amongst the body of the people, as may be necessary for the protection of the persons and property of all citizens, and for the support of civil authority.

Resolved, That a copy of this resolution be transmitted to the neighbouring counties, and that they be invited to take similar measures.

EDWARD COOK, Chairman.
ALBERT GALLATIN, Secretary.

ed, and had not taken the benefit of the amnesty, you could see terror and dismay. They saw before them, the necessity of relinquishing the country instantly, or being hanged. I saw Benjamin Parkinson, but he hung down his head as I passed. He was conscious to himself, that he had acted like a coward, and that I knew it. A man in a pillory, could not have been more ashamed to lift up his face. He was one of fifty-two, who met some days previous to the signing, and solemnly pledged themselves to come forward, at a larger meeting, and support the idea of submitting.

At a larger meeting, of 200, which took place the day after, finding the current set in a contrary direction, he lifted both hands, and declared that he never had consented to sign. I have related his earnestness to be put upon the list of those entitled to the amnesty, at the time I saw him at his house; he had not courage to sign, that day, at his district. His language was, "I advise you to sign, but I will not." The following day, he employed a person to put his name to the paper, and afterwards denied that he had employed him.

Towards the end of the week, the court having risen, I was requested to attend a meeting in the court-house. I attended. A number of gentlemen of the county had convened; president Addison, the assistant judges, and others. The state of the country was taken into consideration, and it was proposed to pass resolutions similar to those of Fayette.

Though not of the county, yet having been asked to the meeting, I took the liberty of observing, that, if it was the object to give the government such assurances of the restoration of order, as would justify the dismissal of the force which had been ordered, the proper means would be, to call the original Parkinson's ferry delegates to meet at the same place, and from thence send forward a declaration of their sentiments, and delegates to the President, to explain all circumstances. It was agreed; and I was requested to insert in the Pittsburgh Gazette an advertisement to that effect.

I knew it would not be a wish with the government, to be under the necessity of coming forward, and I thought it for the honour of the country, that a necessity should not exist.

An advertisement was inserted by me in the Pittsburgh Gazette of September 27th, calling the meeting of delegates, as proposed*.

A con-

* At a meeting of a considerable number of the inhabitants of Washington and

A considerable number of delegates met at Parkinson's ferry, on the 2d of October. General Wilkins, and others from Allegheny county, attended with me. Resolutions were passed, expressive of our ideas of the then state of the country. William Findley and David Reddick, prothonotary of Washington, were appointed delegates to the President.

General Wilkins and myself had objected to the positiveness of the expressions, with regard to the restoration of order. It was observed by me, "that, as on the one hand, it would be painful to see an army in this country, which, in spite of all possible discipline, would commit outrages on persons and property, yet, on the other hand, I would not wish to deceive the government." General Wilkins made the like observations.

Judge Addison, who was secretary, observed; that as delegates were appointed to explain circumstances to the President, it could be left to his discretion to judge, and relieve us from that personal responsibility, which would otherwise exist. Besides, unless we could speak with some positiveness, it would not be worth while to send forward to the President at all; as he could have nothing certain, on which he could depend; that for his part, he would not hesitate to speak with confidence of the three counties, in which he had last been; Westmoreland, Fayette, and Washington.

The Allegheny delegates were willing to vouch for the good disposition of our county; for warrants had been actually issued for

and other counties, on the west of the mountains, the present state of this country, with respect to the late convulsion, was taken into view; and from comparing information, it appeared to them that the country was in fast progression, if not wholly arrived at a state of general submission to the laws; so as to render it unnecessary for any advance of force, on the part of the government, for the purpose of asserting civil authority in suppressing insurrection, and preserving peace; and that measures ought to be taken, as speedily as may be, to communicate information of this favourable state of affairs, to the government.

Resolved, therefore, That a meeting of the delegates of townships, of the 14th of August, at Parkinson's ferry, be called to convene at the same place, viz. Parkinson's ferry, on Thursday next, the 2d of October, to take the above into consideration. And as it is of great moment, the delegates are requested to be punctual in their attendance, and at an early hour, that day.

And it is recommended that all justices of the peace, and members of the committee, obtain and bring forward all signatures of the declaration of submission, that may be taken, in order to lay before the committee, and forward to government, with such address or commissioners, on the part of the country, as may be thought advisable.

for offenders, who had been about to leave the country, and had been arrested without opposition*.

Bradford and Marshall had attended at Parkinson's. Great was the difference in the temper of the meeting, from that which prevailed at the first, on the same ground. I felt great pity for some that appeared distressed at their own obstinacy, which had brought us to this trouble. Bradford appeared thoughtful, but behaved with his usual folly. He nominated John Cannon to the chair; who took it. It struck judge Addison and others of us, as improper; col. Cannon having been chairman of a former obnoxious committee, at Pittsburgh; and also deeply involved in the late outrages; and it would be no good symptom to the President that we had made him chairman on this occasion. This was hinted to col. Cannon himself, and pressed with all possible delicacy; but Bradford insisted on his keeping the chair, and Cannon himself was tenacious of it. However, in making out our report, we kept his name out of view, and made no mention of a chairman at all.

I had no conversation with Bradford, during the court at Washington, or at this meeting, but in public. I knew the predicament in which he stood, and avoided him. I thought it of little consequence to him, whether the army came to the country, or not, for he would have to leave it, or be arrested for trial at Philadelphia. It occurred to me, at the time, that the strongest proof the President could have of the restoration of the authority of the law, and a proper one, would be for judge Addison to arrest him, and send him down. It did not suit me to suggest this. At the same time that I wished to serve the country, I did not like to hurt myself; it would have been an unpopular act; and on principles of humanity, I could not reconcile it to my feelings, to be the means of arresting any one; nothing but an absolute official duty could induce me. At the same time, it is to be observed in his case, and that of others, that it would be improper to have undertaken to say who were not within the amnesty, or had forfeited it; of this the executive would judge, in the first instance, and it would be

* Adamson Tannehill, a justice of the peace, in Pittsburgh, had issued warrants against some who were apprehended; he had issued a warrant for Miller, of whom I had spoken, and who was about to remove. I had seen the officer set out from Pittsburgh to take him. I thought of his poor children, that I had seen at the fence, and wished that he might be gone. He was gone.

be proper to wait until orders of arrest come from the judicial authority of the union.

I had not said a word to Bradford, in the mean time, with regard to the information he was said to have given to my brother of the bar; it was for this reason: My name was still in view as a candidate for the Congress; and Bradford had influence, and I did not wish to break with him, but as little as possible, until that was over. My brother of the bar had said that judge Addison was present, when Bradford had given the information; or that Bradford had given the like information to judge Addison. I asked judge Addison, and he said it was not the case. He had heard Bradford say nothing more, than to complain of me, that I had not spoken more plainly to him, at an earlier period. I made enquiry of Mr. Reddick, with whom Bradford was intimate, whether he had ever suggested any thing of the kind, that I had been privy to his transactions. Mr Reddick said not, but the contrary. He complained that I had not given him my confidence, at an early period. The truth is, I gave it as much as I thought safe. The first time I saw him, was at Mingo creek; he might have seen in my speech, what my real sentiments were. Others saw clearly. John Baldwin, one of those involved in the burning of Neville's house, has acknowledged to me, that it was that speech that first opened his eyes; and he had always thought Bradford a man of sense till that time. It would not have been safe for me to speak plainly on Braddock's field, or at Parkinson's ferry. I did speak, as soon as it was prudent to do it; that is, in the committee of conference at Pittsburgh. High enough indeed! Give my confidence to a man who had gone on to the commission of high crimes, and had a mob at his command? But did I not speak plainly at Brownsville? surely he had my confidence there, for all the meeting had it; and yet he answered me with all the pomp that his idea of superiority over me, in the possession of the public confidence could inspire, and if he insulted me after our negociation with the commissioners, what would he not have done at an earlier period, when he had those at his back, who having no amnesty to which they could look forward, would be disposed to take the most desperate resolutions, with regard to all who differed from them.

In the appointment of delegates, at the meeting at Parkinson's, to wait upon the President, a circumstance took place, which gave me the impression that Marshall as well as Bradford, was not favourably disposed towards me.

John

John Lucas, a member of the committee, mentioned to me a conversation with Marshall, before the opening of the meeting. "Whom do you think," said he, "shall we send as delegates to the President? I have been thinking of Findley, Gallatin, and Brackenridge, but Bradford has conceived a prejudice against our friend Brackenridge."

When the point of chusing delegates came forward in the meeting, it was urged by judge Addison and gen. Wilkins, and others, that four persons, one from each county, should be appointed, and I knew it was their wish that I should be one. Bradford strenuously opposed it, though he could assign no plausible reasons. I saw instantly it was to prevent the appointment of me. Marshall supported him; I had supposed to gratify him. I supported him strenuously, though Addison and Wilkins were dissatisfied. I had precisely the same object in view with him; to keep myself out. The election was coming on, and I chose to be at home.

It was carried that no regard should be paid to counties. It was then moved by Bradford, that two delegates should be appointed from the western country, and that these two should be Findley and Reddick. Marshall supported the appointment of two, but proposed Findley and Gallatin. I saw at this moment, that Marshall also was dissatisfied with "friend Brackenridge", and that though he differed with Bradford, as to persons, yet they both wished to exclude me. In this object I concurred with them, but meaning that Bradford should be gratified in all things, I supported his nomination of Reddick, and we carried it.

I have never understood what was the ground of Marshall's dissatisfaction, if he had any. Bradford had said, that I represented him in an unfavourable point of view to the commissioners at Pittsburgh, during our conference. That was not the fact; I made the best apology for the conduct of both; so that on one occasion the Attorney General observed to James Ross, Is it possible that Bradford and Marshall can be innocent too? I had stated no more than what I have done in this narrative, that it was the people who had carried off both Marshall and Bradford, and not they the people. And it was with a view to historical truth that I have stated this circumstance.

So far with regard to Bradford for the present.

On my return to Pittsburgh, I enclosed a copy of the resolutions of the meeting to President Washington, and one to the governor of Pennsylvania.

C H A P. VI.

THE general election, which was to take place on the 14th of October, was now approaching. My brother of the bar had offered himself as a candidate before my name was brought forward, and had availed himself of the temporary circumstances in canvassing against me. With those opposed to the outrages that had taken place, he insinuated, that I had been at the bottom of them; and with the insurgents themselves, he asserted that I had been a spy for the government, from the first; that I had taken notes, and would be the worst witness that would come forward against them. He retailed scraps of speeches, which I was said to have made; viz. that the people of the country were a set of "vipers and fools," and deserved to be hanged for what they had done. At least I have been led to understand that this was the nature of his address. It was all fair; we were adversaries.

Before the court at Washington, I had received a note from Daniel Hamilton, who had commanded the advanced guard, on the day of Braddock's fields, and as we rode along had complimented me, at the time, by saying, that my behaviour on the occasion would carry me to Congress. He now wished to know whether I continued my name as a candidate for the Congress, as the prejudice was strong against me, since the meeting at Brownsville, and he was quite tired supporting me against B. Parkinson, and others. I wrote him a note in answer, that I was thinking nothing about it; there were objects of greater moment on my mind. The fact was, I was at that time, making arrangements to leave the country, if a war should ensue. Hamilton had written with a view to induce me, to relinquish the idea of Congress, for at that time, he had declared himself a candidate. In receiving my note, he construed it into a declination on my part, and rode through the country reading it, with that construction. At the same time, he read a letter he pretended to have received from Tom the Tinker, advising him, to declare himself. So that, I had my brother of the bar on the one hand, and Daniel Hamilton on the other, to contend with. Of the two, my brother of the bar was certainly the best qualified,

qualified, possessing some legal knowledge; and in that particular having the advantage of Hamilton. But, as it was natural, I was willing the people should think me better qualified than either. And I had turned my attention to the object, since the prospect of a restoration of order had taken place.

Thomas Scott of Washington, formerly of the Congress, was also a candidate, but with him and myself there was a good understanding, viz. that I gave him a preference to Hamilton, or to my brother of the bar. It was with hesitation that I had, at first, thought of being a candidate. It was inconvenient, on the one hand, to go; but on the other hand, it was pleasant to be amongst political and literary men for a while. At present, it was merely on a principle of pride, as my name had been used, that I would not withdraw it.

A few days before the election, hearing that it was generally credited in Washington, that I had declined the election. I put a paragraph in the gazette contradicting the report*.

In the same gazette appeared a publication, which had been handed to the press by major Craig, containing a correspondence between him and Bradford, in which the latter comes forward, to state those circumstances to which, I presume, he had a reference, in saying that I had been privy to acts of violence. I saw in this publication, the result of the management of my brother of the bar; he had made use of the folly of Bradford, and the weakness of Craig, in order to wound me, but at their expence; for it has obliged me to expose them both, in the course of this narrative, more than I could have wished to have done. To have explained myself by an answer, at the time, was impossible. I could not do it without giving a narrative, at a considerable length, of the part I had found it necessary to act with Bradford, in the course of the transactions.

VOL. II.

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* Citizens of the district of Washington and Allegheny,

Previous to the late convulsions, it was proposed to me to give my name, as a candidate for the Congress of the United States; I accepted the compliment. It is now circulated that I have declined it; No. Considering the delicacy of the times, I might wish I had not thought of it, but as it is, it would imply a fear of submitting my conduct to investigation, to withdraw my name from the public; I have therefore not done it. I may, at present, have less popularity than I had, but the time will come, when I shall be considered as having deserved well of the country, in all the delicate conjunctures, in which we have been situated.

H. H. B.

October 8, 1794.

I contented myself with a paragraph in the next gazette, promising a comment and vouchers in due time*.

I now address myself to fulfil that engagement, and shall introduce the publication containing the correspondence of Craig with Bradford.

Mr. Scull,

Your inserting the following letter, and the answer thereto, in the Pittsburgh Gazette, will oblige your humble servant,

ISAAC CRAIG.

Pittsburgh, 9th October, 1794.

Pittsburgh, October 1st, 1794.

Sir,

When the commissioners of the United States were at this place, they were told by H. Brackenridge, esq. in my presence, that had it not been for his interposition I would have been proscribed, at the time the people were at Braddock's fields. It is said the circumstance that induced this, was facts stated by you; viz. that I had said I would suffer my own house to be made an excise office of, &c. This, if true, was what any citizen is justifiable in doing, but not being so with respect to me, I consider the lie to have been designed for my destruction, and now call on you for your authority. I would not have addressed you on this subject, had I not supposed that you were deceived in your information, and could point out the scoundrel, with whom it originated, and from whom I might seek redress for the injuries intended, and suffered.

I am, sir, your obedient humble servant,

ISAAC CRAIG.

DAVID BRADFORD, esq. }

Washington.

Washington, October 5th, 1794.

Sir,

I received yours of the first of this current month, in which

I have taken notice of the correspondence between D. Bradford and Isaac Craig, in which my name is introduced; and meaning in due time to give a history of the incidents of the late convulsion, I have laid this paper by, to be inserted with a proper comment, and such explanation and vouchers as may satisfy all reasonable men, of the uprightness of my intentions, and the purity of my conduct with regard to individuals, or the public, in the whole of this business.

you have said, that Mr. Brackenridge asserted, in the presence of the commissioners of the United States, that, had it not been for his interposition on your behalf at Braddock's fields, that you would have been banished.

I must inform you, that Mr. Brackenridge has either a very treacherous memory, or a strong disposition to assert falsehoods, if he asserted as you state: The truth of the case was, that he evidenced to me the strongest desire to have you banished. I shall state to you his expressions, or at least some of them. You may then judge for yourself.

The first day at Braddock's fields, Mr. Brackenridge told me, the people of Pittsburgh were well pleased that the country were about to banish the persons, whose names had been mentioned; he added, that they ought to go further, that little * Craig ought to be banished, for he was one of the same damned junto †. I replied, there appeared to be no ground to proceed against you, that there was no letter of yours intercepted, militating facts, or the conduct of individuals, to government. Further conversation took place, which had manifestly for its object, to irritate me against you ‡.

The

* He is certainly but a "little" man. However, the epithet is too feeble for my expression; it is a counterfeit; it wants an indicium of the genuine bank-bill. I would have used a figure, and have said musk-rat Craig, if I had said any thing at all.

† I have used this phrase on some occasions, and I might have used it on that; and if you will place a general with the office of an inspector of the revenue for an extensive survey; a colonel, his son, with the office of county surveyor, brigade inspector of the militia, with an independent salary annexed to it, and a member of the legislature at the same time; a major, his son-in-law, with the offices of quarter master, deputy commissary, and notary public; a brother-in-law, now a commissary general, a lender of money on interest, with a salary of 1500 or 2000 dollars, and all these wealthy, independent of their offices. If you will place these, I say, in a small village of 150 houses, with all the influence that employment of mechanics, and their custom to shopkeepers, and their entertainments can give, they must conduct themselves, with more delicacy, than is usual with men, if they do not form at least a damnable, if not, "a damned Junto."

‡ I knew Craig to be at that time in the garrison; I had understood he had removed his family there; of what use would a sentence of banishment be, unless it had been proposed to storm the garrison. It is not impossible, but I might have been turning the scent upon a false chase, by holding up Craig and Butler to his nose, who were safe; the one quarter master and engineer, the other the commandant of the garrison; and this in order to divert his attention from those, for whom I was more immediately apprehensive. The quo animo is the thing; not what was said. And that I had nothing more in view,

INCIDENTS OF THE

The next day, when the commissioners sat, Mr. Brackenridge took me aside, and mentioned to me your conduct after the burning of Neville's house* ; that you assumed high airs in contempt of every thing that had been done by the people, that you had declared in the most positive manner, that you would keep up the letters, designating the office of inspection, at every risk ; and though the people of Pittsburgh requested you to take them down, you would not. In short, that you were determined to keep the office open, in contempt of the then ruling opinion †.

He told farther, that he put in operation a stratagem to see whether you had firmness to support all the vaunts and blasts you had made. He said, he went out in the street, and asked the first person he met, if he had heard there were 500 of the Washington county people, coming down armed to burn Pittsburgh, because the inspection office was kept open ; the answer was, No. He asked the next he met, the same answer was received ; by this means, the news was spread over the town in a few minutes, that 500 armed men were approaching the place, to burn it, &c. He said the letters were immediately taken down, and torn to pieces ; in short, he told me you was one of the warmest sticklers for the revenue law, and that you had been as odious to the citizens of Pittsburgh, and the neighbourhood, as the excise officer himself had been.

* I then

in all my management, than to parry the doing any thing, is evident from what afterwards took place in the committee.

It was agreeable to my system of managing him, to affect to outstrip him in his passions, and to be the more violent of the two, that if afterwards I relaxed, he well might. This is a key to his statement. It will be a sufficient refutation of any idea on my part, to banish any one, that I knew it would do them no harm, but exalt them ; and I expressed myself to this effect, at the time. I am solicitous to save myself of the imputation of planning or concurring in the banishment of these people, as much from an unwillingness to be thought a fool, as to be thought wicked. See my vouchers in the appendix, the deposition of justice Meekirk, particularly.

* I did not speak a single word to him, about Craig, that day ; it was after the question with respect to Craig, was discussed and disposed of, and that of Neville and Gibson on the carpet, that, turning to him in the committee, I spoke a few words to him aside, as I have stated in my narrative ; they respected Neville and Gibson.

† It was in the committee, publicly, not in private, that I related the having heard a story from captain Lang, with regard to Craig's taking down the papers, &c.

* I then mentioned to Mr. Brackenridge, that he had better state to the commissioners the circumstances he had just related to me; he said it was disagreeable to him, as he lived in the same place †; I replied that I could open the way, and immediately stated to the commissioners a report which I had heard respecting your conduct after the burning Neville's house, and stated precisely what Mr. Brackenridge had stated, one minute before, not mentioning from whom I had the report. I observed, as it was only a report, it would be improper to take it up as true, till it could be discovered whether true or false. I then called upon the gentlemen from Pittsburgh, to give information, if they knew any thing on the subject. Mr. Wilkins observed, that he did not know any thing against you. Mr. M'Masters to the like effect, and Mr. Brackenridge also concurred. He declined to give the narrative which he had done to me just before, though I opened the way, on what principle I know not.

† I shall here mention another circumstance, though it does not concern you; it may, perhaps, obviate false insinuations, which he may be disposed to make. On the morning of the second day's meeting of the commissioners, at Parkinson's ferry, Mr. Brackenridge told me, that there was a young man, who wrote in Brison's office, attending the commissioners for the purpose

* It was also publicly, in the committee, that I told the story of the 500 men; and all this, to make Bradford and the committee laugh at Craig, and think no more about him. It was at Parkinson's ferry when I encored it to Bradford, that running on, it came into my head to say that I had contributed to the report myself. It was the second time of telling. It required a new circumstance to enliven it. The story was founded in fact, but I did not make conscience of embellishing it.

† It was at Parkinson's ferry, when he pressed me to read the intercepted letters, that I made this apology; like some of the modern dramatists, he neglects the unities of time and place; in his composition.

‡ *Extract from the deposition of justice MEETKIRK, in the appendix.*

“ Mr. Bradford then spoke concerning the expulsion of major Craig; for he said he had been informed that major Craig should have said, immediately after the burning of gen. Neville's house, that he would let the damned rascals see that the excise law should be enforced, for that he would open an office of inspection in his own house. Mr. Bradford was then requested to give his authority; he replied, that he could not recollect, but that he heard it mentioned among the people. It was then referred to the gentlemen in the committee, that represented the people of Pittsburgh, Wilkins, M'Masters, and Brackenridge; and it appeared that neither of them could give any information on the subject.”

purpose of presenting a petition for the return of Brison. He wished me to oppose it*, suggesting reasons, that he had always been a pest to them, at Pittsburgh; that he was a great friend to the excise, alluding to a certain period when a number of suits were brought, or indictments preferred to the grand jury; that Brison was known to be at the bottom of that business—that he was a damned scoundrel and conceited coxcomb—that nothing could ever turn out about Pittsburgh, but he must be writing to the governor—a puppy, added he, what had he to do with the governor? it was his place to have sat in his office, and issue writs, when called on, &c. I observed to him, if he had any reasons to offer to the commissioners, why Brison should not be suffered to return, he had better offer them himself; no petition was presented. These are facts which I have stated; and I leave you at full liberty to make any use of them, you may think proper. I would have answered your letter before, but I have been much indisposed.

I am, sir, your very humble servant,

DAVID BRADFORD.

Major ISAAC CRAIG.

If it was necessary, I would refer to George Wallace, Robert Galbraith, attorney for the state, and others, that I engaged to support the recal of Brison, if any person would be got to move it; and I refer to colonel Valandighan, Doctor Bedford, for proof, that I endeavoured to persuade them to move it.

Why

* That I called Brison coxcomb and puppy, and all that, and said he had no business to be writing to a governor, is all true enough; but the quo animo is the question. I shall subjoin an extract from John Baldwin's deposition in the appendix:

“After the meeting at Braddock's fields, and before that of Parkinson's, I was with Mr. Brackenridge on some business in law, and found a difficulty was in the way of doing the business, from the absence of the prothonotary, Mr. Brison.

“A conversation took place, about the sending away the persons, that were gone. Mr. Brackenridge explained why it was the people of Pittsburgh had acquiesced, or seemed to favour it. It was to save the town; that, for his part, he could wish they could be allowed to come back; and was anxious for this as to all, except Kirkpatrick; and as to him, did not care if he never came back, for he had a long time been under an apprehension of a private assassination from him; as to the prothonotary Brison, it stagnated the business of the county, and it would be his wish to get him back. Mr. Brackenridge sounded me with respect to the opinion of the people in suffering Brison to return. My opinion was, that it would be a difficult matter, as he was very obnoxious on account of his speculations on the people”.

Why not move it myself? it is well known that the place of seconding is more favourable to a warm support of a measure than that of moving it in the first instance. Besides, it was necessary for me to preserve myself, at that time, from all possible odium, in order to accomplish objects with the people, of a more serious nature, and it would be less odious to second, than to move the resolution. There was no person more injured in the expulsion of the prothonotary than I was, or more interested in his return; and it is false in Bradford to say that I wished him to oppose it. I stated difficulties in order to interest him with me to overcome them. It was flattering his vanity to do this, and the way to persuade him.

My brother of the bar, who had, at least, the superintendance of this compilation of Bradford, was overseen in letting him put in this paragraph, for it shakes the credit of all the rest. I might be supposed willing to have the Neville's junto mortified, in getting the people at least to talk of banishing them; but it is absurd to suppose that a practising lawyer would wish to derange his own business, by disturbing the prothonotary.

The paragraph respecting Brison, has also this bad effect. It is travelling out of the interrogatory of Craig, introducing what relates to an indifferent person. It is a negative, pregnant with regard to the allegation that I have been privy to the transactions of Bradford, in general; that I had advised or prompted these; for on the same ground, at this time, he would have brought every instance out. I acknowledge that it operates also, to give credit with regard to what he has stated; for if he chose to invent at all, why not invent more. This has weight with me, and induces me to resolve his own statement of facts, where he has mistated any, into misconception, and a want of recollection, more than deliberate intention. But there are parts, that appear to me intentionally false.

There is one advantage certainly derived from Craig's publication: It is relinquishing his province, the sword; and entering that of the press. I do not consider myself, now, bound to fight him; he has waved the duel, which with a man of such courage, as I know him to possess, is a great matter to me. God be praised; I have escaped a challenge, or any future obligation to accept one, from an engineer accustomed to the sound even of big guns, and one of the bravest men on earth.

C H A P. VII.

THE general election for a member of Congress, for the district of Washington and Allegheny, was held on the 14th of October; it might naturally be supposed that, notwithstanding the hurricane of the insurrection had subsided, it must have been in a great measure, from the impulse of fear, and that the same principle which produced it, must still have existence in the minds of the people, and that for this reason the spirit of insurgency must govern the election. If so, the most violent insurgent, or one the most favouring them would be chosen. So it was, nevertheless, that Daniel Hamilton, who had a command at the burning of Neville's house, and at the election, supported by Bradford, was the lowest on the poll; and Albert Gallatin, who had opposed the idea of war, more directly, at the meeting at Parkinson's than I had thought prudent, and who had distinguished himself, afterwards at Brownsville, in overthrowing the purposes of the violent, and was under the disadvantage of being taken up, on three days notice, and out of his own district, was the highest. My brother of the bar, who had been absent from the country, and was not under the necessity of offending the wishes of any one, and had courted the insurgents since his return, and was supported by the Neville's interest, at the same time, was but little above Hamilton. My conduct during the early part of the insurrection was of such a nature, that except with confidential persons, it was not understood, and must have been thought to have been equivocal. Yet I was on the poll, next to Gallatin. Thomas Scott, who had every day expected assassination from the violent, at his own house during the disturbance, was next to me. I cannot well explain all this. I state the facts. I should most probably have been elected, had it not been understood in all the more remote part of Washington county, that I had declined*. I had

* Extract of a letter from a gentleman in Washington, in the Pittsburgh Gazette. October 18th.

"Mr. Gallatin's name was introduced all of a sudden, and without his knowledge, it was almost universally understood in this county, that Mr. Braekcnridge had declined."

had but a few votes in that county, but the greater part of Allegheny, where I reside. I only remark further, that in Hamilton's district, which is in the neighbourhood of Parkinson's ferry and Mingo creek, and was the hot bed of the insurrection; I had but 24 votes, Daniel Hamilton, 132, and my brother of the bar, 90; which was about a fourth of the whole he had in the two counties. I state this only to shew who it was, that stood fairest with the most violent of the insurgents.

I had been perfectly quiescent with regard to the election. I had heard the tales propagated amongst the insurgents against me, and I had seen the horses from the public stables dispatched by quarter master Craig, to all parts of the country, with tickets for my brother of the bar. The French convention had not more couriers out, at that time. But I was not disturbed at this; for though I did not chuse to withdraw my name, yet I did not wish to be elected. I knew that the suffrages of the people, under existing circumstances, would be construed as a presumption of having been more with them, in the recent convulsion, than became a good citizen. It would render my character questionable abroad; I had reason in a very short time to look upon it as fortunate that I had not this presumption. This will open a new scene upon the reader, as it did upon me.

I had heard before this, by individuals from Philadelphia, of the impression made upon the citizens, by my letter to Tench Coxé. That it was considered as a letter of defiance, and had excited an irresistible flame of indignation against me. This did not much disturb me, at first, for I conceived the government would understand it, and take it in good part, and the people in due time would understand it also. Marshal Lenox had gone to Philadelphia, and knew my solicitude in his behalf, when at Pittsburgh. Presly Neville had gone, who, though somewhat chagrined, because I would not do every thing his way, yet, when his mind cooled, would see things in a more proper point of view, and would at all events, do me the justice to acknowledge, that it was at his instance that I came forward at an early period of the business. Commissioner Ross, who knew my conduct from the commencement, had been with the executive; and in speaking of those in this country, that were hostile or offenders, would represent me favourably; on these grounds, I was perfectly easy, as to men of information near the President, and concluded that from thence, just ideas, with regard to me, would spread, and gradually correct the popular error, with the militia that were coming forward. I had seen

paragraphs unfavourable, with regard to me, in the gazettes; but I thought nothing of that, considering them as the result of an unavoidable, but temporary misconception. I had also heard of the flame excited by the "Indian treaty" publication, which was charged to my account; and had raised the resentment of the Jersey militia, in particular, so that they were bewing me in imagination, with their sabres, as they came along, and bayoneting every bush or other thing upon the road, and calling what they bayoneted, "Brackenridge". But I conceived it to be the policy of the more intelligent to let the people exercise their minds with some objects, and perhaps improve their resentment, general, or particular, but not that any person, who knew my stile, would take that publication for mine.

I had more reason to be apprehensive, than I was aware. A few days after the election, David Reddick, commissioner with Findley, from the committee at Parkinson's, returned from his mission to the President, whom he had found at Carlisle, with the army on their march; he called upon me, and with great appearance of solicitude, gave me to understand the unfavourable point of view, in which I stood with the army, and the great personal danger I had to apprehend from the threats against me. That having occasionally introduced my name to the President, as not being concerned in the insurrection, he was silent. But that those about him, appeared to have strong prejudices. This brought to my mind, an expression I had seen in the address of the President at Carlisle; exhorting, amongst other things, "to detect intriguers". Thought I, that favours a little of chevalier Neville. He knows that I cannot be charged with any overt act, and may have insinuated there, as he had done here, that I have intrigued against the government. The fact was, the intriguers here were all on the side of government; there was nothing but open force against it.

At the time Mr. Reddick called, I had just finished a representation, which I had taken into my head, to draw up to the President, and intended to communicate by the post; representing to him, "that whatever doubt might have been entertained of the pacification of the country, at the time commissioners Reddick and Findley left it; yet none could be entertained now, that I would pledge my life for it, that a single troop of horse might come up and arrest any man with safety: that the depression had been as sudden and as low, through the country, as the insurgency was rapid; and the fury high before. That the effect

effect would be greater in resting the army at Bedford and Cumberland, than in coming further; for report had magnified the force, and imagination is stronger than the eye; and it would be a more dignified spectacle to see the laws restored by the bare shewing of an army, and the civil authority of this country, itself, in motion, to aid the authority of the union, in arresting offenders, than the whole body coming actually into the country; that five hundred horse might come on with the judge and the marshal, merely as an escort; not for safety, but for dignity. That something was to be left to the honour of the country; and the line of demarcation precisely marked between the impression of necessary awe, and that of degrading reduction: that the country could not always be retained by force, and therefore it would not be prudent to extinguish affection: that the people, then under his command, were subject to the like error with the people here; and it might, in the turn of things, at no very distant day, happen, that the government would stand in need of the country to repress insurrections elsewhere; that if the army should come into the country, they would come weary and fatigued, through the mountains, in the rains of the season; and would be seen to a disadvantage; they would be less satisfied with the campaign themselves, and the awful apprehension, which the people here had, would be lessened, and they would begin to say they could have fought them. It would be also difficult, if not impossible, to restrain the army from depredations on property, or from personal insult; and that would sour the minds of the best friends of the government; and reduce that internal check derived from their support against another insurrection."

I mentioned to Mr. Reddick what I had been about, but said, if this is the case, that I am suspected, let me say what I may, it will be misconstrued; I shall throw by my papers, and let things take their course.

I was struck with information from Mr. Reddick, of an expression by the President, when the commissioners were stating to him the probable irregularities of the army, from the temper in which they were, and possible indiscriminate injury to persons, as well as property. The President said "that if a single gun was fired in opposition, he could not answer for the consequence." Thought I, if that is the case, and the army should march into the country, whether a gun be fired or not, he, or those who may command them, may not be able to answer for the consequence to individuals, whose names are ob-

noxious,

noxious, it will not be safe for me, as things now stand, to trust myself in their way, but to avoid them, if practicable, until it can be seen, whether discipline and subordination to civil authority is preservable, or not.

Commissioner Reddick had proposed to call a third meeting of the Parkinson's ferry delegates, and at the same time invite the most conspicuous inhabitants to attend, in order to send forward such further assurances to the President, as might justify him in suspending the march of the troops, or at least of the whole body. He put an advertisement in the paper to this effect*.

I weighed deliberately, after Mr. Reddick had left me, the propriety of my attending that meeting, and I determined not to do it. I could no longer go forward, as I had done heretofore, without the least apprehensions of my views, or my conduct, being misconstrued by the government; and therefore I would not go at all. One of our deputies from Pittsburgh attended, and I wrote by him to that effect.

In the mean time, I thought it proper to endeavour to remove the misconception of the army, with regard to the Indian treaty publication, and at my request, the printer discharged me of the imputation, by a paragraph in the paper †.

More than a thousand of the principal inhabitants of the country convened on the 24th of October at Parkinson's, and adopted the following resolutions:

1st. Resolved, That in our opinion, the civil authority is now fully competent to enforce the laws, and to punish both past and future

* The commissioners appointed by the Parkinson's ferry committee to wait on the President of the United States, and governor of Pennsylvania, on the affairs of the western counties of Pennsylvania, having performed the duty, requests the meeting of that committee on Friday, the 24 instant, at their usual place (Parkinson's ferry), in order to receive the commissioners report. The commissioners do request that a full meeting may be had, not only of the members of the committee, but as many discreet citizens, as can any way find it convenient, would likewise give their attendance, as matters of the greatest concern to the safety, happiness, and prosperity of the country, may be then discussed.

N. B. A very awful army approaching this country, it is hoped, will make the business too serious to be trifled with.

† Understanding that a certain publication, which appeared in our paper, sometime ago, containing speeches, in imitation of an Indian treaty, and supposed to reflect on the militia of New-Jersey, and has been attributed abroad, to Mr. Brackenridge, we are ready to declare that Mr. Brackenridge is not the author.

future offences, in as much as the people at large are determined to support every description of civil officers, in the legal discharge of their duty.

2d. Resolved, That in our opinion, all persons who may be charged or suspected, with having committed any offence against the United States, or the state, during the late disturbances, (and who have not entitled themselves to the benefit of the act of oblivion,) ought immediately to surrender themselves to the civil authority, in order to stand their trial; that if there be such persons amongst us, they are ready to surrender themselves accordingly, and that we will unite in giving our assistance to bring to justice such offenders, as shall not surrender.

3d. Resolved, That in our opinion, offices of inspection, may immediately be opened in the respective counties of this survey, without any danger of violence being offered to any of the officers; and that the distillers are willing and ready to enter their stills.

Messrs. William Findley, David Reddick, Ephraim Douglass, and Thomas Morton, were then appointed to wait on the President of the United States, with the foregoing resolutions.

JAMES EDGAR, Chairman.

ALBERT GALLATIN, Secretary.

The above were published in the Pittsburgh Gazette, as usual.

In the same paper appeared an avowal of the Indian treaty publication, by a citizen of the western country, offering his name, when the printer should be called upon, and averring the publication to have been well intended, and for the purpose of giving the commissioners of the government while at Pittsburgh, an idea of the popular language of the country. It appeared, on inquiry, that the author was a friend to good order, and had never countenanced the insurrection.

C H A P. VIII.

THE rage of the army against me appeared to increase, as they approached the country; at least the accounts I received of menaces and death, were every day more frequent and determined. It was said, that I had saved myself by the amnesty of the government, but that should not save me from death without the forms of law. The executive would not be justifiable in bringing me to trial, in violation of their faith; but, on moral or political grounds, there would be no impropriety in the army exercising, at least in one instance, an act of summary, though irregular, justice. This I understood to be the language, not of those in the ranks of the common soldiery only, but of the highest officers.

The publication of Bradford had appeared, and that would complete the proof to the exiles, of what they would have only suspected before, viz. that I had prompted Bradford to their expulsion. These were with the army, and would no doubt contribute to the flame that had prevailed. I had understood before this, by intelligence from Philadelphia, that Neville the younger, though not publicly charging me with being concerned in the insurrection, yet his insinuations, to individuals, were to that effect. Commissioner Reddick, on his return from his first mission, informed me, that, being in company with general Neville, he had said, that as I had a knowledge that his house was to be burned, sometime before it happened, he thought I might have given him some information, that he might have removed at least his papers. I began to reflect what possible ground he could have for supposing that I had a knowledge of an intention of burning his house, before it took place. I recollected that, after the burning of the house, I mentioned the language of M'Donald, secretary of the Mingo meeting, to me, sometime before, in my office; viz. that the people talked of breaking up Neville, and burning Pittsburgh; and that I had thought nothing of it, at the time; but as they had burned Neville's house, they might accomplish the other part of the threat, and burn Pittsburgh*. This had been carried to general

* See the testimony of M'Donald in the Appendix.

eral Neville, and he had deduced from it, that I had a knowledge that his house was to be burned.

But the publication of Bradford had appeared, and fixed upon me, so far as the publication could have credit, at least a privity with the expulsion, and a support of it. The army was now at Bedford and Cumberland, and the enquiries, with respect to me, were, Whether I had left the country? or was it probable I would remain until they could get me in their power? It seemed to be a contest amongst them, who should have the honour of dispatching me. I conceived, that the example of the Jacobins in France had infected the mass of the army, just as much as it had the people here, in London the Tinker's time; and I thought it not at all improbable that I should be assassinated. It appeared to me expedient, to address letters to some of the principal officers; stating my apprehensions, and representing the disgrace that it would bring upon their march, to injure a man who was, and in due time would appear to be, innocent; giving them also to understand, that I remained in the country, was ready to resign myself to the cognizance of the laws, and made no claim to an amnesty, if I stood in need of any. I had written a number of letters to principal officers, to this effect; but I reflected, that individual officers might not like to be addressed by me, in my present situation. It would argue a confidence reposed in them, from personal acquaintance, which it would please them as well to keep out of view at present. Besides, I did not see well what officers could do. My fate would most probably come from the corps of horse, that would come on first. These especially, were composed of individuals, in the capacity of common soldiers, equal, in all respects, to those constituted officers. It would depend upon the sentiments of the mass, more than the discipline of officers, with regard to me. It struck me, therefore, to address the army generally, in a hand-bill, which would be circulated through the whole body; whereas, if I addressed individuals, my letters could not be generally communicated, in order to correct in any degree the false sentiments entertained of me, or to avert the intention of putting me to death, without enquiry. Under this idea, I drew up a short address*, and dispatched a messenger, with

* *Citizens of the Army advancing to the Western Country:*

SERIOUS intimations are given me, that I am considered by you, as greatly criminal in the late insurrection in this country; and though I may have

with some hundred hand-bills, to commissioner Reddick and others, who had been appointed from the last meeting at Parkinson's, to wait again upon the President, or other commanding officer with the army, in order to lay the state of the country before them. The army had moved from Bedford and Cumberland, and were met by our commissioners the march of a day or two from the country. My direction to our commissioners, to whom I had transmitted my hand-bills, was, to deliver them to the commanding officers of the different parts of the army, to be by them distributed, if they thought proper, amongst the troops. I addressed letters, with the hand-bills, to the commanding officers, to this effect. The hand-bills were delivered to the commanding officers of the right wing, governors Howell and Miffin; and to the commander in chief, general Lee, who was, at that time, with the left wing, on his advance from fort Cumberland. The President had returned to Philadelphia. I was informed by letter, from commissioner Reddick, that same had not at all exaggerated the fury of the army against me; and there would appear to be no individual, even of those highest in command, who appeared disposed to have any solicitude on my account, or at least to be willing to have it thought they had any; that governor Howell, on receiving my hand-bills, threw them instantly into the fire; that Miffin and Lee had given feeble assurances, that I should be personally safe;—but that he himself, Mr. Reddick, in order to serve me, had contrived that some of the hand-bills should find their way amongst the troops, without going through the hands of the officers. I disapproved of the having done this; for I knew that offence would be extracted from every thing possible, and that the officers would say this was wrong. It was said to be wrong; and I began to be

charged
 have shielded myself from the law, by taking advantage of the terms of the amnesty proposed by the commissioners, and sanctioned by the proclamation of the President, yet that I shall not escape the resentment of individuals. It would seem to me totally improbable, that republican soldiers would sully the glory of their voluntary rising, by a single intemperate act. Nevertheless, as it would wound me with exquisite sensibility, to be treated with indignity, by words or looks, short of violence, I beg leave to suggest to you, that it is a maxim of reason, that a man "shall be presumed innocent 'till the contrary is proved;" and I give you a strong presumption of my innocence, viz. that though having an opportunity of relinquishing the country, I stand firm, and will surrender myself to the closest examination of the judges, and put myself entirely on the merit or demerit of my conduct, through the whole of the unfortunate crisis.

H. H. BRACKENRIDGE

Pittsburgh, October 25, 1794.

charged with stupidity, as well as villany, in not knowing better than to send forward papers amongst the ranks of an army. I was blamed for addressing them at all. I had considered this army as consisting of citizens, and I did not conceive any greater impropriety, in addressing them in a camp, by a hand-bill, than in their counting-houses, or upon their farms, in the gazette of Philadelphia, Trenton, or Richmond. But I was unpopular; I was under the imputation of being a traitor to my country; if I was not hanged, I deserved to be hanged; and it was immaterial what I said or did, it would be taken in bad part. It was said, it was a damnable impertinence in me, to have the assurance to write or speak a word to any body. I scarcely knew whether to laugh or indulge chagrin at the absurdity of such speeches. I had thought the recent instances in France, of men being run down by the clamour of an occasion, and murdered without an opportunity of justifying themselves, might have corrected such precipitancy in the American mind.

The deputation of commissioners from the country, had not answered the end of arresting the march of the army, by assurances of the restoration of tranquillity, and obedience to the laws. The President had seen things from a different point of view with me, and had not thought himself justifiable in suspending the march. I presume, he had not a perfect confidence in the submission of the people. It would seem so, from the circumstance of spies traversing the country, at this time, in order to gain intelligence on which he could better depend, than on the representations of our commissioners. I presume he also conceived, that the exhibiting so formidable a force in the country, would leave an impression of fear; the best security, in his opinion, against future opposition to the laws. It would take away effectually, the saying hereafter, that the militia could not have sustained a march across so vast a mountain. The difference of expence would be little; as the equipments and appointments for the army had been made, stores and every requisite provided, and the troops might as well be marching into the country, as remaining at distant points, until the judiciary had advanced, and finished their examinations and arrests in the country. It would have a good effect in other parts of the union, where a spirit of insurrection might exist, to hear that an army had crossed even the Allegheny mountain, to the heads of the waters that run to the west, in order to crush the insurgency, that had shewn itself in that remote skirt of the government. It would have a good effect in

Europe, and restore that confidence in the government, which had been lessened by the report of the disturbance of the summer. Finally, a great part of the army were anxious to see the western country, and they might as well come on embodied as they were.

The right wing of the army had now crossed the mountain, and were in the western country. It was like the approach of a tempest to me. I could hear the thunder at a distance; every day new accounts of butchery denounced against me, without judge or jury. I began to hear general Neville raise his voice; "the damnedest rascal that ever was on God Almighty's earth."

The left wing had also crossed the mountain, at the distance of 30 miles to the westward. I could hear of colonel Neville at the table of general Lee, and publicly elsewhere, through that camp, denounce revenge against the "damned rascal," meaning me.

I began to think it would be unsafe to stand it: that I could not have sufficient confidence in the good disposition of the commanding officers, much less in their power, to restrain injuries; and that it would be adviseable to be out of the way a little, until I could see whether subordination to the civil authority, was preservable or not. I had the wilderness behind me; and, as before, I had meditated to escape from Tom the Tinker, by going to the east, so now, I meditated to escape from an equally outrageous banditti, as I began to think them, by going to the west. My sensations were violent at the time, but they ought to be excused, as I must have thought it very extraordinary in people, to have come to support the laws, and to be talking of violating them. I communicated to general Wilkins my resolution of going, neither to Spainards, nor British, but of taking my chance amongst the Indians, for a month or two, until I could have a proper assurance of protection, in surrendering myself to the judiciary authority. I had thought of a hunter, whom I could employ to go to the woods with me.

General Wilkins could not but acknowledge the expediency of going, from all that he had heard or seen, and proposed a hunter, whom he knew, and thought more expert, than the one of whom I had made mention; and engaged to speak to him to go with me. He was to send for him next morning.

I lay upon a couch, and thought of it till midnight. I reflected that people would always talk more than they would do; and that putting me to death would be more in the language, than

than in the intention of the mass. It was the fashionable speech of the camp, and every one adopted it; without meaning to carry it into effect. But I reflected also, that this very strain of talking, though not originating from intention of act, with the mass, yet might lead some inconsiderate and unprincipled men, to perpetrate what they heard spoken of; more especially as I had heard of the violence of the Nevilles, and suspected that the horrid resentment, which they appear to entertain against me, might prompt them to encourage assassination.

However, after the deep thought of many hours, I sprung from my bed couch, and expressed my determination, that if I was to be assassinated, it should be in my own house. It never should be said, that I would move a foot from the ground; more especially as in my address to the army, I said I would not. It was true, I made that declaration, at the time, under the impression that my address would be read, and all idea of personal injury would be relinquished, and the examination of my conduct left to the judiciary, under the avowal which I made, of putting myself entirely upon the merit, or demerit of of it; meaning that I should set up no claim to the amnesty, of which it might be supposed I would be willing to avail myself.

Having now determined to await my fate, I employed a day or two in putting my papers in order, and making a short sketch of the outlines of my conduct, during the insurrection, and directing it to be delivered to James Ross, who know the greater part, of his own knowledge, with a request that he would state it to the public, and do my memory justice. I knew the rage against me was founded in the misconception of the multitude, and the malice of individuals. But it was what had happened to others in other times, and would happen a thousand times again. It had been the case of La Rochefoucaut, Clermont de Tonnerre, and others, at an early period of the French revolution.

About this time Josiah Tannehil, an assistant burghers of Pitts-
burgh came to me, and mentioned the name of my brother of the bar, said he, he has discovered ———. What? said I, the longitude? No, said he, but that you are not within the amnesty, you did not sign upon the day. Is that all? said I, that will not do me any harm.

The event of the election had incensed my brother of the bar still more, if possible, than he was before. From a want of delicacy, or a defect of education, he values himself upon the application of force, and will talk familiarly of knocking down a
man.

man. I had heard that he had talked of having recourse to this mode of shewing his superiority over me. If he was not so popular, he would convince the people that he was stronger; and more ferocious. However, he had lost sight of this, when the prospect appeared of having me assassinated by the army; the propriety of which he strenuously advocated, and conceived, that the army might justifiably do that, en masse, which every individual would be justified in doing by himself, upon so horrid an insurgent as I was. He had, no doubt, been busy in impressing this idea, by all avenues, by which he could possibly reach the army. But on discovering that I was not, in strictness, within the amnesty, and beginning to believe that, with good management, something might be done with me with the judiciary, he had relinquished the idea of assassination, and contemplated the more disgraceful consequence to me, the being ignominiously arrested, and tried at the bar for high treason.

I had no idea that it had been any secret before, that I had not signed on the day. I had never thought of an amnesty. I would have resented it as an indignity, to have it supposed that I did. I had signed upon the principles I have stated in my narrative.

It struck me, as fortunate, that my brother of the bar had fastened upon this. He would communicate the circumstance to the Nevilles with the army, and that would change their views, with regard to the mode of proceeding against me; and instead of getting the father-in-law, general Morgan's dragoons, to put me to death privately, would lead them to assail the judiciary with accusations, and to use all address, influence, and industry, to collect or make testimony.

It was precisely as I had foreseen. Accounts from the army, of the language of the Nevilles, now began to be, that of having me hung. I was diverted with a speech of general Neville's, reported to me: When some of the people, alarmed for their situation, had gone forward to solicit his favour; Children, said he, it is not you we want; it is some of the "big fish," Brackenridge, Gallatin, and Findley, that we want. I thought I, it is high enough to expect to find me in the same shoal of fish with Gallatin and Findley, when I have had a political difference with Findley, that has produced a distance, which still exists; and when I have never spoke to Gallatin in my life, that I recollect, until I saw him at Parkinson's ferry. But the fact was, Findley and Gallatin were obnoxious, perhaps with the judiciary, but certainly with secretary Hamilton, who acted in aid
of

of the judiciary in the examination of witnesses; and it would have a good effect to involve me in the odium of Gallatin and Findley. I give credit to the ingenuity of the old general in this.

Willing to avoid the circumstance of an arrest, in any humiliating way, I had prepared a letter to judge Peters, giving him to understand, that whether within the amnesty or not, I was ready to disclaim it; and had a right to do this, under the principle, *Juri pro se introducto quisquis renunciari potest*; every man may renounce a privilege that has been specially given him; but that it would not be necessary to wound my feelings, by dispatching troops to arrest me. I would come forward upon a moment's notice, or I would remain, and be ready to surrender myself at Pittsburgh, when they should come forward to that place.

At the same time, I had prepared a paragraph for the gazette, calling upon all good citizens, who knew any thing of treasonable actions, speeches, seditious writings, or misdemeanors of any kind, cognizable by the judiciary of the United States, by me done, said, or written, to come forward, and give their testimony to the judiciary, then in the country, and ready to hear them. Commissioner Ross was at this time in Pittsburgh, and was about to set out to the army. I shewed him my letter to judge Peters, and my advertisement, which I was about to insert in the gazette; and I requested him to bear my letter to judge Peters. He made this remark, that, in his opinion, the true medium was, on the one hand, not to court a prosecution; on the other, not to fear it. I thought the observation solid; and I reflected, that I have been always dissatisfied with the petulance of persons accused, as if they were willing to derive popularity from a prosecution; and it had struck me, as more dignified, to consider it, as it really was, a great misfortune, but, at the same time, to bear it with modesty and firmness.

James Ross undertook to mention it to the judiciary, that I was ready to surrender myself, and would pledge his honour, that I would not remove from the town, or avoid an inquisition. This, he presumed, would supersede the arresting me with any ignominious circumstances; a thing which it was possible my enemies would endeavour to accomplish, in order to have that gratification, if they could obtain nothing more. On this, I laid aside my letter to the judge, and my paragraph for the gazette.

C H A P. IX.

MY brother of the bar had gone to the camp, and had entered upon his office of solicitor of testimony against me. The justice of the peace, on whose paper of submission I had put my name, had been called before the judiciary, in order to ascertain the fact, that I was not within the amnesty. It was ascertained; and now the field was open for accusation. In the examination of all witnesses, the great burden of the song was, "What do you know of Brackenridge?" I knew well that secretary Hamilton would have a predisposition against me. He would rather find the opposition to the law to have originated in the plan of some leading individuals, than with the mass of the people: for the excise law being a result of the funding system, of which the secretary was an advocate, it would save the pride of judgment, to have it thought opposed by the seditious arts of one, or a few, rather than by the feelings or common sense of many. I reflected also, that the secretary would have observed, in my letter to Tench Coxe, and in some other publications, that I was not a friend to the funding system itself. And this, even with a man of integrity, would constitute a bias imperceptible to himself; and I was sensible, that the opinion of the secretary, in my case, would have weight with the judiciary.

Judge Peters I knew to have no prejudice against me; and I did not conceive that Rawle had any; but as the army were vociferous to have me made a victim, there would naturally spring up, in the minds of both, an inclination to gratify them.

But with the secretary and judiciary, the wishes of the Nevilles connections, who were considered as martyrs to the government, would have an almost irresistible influence. I reflected, that the drift of my speech at the Mingo meeting-house, might not have been fully understood by all; but more especially my management at Parkinson's ferry, the first meeting, was not understood generally, for it was not my wish that it should be generally understood, and therefore the testimony that would of course come forward, with regard to what was said or done on these occasions, would place my conduct in an equivocal, if

not

not in a criminal point of view. When I add to this, the leaning that persons, conscious of criminality, would have to gratify the government, by testimony against a character that was to be run down, in order to gain favour for themselves; I thought an arrest not improbable. But when I also took into view, the prospect of favour with government, as to offices; of which it would be supposed the Nevilles connection would have now the distribution, and that an oath, on the present occasion, would go a great way to recommend, I thought my arrest certain.

My adversaries considered themselves as having lost a great deal, in the departure of Bradford. On the return of the first commissioners, Reddick and Findley, he had been informed of an observation of the President, on the commissioners representing, that all the principal actors had taken the benefit of the amnesty; We have heard, said he, of inflammatory speeches made after the 22d day of August*. It was understood by them, that this had a reference to Bradford: it was on this that he thought proper to abandon the country. If he had known the arrangements that had been made on his behalf, by some of my adversaries, he would perhaps have staid at home. The way had been prepared: it had been given out, that he was a weak man; that he had been gulled into the business; that he had been set up as a thing to be shot at, by some behind the scene; that I was the manager of the puppet show; the most dangerous person to the government on the west of the mountain; that Gallatin and Findley were nothing to me. I will not charge the Nevilles with devising this; it was the plan of my brother of the bar. The letter of Craig to Bradford, insinuating † that it was not supposeable that he could do or say any thing amiss, gives a key to the system of making use of him. He was to be represented to the secretary as deceived, misled by an artful and designing man, whom they wished hanged in his place. The Nevilles had been brought into it, and begin to adopt the language suitable to the occasion, and which continues to be the rhyme yet, that Bradford was gulled.

In the mean time; a detachment of horse, escorting general Gibson, who had been exiled, arrived at Pittsburgh. They were under the command of corporal Cunningham, a merchant of Philadelphia. He had given orders not to speak to me. I

had

* The amnesty respected only what was done before this day.

† "I would not have addressed you on the subject, had I not supposed that you were deceived in your information."

had supposed, that general Gibson, who had been acquainted with the commencement of the insurrection, would have explained to them the mistake under which they had laboured with regard to me. I had heard of him, as the only one of the exiles who had the candour to do me justice, on his way out of the country. It is probable he had given his opinion favourably, with regard to what had happened before he went away; but it might be supposed, that I had acted a different part afterwards. I reflected on my solicitude on his account, at the time of the expulsion*, when I saw him pass by my house, with the dragoons of his train, looking up, and laughing; as much as to say, "There lives a fellow that is to be hanged." He ought to have recollected, that he was chairman of the committee that exiled the first three. But Gibson is far from being an unfeeling or unjust man, but he was under the necessity of giving way to the current against me; it was too strong to be stemmed. He did go so far as to say, that all things considered, he could not conceive me to be so much concerned in the insurrection as I was supposed to be.

The next detachment that arrived, was an escort of three or four squadrons of horse, conducting, in great pomp, the younger Neville. General Morgan himself was along. They shewed themselves on the southern bank of the Monongahela; they crossed the river; the standards were unfurled, and the cornets blew their horns; the guns of the garrison were discharged; it was like a Roman ovation, a species of the lesser triumph. General Morgan, in the evening, accompanied by his suite, and parading near my house, with a military gait, was heard to say, "Hang the rascal, hang him." After night, I was informed by my servants, that some of the dragoons were occasionally coming and going, and watching the avenues to the house; and that two of them had come into the kitchen, and looked into the adjoining rooms. About 9 o'clock, I had farther information, that two of them had been in the yard, and had gone away. This did not strike me much; I resolved it into curiosity, or an intention of plundering something. They would naturally think it could be no great harm to make free with the property of an insurgent. However, the danger was greater than I had imagined; that night, about eleven o'clock, I was to have been assassinated. The troops had advanced within 20 yards of my door, when an officer,

* See Meetkirk's deposition in the appendix, and John Scull's, and others.

officer, who had been apprised of their intention, and in vain laboured to dissuade them, having run to general Morgan, who was in the house of Neville the younger, and not gone to bed, gave him information. The general and the colonel ran out without their hats, and the general opposing himself to the fury of the troops, said, "That it must be through him they would reach me;" that I had stood my ground; would be cognizable by the judiciary; and let the law take its course.

I had dismissed all apprehensions of assassination; conceiving that my adversaries had turned their attention to a legal prosecution. It was not until two or three days afterwards, that I heard of the attempt of the troops of cavalry. I had thought myself perfectly secure, at all events, from a detachment under the immediate command of the general, and who had escorted his son-in-law, because the murder would be immediately attributed to them; and a regard for their own honour, independent of all principles of humanity, would lead them to avoid the perpetration at that time; and if any thing was to be executed, let it be by a detachment from some other corps, at another time. I will not say, that the Nevilles were usually capable of deliberately contemplating the putting me to death. The father is outrageously passionate, but not vindictive or cruel; the son is a man of good temper, and humanity; but they laboured under irremovable misconceptions, owing to a variety of circumstances; and their pride had also been wounded by acts of mine, which I thought virtuous, and think so still. My brother of the bar had all hell in his bosom; and had it not been for the prospect of hanging me, would have struggled hard to have me murdered. And I knew well, that the misconception of the Nevilles had been, in a great degree, originally established by him; and that their rage had been fanned by his information. He was now busy at the camp, with general Neville. The general, who had been a subject of the outrages, was there in the light of a private prosecutor; and in aid of the judiciary, was assisting in bringing forward and interrogating witnesses. My brother of the bar was active in founding, embracing, and marshalling them; and if, on examination, any thing was omitted by the judiciary, he took the general aside, and gave him a hint of it. The general would then return to the charge with fresh questions. This is the account that I have from witnesses that were examined, or from gentlemen occasionally present.

When the matter was thought to be pretty well fixed against me, the great and concluding stroke was to be given. A trea-

sonable letter of mine, addressed to a certain Bradford, had fallen into the hands of my adversaries. It was dark and mysterious, and respected certain papers, a duplicate of which I wished him to send me, having mislaid the first copy; that these were so essential, I could not go on with the business without them. This letter was now brought forward. What do you make of that? said secretary Hamilton to James Ross, who was present: you have averred, as your opinion, that Brackenridge has had no correspondence with Bradford; look at that, is it not the hand-writing of Brackenridge? It is the hand-writing, said James Ross, pausing for some time; and there is only this small matter observable in the case, that it is addressed to William Bradford, attorney general of the United States, not to David Bradford*.

When a blast, transverse, takes a shallop on the river, and throws her on her beam ends, with all her sails set; or when a scud of wind takes the standing corn of the farmer, and on the field bows the stalks to the earth, so languished my brother of the bar. The old general stood motionless and speechless, and to this hour had been standing, had not secretary Hamilton broke silence. "Gentlemen, said he, you are too fast; this will not do."

The late circumstance had weakened the credit of the prosecution; and all things considered, especially when James Ross was examined, it began to be doubted whether it would be for the honour of the government to prosecute me. However, the case remained open for farther testimony.

It was not until a considerable time afterwards, that I had information of this indiscreet zeal on the part of the prosecution. I had heard all that I had apprehended confirmed; viz. that there was the strongest disposition with the judiciary, and thro' all the branches of the assistant examiners, to find ground of arresting me. This was so strikingly observable by the country, that it quite restored me in their good opinion; and if the election had been to take place then, there would have been no question

* It was wrote to the attorney general, William Bradford, when commissioner at Pittsburgh, when I was superintending the publishing the report to be made of the correspondence of the committee of twelve and the commissioners. I wrote to him, requesting some of the papers that were to be inserted. This note had been dropped at the public house, and picked up by my adversaries. They were in such a hurry to believe every thing against me, that they had not taken time to examine it with attention. I presume, major Craig, *virtute officii*, as notary public, had picked it up.

question of my having their suffrages. They were satisfied they had wronged me, in supposing that I had stipulated any indemnity for myself in particular; or had made fair weather with the government, by deserting them. I had nothing to fear from the body of the people, they would rather lean in my favour; but there were still enough of unprincipled persons, that might be brought forward, or who would offer themselves in order to obtain favour. It was amusing to me, to see the numbers of those coming forward, and passing themselves for friends of government, whom, during the insurrection, I had a great deal of trouble to keep down. They took their revenge now, and joined in the cry against Brackepridge.

Some poor fellows did this to save themselves; I had given them leave to do it. They came to me, with tears in their eyes, to consult whether they would go off or not, or stand trial. The army had then crossed the mountain. I directed them to contrive to let my brother of the bar hear them curse me; and say they had voted against me at the election; this would be carried to the ear of my adversaries, and they would be represented as friends of government. They did so; and it had the effect.

At the time I had given this advice, I had dreaded nothing but an assassination; I had no idea of having any thing to fear from a judiciary process. Now I began to apprehend danger from this source. I looked forward to a trial before a jury, in Philadelphia; which, heated with prejudice against me, would differ little from a revolutionary tribunal of Paris. Besides, the part I had been drawn in to act, was so various, and of such a nature, that it would take a multitude of witnesses to explain the quo animo; and the expences of a trial would ruin me. But, what alarmed me still more, from a stroke that I received from a sedentary life, twenty years ago, I am subject to a delinquency or failing of nerves, especially when any thing affects my mind; and I was afraid that my feelings would kill me, under a sense of the arts that were practising against me. I bore it with apparent fortitude, but my sensibility was greatly affected. Not that I was uncommonly afraid of death; but I regarded my memory for the sake of my family, and was apprehensive, that if I sunk under the sensibility of my affections, it would be resolved into a consciousness of guilt, and not into the pain which the ingenuous mind feels when it is wronged by the world.

It may seem to reflect upon the judiciary, to have it supposed that they would give so facile an ear to general Neville, as may seem to have been insinuated. Let it be considered, that they

they would find, in the course of their examination, that even at the burning of the house of the inspector, there were persons who had been under the impulse of fear for themselves, and were carried there by constraint. But more especially at Braddock's fields *, many were present under compulsion; and thro' the scene in general, men were obliged to pretend to be what they were not. The quo animo, therefore, was to be determined, a good deal; from what had been known to be their sentiments and conduct heretofore. To whom could this be referred better, than to the inspector of the revenue, who knew the people? and this gave him an unlimited influence in his representations. I have no disposition to be dissatisfied with the use the inspector made of this advantage, in saving individuals; I wish I could equally excuse the use he made of it in prosecuting others. I can only soften my censure, by acknowledging that, so far as I have heard, he exercised favour in more instances than prejudice. But in both cases, he must be considered as having misled the judiciary; and though my observation may help him as a man, it must hurt him as a prosecutor. It would have been better he could have declined his attendance on the examinations; to have been escorted to his house, at an early period, and to have remained there; leaving the judicial investigation to an operation unbiassed by him; so as not only to avoid the influence of opinion, but the suspicion of it. But this is a delicacy which the noble mind alone has from nature, or which a refined education gives.

CHAP.

* I knew a man, nearly related to me, on Brasby Run, in Washington county, who, having no gun, sat two nights in his cabin with his axe in his hand, to defend himself against his captain, of the name of Sharp, who had threatened his life, for not going to the burning of Neville's house, agreeable to summons. He yielded on the order to go to Braddock's field, and appeared there with a crooked horn by his side, but had no powder in it. He saw, as he went along, the tomahawk drawn over the heads of men, at their breakfast, or dinner, and obliged to march.

C H A P. X.

THE instructions from the President to governor Lee, the commander in chief, are greatly excellent; and the governor had conducted himself, agreeably to these instructions, with great propriety and delicacy*.

The

* INSTRUCTIONS to GOVERNOR LEE.

Bedford, 20th October, 1794.

Sir,

I have it in special instruction from the President of the United States, now at this place, to convey to you, on his behalf, the following instructions, for the general direction of your conduct, in the command of the militia army, with which you are charged.

The objects for which the militia have been called forth, are,

1. To suppress the combinations which exist in some of the western counties of Pennsylvania, in opposition to the laws laying duties upon spirits distilled within the United States, and upon the stills.
2. To cause the laws to be executed.

These objects are to be effected in two ways:

1. By military force.
2. By judiciary process, and other civil proceedings.

The objects of the military force are twofold:

1. To overcome any armed opposition which may exist.
2. To countenance and support the civil officers in the means of executing the laws.

With a view to the first of these two objects, you will proceed as speedily as may be, with the army under your command, into the insurgent counties, to attack, and, as far as shall be in your power, subdue, all persons whom you may find in arms, in opposition to the laws above mentioned. You will march your army in two columns, from the places where they are now assembled, by the most convenient routes; having regard to the nature of roads, the convenience of supply, and the facility of co-operation and union; and bearing in mind, that you ought to act, until the contrary shall be fully developed, on the general principle, of having to contend with the whole force of the counties of Fayette, Westmoreland, Washington, and Allegheny, and of that part of Bedford which lies westward of the town of Bedford; and that you are to put as little as possible to hazard. The approximation, therefore, of your columns, is to be sought; and the subdivision of them, so as to place the parts out of mutual supporting distance, to be avoided, as far as local circumstances will permit. Parkinson's ferry appears to be a proper point, towards which to direct the march of the columns, for ulterior measures.

When arrived within the insurgent country, if an armed opposition appear, it may be proper to publish a proclamation, inviting all good citizens, friends

The judiciary had now been upwards of ten days in the country; and proceeded a considerable length in their examinations, fo

friends to the constitution and laws, to join the standard of the United States. If no armed opposition exist, it may be still proper to publish a proclamation, exhorting to a peaceable and dutiful demeanor, and giving assurances of performing, with good faith and liberality, whatsoever may have been promised by the commissioners, to those who have complied with the conditions prescribed by them, and who have not forfeited their title by subsequent misconduct.

Of these persons in arms, if any, whom you may make prisoners; leaders, including all persons in command, are to be delivered to the civil magistrate; the rest to be disarmed, admonished, and sent home, (except such as may have been particularly violent, and also influential); causing their own recognizances for their good behaviour, to be taken, in the cases in which it may be deemed expedient.

With a view to the second point, namely, "the countenance and support of the civil officers, in the means of executing the laws," you will make such dispositions as shall appear proper, to countenance and protect, and, if necessary, and required by them, to support and aid the civil officers, in the execution of their respective duties—for bringing offenders and delinquents to justice; for seizing the stills of delinquent distillers, as far as the same shall be deemed eligible by the supervisor of the revenue, or chief officer of inspection; and also for conveying to safe custody, such persons as may be apprehended, and not admitted to bail.

The objects of judiciary process, and other civil proceedings, will be,

1. To bring offenders to justice.
2. To enforce penalties on delinquent distillers, by suit.
3. To enforce the penalty of forfeiture, on the same persons, by the seizure of their stills and spirits.

The better to effect these purposes, the judge of the district, Richard Peters, esq. and the attorney of the district, William Rawle, esq. accompany the army.

You are aware, that the judge cannot be controlled in his functions. But I count on his disposition, to co-operate in such a general plan, as shall appear to you consistent with the policy of the case. But your method of giving a direction to legal proceedings, according to your general plan, will be by instruction to the district attorney.

He ought particularly to be instructed, (with due regard to time and circumstance), 1st. To procure to be arrested, all influential actors in riots, and unlawful assemblies, relating to the insurrection, and combinations to resist the laws; or having for object, to abet that insurrection, and those combinations; and who shall not have complied with the terms offered by the commissioners, or manifested their repentance in some other way, which you may deem satisfactory. 2dly. To cause process to issue, for enforcing penalties upon delinquent distillers. 3d. To cause offenders, who may be arrested, to be conveyed to gaols where there will be no danger of rescue—those for misdemeanors, to the gaols of York and Lancaster—those for capital offences, to the gaol of Philadelphia, as more secure than the others. 4th. To prosecute indictable offences in the courts of the United States—those for penalties on delinquents, under the laws before mentioned, in the courts of Pennsylvania.

As a guide in the case, the district attorney has with him a list of the persons

so as, in their opinion, to have had information with regard to the principal offenders. It seemed, therefore, advisable to commence

sons who have availed themselves of the offers of the commissioners, on the day appointed.

The seizure of stills, is the province of the supervisor, and other officers of inspection. It is difficult to chalk out a precise line concerning it. There are considerations which will require to be nicely balanced, and which must be judged of by those officers on the spot. It may be found useful, to confine the seizures to stills of the most leading and refractory distillers. It may be advisable, to extend them far in the most refractory county.

When the insurrection is subdued, and the requisite means have been put in execution, to secure obedience to the laws, so as to render it proper for the army to retire, (an event which you will accelerate as much as shall be consistent with the object), you will endeavour to make an arrangement for detaching such a force as you deem adequate, to be stationed within the disaffected country, in such a manner as best to afford protection to well disposed citizens, and to the officers of the revenue; and to repress, by their presence, the spirit of riot and opposition to the laws.

But before you withdraw the army, you will promise on behalf of the President, a general pardon to all such as shall not have been arrested, with such exceptions as you shall deem proper. The promise must be so guarded, as not to affect pecuniary claims under the revenue laws. In this measure, it is advisable there should be a co-operation with the governor of Pennsylvania.

On the return of the army, you will adopt some convenient and certain arrangement, for restoring to the public magazines, the arms, accoutrements, military stores, tents, and other articles of camp equipage, and entrenching tools, which have been furnished, and shall not have been consumed or lost.

You are to exert yourself, by all possible means, to preserve discipline amongst the troops; particularly a scrupulous regard to the rights of persons and property, and a respect for the authority of the civil magistrate; taking especial care to inculcate, and cause to be observed, this principle,—that the duties of the army are confined to the attacking and subduing of armed opponents of the laws, and to the supporting and aiding of the civil officers, in the execution of their functions.

It has been settled, that the governor of Pennsylvania will be second, the governor of New-Jersey third in command; and that the troops of the several States, in line, on the march, and upon detachment, are to be posted according to the rule which prevailed in the army during the late war,—namely, in moving towards the sea-board, the most southern troops will take the right,—in moving westward, the most northern troops will take the right.

These general instructions, however, are to be considered as liable to such alterations and deviations in the detail, as from local and other causes may be found necessary, the better to effect the main object, upon the general principles which have been indicated.

With great respect, I have the honour to be,

Sir,

Your obedient servant,

(Signed) ALEXANDER HAMILTON.

Truly copied from the original,
B. DANDRIDGE, secretary to the President of the United States.

commence arrestations. In order to avoid delays, and prevent escapes, from the alarm that the commencement of arrestation would cause, it was thought adviseable, to have the arrests made all at the same instant, throughout the whole country; more especially, as so general and rapid a stroke, made in the night, would have a more awful effect upon the minds of the inturgents. Agreeably to this system, communicated to the commander in chief by the judiciary, orders were issued by him, to the several commanding officers, enclosing lists of persons to be apprehended; and giving directions to arrest, at discretion, others who should be represented to them as principal offenders. The arrestation took place generally, through the country, on the night of the 13th of November.

By virtue of an order to general William Irwin*, who commanded

* Head Quarters, near Parkinson's ferry.

November 9th, 1794.

Sir,

From the delays, and danger of escapes, which attend in the present situation of judiciary investigations, to establish preliminary processes against offenders, it is deemed adviseable, to proceed in a more summary way, in the most disaffected scenes, against those who have notoriously committed treasonable acts; that is, to employ the military, for the purpose of apprehending, and bringing such persons before the judge of the district, to be by him examined, and dealt with according to law.

To you is committed the execution of this object, within that part of Allegheny county to which you are advancing.

As a guide to you, you have herewith a list of persons (No. 1.) who, having complied with the terms offered by the commissioners of the United States, are entitled to an exemption from arrest and punishment; and who are, therefore, not to be meddled with. You have also a list (No. 2.) who it is understood, on good grounds, have committed acts of treason; and who may, therefore, be safely apprehended.

Besides these, you may, in the course of your operations, receive satisfactory information of others who have committed like acts, and whom, in that case, you will also cause to be apprehended. The acts alluded to, are the following: 1st. The firing upon, imprisoning, or interrupting, in the course of his duty, the marshal of the district. 2d. The two attacks on the house of John Neville, esq. inspector of the revenue. 3d. The assembling, or aiding the assemblage, of an army at Braddock's field, in the county of Allegheny, on the first day of August last. 4th. The assembling, and acting as delegates, at the meeting at Parkinson's ferry, which began the 14th day of the same month. 5th. The meeting at Mingo creek meeting-house, termed a Society, sometimes a Congress. 6th. The destruction of property, and expulsion of persons, at and from the town of Pittsburgh. 7th. The interrupting and plundering of the public mail; and the injuries and violences to the houses and persons of Benjamin Wells, John Webster, and Philip Regan, officers of the revenue. 8th. The planting of poles, impudently called liberty-poles, with the intention to countenance and co-operate in the insurrection.

manded the Pennsylvanians, then in the neighbourhood of Pittsburgh, an arrest was made, agreeably to a list (No. 2.)*, enclosed to him, with the order. List, No. 1, never came forward. That being the case, general Irwin was, of course, confined to the list, No. 2, who must be supposed as not in the list, No. 1, or as having forfeited the amnesty; that is, not having the list of those entitled to the amnesty; he could exercise no discretion, agreeably to information he might himself receive, but was to suppose all in it, or innocent, that were not in the list of persons to be arrested.* Of list, No. 2, were personally known to me, Andrew Watson, Norris Morison, Samuel M'Cord, John Hannah, William Amberson, William H. Beaumont, Alexander M'Nickle, Mordecai M'Donald, Mar-

VOL. II.

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surrection.—You will carefully direct your enquiry towards civil and military officers, who have been extensively concerned in the enormities committed; it being their special duty, to have prohibited, by their exertions, every species of enormity. But in the apprehension of persons, not named in the list (No. 2.) you will use great circumspection, to embrace none but real offenders; nor will you be too promiscuous, or too general. The persons apprehended, ought to be leading or influential characters, or particularly violent.—You will also find a list marked (No. 3.); this paper comprehends witnesses. The individuals are to be brought forward, and treated as such.

Direct all who may be apprehended by you, to be conveyed to your camp; where detain them in safety, until further orders. Send off your parties of horse, with good guides, and at such a period, as to make the seizures, however distant or near, at the same moment; or intelligence will precede them, and some of the culprits will escape. I presume, the proper hour will be at day-break, on Thursday morning; and have, therefore, desired the operation to be then performed, in every quarter.

I have the honour to be, Sir, with great respect,

Your most obedient servant,

(Signed)

HENRY LEE.

List, No. 1, mentioned in this letter, is in possession of governor Howell, and will be sent to you, if requisite. Wait not for it.

List, No. 3, is not to be expected, as no witnesses are summoned from the district in which you act.

H. L.

Major General IRWIN.

* (No. 2.)

List of persons, in Allegheny county, charged with offences against the United States.

Pittsburgh—Andrew Watson, Norris Morison, Samuel M'Cord, John Hannah, William Amberson, William H. Beaumont, Alexander M'Nickle, Alexander Sturgeon, Mordecai M'Donald, James Hunter, Joseph Kane, Stephen Masters, Joseph Guthrie, John Higgins, John Hanna, Martin Cooper, John or George Robinson, and Henry Parker, near Pittsburgh.

tin Cooper, and George Robinson. Of these, all had signed the amnesty, except George Robinson, and Mordecai M'Donald. And with regard to George Robinson, I never heard a single syllable alledged; but, on the contrary, he was known to be a most worthy peaceable man; the chief burghers of Pittsburgh. His not signing the paper of submission, was owing to a mistake of pride, which had existed with many, that it would be a virtual acknowledgement of having done something in violation of the laws. Nevertheless, these were arrested, in the night of the 13th of November, all except Andrew M'Nickle and William Amberson; the last of whom had received some hint of it, and surrendered himself to the judiciary, then sitting in his house. Alexander M'Nickle found favour, and by some direction to general Irwin, was passed over. Martin Cooper, also, was passed over; and he never knew that he had been upon the list, until I informed him, the other day, when these papers came into my hands. Nothing could be a greater proof to me, of favouritism and prejudice, than the forming this list, and the management respecting to it. Jeremiah Sturgeon had been arrested, as the person intended under the name of Alexander Sturgeon. I will now assume four of these; Andrew Watson, William H. Beaumont, Jeremiah Sturgeon, and George Robinson; than whom, I will pledge myself, there are not four less suspected, much less offending men, in the whole town of Pittsburgh. With regard to the others, there had been allegations in regard of raising a liberty-pole; but, as to the greater part of them, found afterwards to be groundless.

Andrew Watson was my neighbour, one of the most worthy men on earth, and a person who had suffered as much uneasiness, from the disturbance, as any man could do; had demeaned himself in the most unexceptionable manner. Jeremiah Sturgeon, one of the most unoffending of men; and of George Robinson I have already spoken. These men were little known out of the town of Pittsburgh; and it must have been from thence, that any information against them, could have come.

These men were dragged out of their beds, at two o'clock in the morning: not suffered to dress themselves, but in an unfinished manner; obliged to march, some of them, without putting on their shoes, which they had to carry with them in their hands; dragged out of their beds, amidst the cries of children, and the tears of mothers; treated with language of the most insulting opprobrium, by those apprehending them; driven before a troop of horse, at a trot, through muddy roads, seven miles

miles from Pittsburgh; impounded in a pen, on the wet soil. The guard baying them, and asking them how they would like to be hanged; some offering a dollar to have the privilege of shooting at them; carried thence four miles towards the town; obliged to lie, all night upon the wet earth, without covering; under a season of sleet, rain, and snow; driven from the fire with bayonets, when some of them perishing had crawled, endeavouring to be unseen, towards it; next day empounded in a waste house, and detained there five days; then removed to a newly built and damp room, without fire, in the garrison at Pittsburgh; at the end of ten days brought before the judiciary, and the information against them found not to be regarded.— Was this the way to quell an insurrection? Was this the way to make good citizens? Do I blame the judiciary? No. I blame the management of those concerned to injure them. These were neighbours and friends of mine, and that is the secret of their sufferings. It was thought by my adversaries that they might have a knowledge of something against me, and that, when alarmed for themselves, they would disclose it. At least I can in no other way, account for the representation which had been made with regard to them, as suspicious persons. They were examined, but all they could say, was in my favour.

William H. Beaumont, from the cold, was affected in his eyes, and incapable of doing any thing for the remainder of the winter, and yet labours under a weakness in that organ. George Robinson was affected with a cold, unfit for attending his business, which was that of a mechanic, for a long period. Why do I mark these things so minutely? It is to induce Mr. attorney Rawle, or judge Peters, if they ever read this, to enable me to trace the source of information against these, that in a free country, I may bring the calumniators to justice. I feel myself concerned, not only personally, but for the honour of the government.

In the course of the day or two following, intelligence, from the seat of examination, to me by citizens who were occasionally from thence, purported that the testimony was becoming very strong, and that recruits of witnesses against me had gone on. It began to be understood that a second arrest was to take place, and that general Wilkins, James Clow, town clerk of Pittsburgh, a certain Fergus Ferguson, a collier, and myself were to be upon the list. Is it possible, thought I, that malice can impeach general Wilkins, who, during the insurrection, was himself so obnoxious, for his attachment to the government,
and

and who exerted every means in his power, that were prudent and proper, to check the insurrection? As to Clow, his offence could be nothing more than signing the passport of Neville, which was to serve him. Fergus Ferguson had no concern in the disturbance that I ever heard of; but he had neglected to appear on the 11th of September, and to sign the submission paper. He was alarmed, not knowing but that all were to be hanged, that were found out of it. He had consulted me at an early period. I was of opinion, that as his employment and residence was subterraneous, he could plead the not belonging to the surface of the earth; or if in strickness, this would not bar the jurisdiction of the court; it would at least have weight with the executive, to direct the attorney general to enter a *noli prosequi*, in as much as he had been under ground through the summer, and had not heard of the insurrection, until it was over.

Charles Smith, son-in-law to commissioner Yates, one of the assistant examiners with the judges, had come to town, and mentioned it to a person, who communicated to me, that my arrestation was certain; that he was astonished that I was still in Pittsburgh.—“Had I no regard for my life?” That others also, who had no apprehension of it, were in the like predicament; that 36 hours would make a great change in Pittsburgh. Thought I, my adversaries have been more successful, in marshalling the presumption of guilt in my case, than I had conceived. I take it for granted, that I shall be arrested, beyond all question, now. However, I had composed my mind a good deal by this time, and thought I could have fortitude to bear all they could accomplish; and if there was any chance of justice at all, I would finally triumph over them.

Hearing that I had been considered as a leader of the insurgents, I thought I must endeavour to support the appearance, as I would be a good deal looked at. And I had, just before this time, got a large cocked hat, and buff under dress, with a coat of military blue; and now and then occasionally shewed myself in the street, imitating, as well as I could, the grave deportment, and stately gait of a general officer. A variety of detachments of horse had come to town, and I found it was a matter of curiosity, to see the leader of the insurgents. I would sometimes hear it said, when not supposed to hear it, “He has the appearance of a military man.”

In order to account for this, it was said by some, who pretended

tended to know my history, that I had been an officer in the late war.

Notwithstanding it was known that I remained in Pittsburgh, yet it might be supposed, that as the danger approached, I might become more alarmed, and abscond, if direction was given to take me in the day; and for that reason, and because it would gratify my adversaries, to accumulate humiliation upon me, I counted upon being arrested in the night. I therefore lay all night upon a couch, without undressing, ready, at a moment, to obey the mandate, and go with the guard that should call for me. I lay two nights in this manner, not sleeping much, but consoling myself with reading some of the lives of Plutarch. Reading that of Solon, I meditated upon his laws, making it death for a citizen, in a civil tumult, not to take a part; for by taking a part, on one side or the other, the moderate citizens will be divided, and mixing with the violent, will correct the fury, on both sides, until an accommodation can be brought about. It was on that principle I had acted in the insurrection; and by seeming to be of the insurgents, had contributed to soften all their measures, and finally prevent a civil war. But I saw that the law of Solon would apply chiefly to a small republic, where the moderate men were known to each other, and could explain themselves in the course of the negotiation. I had been treading upon a precipice; making an experiment extremely dangerous. My intentions were laudable, but my conduct hazardous. It is true, I had been called upon, in the first instance, by a public officer; and through the whole of the scene, was in confidence with men, that I had conceived would be unsuspected. But I was at a great distance from the seat of government, and not in confidence with the first officers, and it might be said, that I had deceived others. If the like scene should happen again, I will not conduct myself on the principle of Solon's law. Let people that are to be expelled, get out of the country the best way they can, and let the executive and insurgents settle their own negotiations; I will have nothing to do with them.

In the mean time, the judiciary had come to Pittsburgh; and the commander in chief also. The deputy quarter master had taken my house for head quarters; not, I believe, because it was my house, but because it was a large one. I was pleased, in one respect, to see written upon my door, "The commander in chief's quarters," as it would secure from assassination*.

But,

* There were still threats to this effect.

But, on the other hand, it would increase the ignominy, to be dragged hence under a guard.

I had reduced myself, with my family, to one apartment of my house, where I meant to remain, and not see the general; but unexpectedly was informed, that some of the military had entered the outer door, and were asking for me. Having nothing but the arrest in my mind, I composed myself a moment, and stepped out to surrender myself; thinking of some words to address the officer of the guard, in order to conciliate, as far as was practicable, civility of treatment. I was appalled, at the address of general Lee, who, with his suite, had just entered. I had known him, when a lad, at the academy, twenty years ago; and I had often, as being a senior scholar, assisted him in his prelections, or in the study of the principles of composition, and eloquence; and had never expected to see him the general of an army, arresting me for an attempt to overthrow a government.

The general discovered a pause in me to receive his advance, and to answer; and asked, if he was mistaken, in supposing that his quarters were to be at my house? I gave him to understand, that there was no mistake; and having shewed him into an apartment, withdrew. I confined myself to my apartment. The day after, general Lee sent a message to me, signifying his expectation, that, as my house was taken up by his family, I would dine with him. It was extremely painful to me, but I could not make an apology, without explaining the delicacy of my situation; and it had been my system, to be prepared for an arrest, but not to discover that I expected it. I endeavoured to decline the invitation, upon common place grounds, but he insisted, and I dined with him.

At dinner, I sat next a general Chambers, whom I had never seen in my life before, yet I hated him. I had heard, that the day of the arrest of the inhabitants from Pittsburgh, when the guard was removing them from the first ground to a second, at some distance, the captain of the guard, Colhoun, of Chambersburgh, had lent his horse to my neighbour, Andrew Watson, who had fallen sick, and was unable to walk; when general Chambers coming up, ordered him to dismount, with opprobrious appellations. I conceived, from this incident, that the general had discipline, but not humanity. Perhaps, at the time, I did not make a sufficient allowance, for that indignation which he felt, on seeing one, whom he must think a great culprit, treated with indulgence. As soon as I could, to save appearances,

pearances, I withdrew from the table. My mind was extremely hurt; for though every person behaved with politeness to me, yet I conceived them to think me an insurgent; and I felt, every moment, the absurdity of dining in such company this hour, and the next to be conducted, with ignominy, as a criminal.

Early next morning, a subpoena was read to me, from judge Peters, commanding me before him, at his chamber, to give testimony, touching all such matters as should be enquired of me. I considered this as, in fact, an examination touching myself; and that, on the opinion formed from this, was to depend my being or not being arrested.

I attended the judge, and was referred by him to secretary Hamilton, for examination. I was received by Hamilton, with that countenance, which a man will have, when he sees a person, with regard to whom his humanity and his sense of justice struggles;—he would have him saved, but is afraid he must be hanged;—was willing to treat me with civility, but was embarrassed with a sense, that, in a short time, I must probably stand in the predicament of a culprit, and be in irons. He began, by asking me some general questions, with regard to any system or plan, within my knowledge, of overthrowing the government. I had known of nothing of the kind. After a number of general questions, to which I had to answer in the negative, I proposed putting an end to that, by giving him a narrative of every thing I did know. It was agreed; and he began to write. I gave him the outlines of the narrative I have given in this publication, until I came to that particular, where, after the burning Neville's house, I represented the people calling upon Bradford and Marshall to come forward, and support what was done, under the pain of being treated as Neville himself had been. At this the secretary laid down his pen, and addressed himself to me; Mr. Brackenridge, said he, I observe one leading trait in your account, a disposition to excuse the principal actors; and before we go further, I must be candid, and inform you of the delicate situation in which you stand; *you are not within the amnesty; you have not signed upon the day; a thing we did not know until we came upon this ground, I mean into the western country; and though the government may not be disposed to proceed rigorously, yet it has you in its power; and it will depend upon the candour of your account, what your fate will be.* My answer was, *I am not within the amnesty,* and am sensible of the extent of the power of the government;

ernment; but were the narrative to begin again, I would not change a single word. I went on. Having passed through the circumstances of the marshal and Neville being privy to my giving my opinion to Black and Hamilton, on the effect of the writs of subpoena against delinquent distillers, and Neville requesting me to go to the Mingo meeting-house, my examination was adjourned; Mr. Hamilton being called upon to dinner; and I was desired to attend in the afternoon.

I came home; but declined dining with general Lee that day, though pressed by several messages. I could not bear to shew myself with that company, in the doubtful predicament in which I stood.

At three o'clock I returned to my examination; Mr. Hamilton entering the room where I waited for him, appeared to have been reflecting, and said, "Mr. Brackenridge your conduct has been horribly misrepresented." I saw that he never before heard the least of my being solicited by Neville the younger, to go to the meeting at Mingo creek, but having just dined in company with Neville, at the house of major Craig, where I was then examined, he had asked Neville, and he had acknowledged it. This is conjecture.

I went on to give an account of the Mingo creek meeting. The secretary appeared not satisfied. "Mr. Brackenridge," said he, "you must know we have testimony extremely unfavourable to you, of speeches made at this meeting; in particular your ridiculing of the executive." I saw that some fools had misunderstood, and had been giving account of what I had deduced from the lenity of the President, in the case of the Presqu'isle establishment, and my introducing general Knox and the Seneca Indian, Obeal, or Cornplanter, making speeches. I was extremely hurt to think, that, after I had been called upon, in the manner I was to go forward on that occasion, I should be at the mercy of the accounts of persons who did not understand me, and obliged to answer the pleasantry I had found necessary to use, to carry off their minds, for a time, from the object they were upon, until I saw them better disposed to hear what I had farther to say. My answer was, "Five persons were chosen to go with me to that meeting; for the express purpose of bearing testimony of what I should say; let these be called upon. Is it reasonable I should be at the mercy of the misconceptions, or a voluntary misrepresentation of weak or prejudiced individuals?" He was silent. I went on giving an account of the town meeting of Pittsburgh. I stated
it,

it, as moved by me, that we should march and affect to join the people at Braddock's fields. I saw the secretary pause at this, and sink into a deep reflection. It staggered him. Was it any more, said I, than what Richard the second did, when a mob of 100,000 men assembled on Blackheath? the young prince addressed them, put himself at their head, and said, What do you want, gentleman? I will lead you on.

My narrative now continued. After some time the secretary observed, "My breast begins to ache, we will stop to night; we will resume it to-morrow morning at 9 o'clock." I withdrew, but was struck with his last expression. I was at a loss to know whether his breast ached for my sake, or from the writing; but disposed to construe every thing unfavourable, I supposed it was for my sake, and that he saw I must be arrested.

Next morning general Lee made an apology to Mrs. Brackenridge, that for the sake of retirement, and to be in a less central part of the town, he was about to withdraw to other quarters, with some part of his family. I considered this as owing to the delicacy of his feelings, that he wished to be out of the way, and not a witness of the circumstance of one with whom he had been acquainted in juvenile years, sinking into a melancholy situation just under his eye. I had taken it for granted that he had received a hint from Mr. Hamilton, of what was to take place.

Waiting on the secretary, at 9 o'clock, my examination recommenced. In the course of the narrative, his countenance began to brighten, and having finished the history, there was an end. "Mr. Brackenridge," said he, "in the course of yesterday I had uneasy feelings, I was concerned for you as for a man of talents; my impressions were unfavourable; you may have observed it. I now think it my duty to inform you, that not a single one remains. Had we listened to some people, I do not know what we might have done. There is a side to your account; your conduct has been horribly misrepresented, owing to misconception. I will announce you in this point of view to governor Lee, who represents the executive. You are in no personal danger. You will not be troubled even by a simple inquisition by the judge; what may be due to yourself with the public, is another question."

In so delicate a case, where life had been sought by insidious men; and where, what I felt with more sensibility, my hopes of estimation in the world, were likely to be blasted, at least for a

time, it may easily be supposed, that no word escaped me, or will ever be forgotten.

My sensibility had been greatly wounded, when I waited on judge Peters with the narrative to sign it, as directed by Mr. Hamilton. It was with difficulty, I could write my name. I cursed the circumstance of having to write it five times, to the five different sheets of paper, of which my narrative consisted. I returned to my house with different feelings from those I had for a long time before.

C H A P. XI.

IN collecting testimony against me, there was no pains spared. It had been the constant study and employment of my brother of the bar; for a long time before; with denunciations that he would have me hanged. In the examination of witnesses, when brought forward, there was no boot, or other instrument of torture, in the hands of the examiners; but there was certainly every address to the fears of individuals, to extort from them, an acknowledgment of something said or done by me. I am unwilling to mark any thing as contrary to my ideas of propriety, but declaring, that in all I have seen or heard I have nothing else to mark, I take the liberty of stating as what was considered by me as improper, viz. the suggesting to witnesses, in the course of examination, that the enjoyment of the amnesty, which they claimed, would depend upon the candour with which they gave testimony against others; it will be recollected that it was suggested to me, by the secretary, what amounted to the same thing; that, though not under the amnesty in strictness, yet candour in my own case, and that of others, would determine the executive in giving a rigid or liberal construction to my signing after the day. I felt the observation with infinite sensibility. It was humiliating enough to have it thought, for a moment, that I had any occasion for an amnesty; or that if I had, I would purchase it, by giving testimony against others, more liberally, than if safe. I saw that in the mind of the secretary, justice was not done to me. He knew not my pride, and the path of honour which I have pursued through life. But I acknowledge, in defence of such species

cies of torture, for I give it that name, that the judiciary must have discovered a reluctance in witnesses to give testimony; no doubt of it; but better no testimony than false; and who could tell but that a timid wretch, under fear of being hanged, even though he had no testimony, would endeavour to make some, in order to escape the suspicion of keeping back what he had. It is the general impression of the country, and I aver it to be my own, that wrong has been done by persons deposing, under fear, against their neighbours more than was true. At the same time, there is no manner of question, but that much more frequently matters have been softened in the relation; but there is no defalcation or setting off in this case; for it is better that ten guilty persons escape, than one innocent person suffer.

The judiciary were aware, but not sufficiently, of the diligence of malice in some persons against others, taking advantage of the occasion, to exercise revenge. There was just as much danger of this now, on the one side, as there had been in Tom the Tinker's time, on the other. I have heard of a great deal of it. Why do I remark these things? of what use? I mean it as a memento, should a like occasion arise. I mean to strengthen that caution, with which testimony is to be received in all such cases; and which, I acknowledge, has been exercised by the judiciary on the late occasion, in general, as far as, considering all circumstances, could reasonably be expected.

I do not mean to question the necessity, for nothing else could justify it, of making the arrest in the night, and by squadrons of horse; but I only take notice, that, this being necessary, it was the greater hardship for a man to be arrested, who was a good citizen; for instead of being treated, as far as consistent with confinement, with all the delicacy that a still existing presumption of innocence demands, and which the mild habits of an arrest, by a common civil officer, gives, he is subjected to the insults, which may naturally be expected from those who, having just before thought of fighting and killing, are disposed now to have, at least the satisfaction of cursing, or starving, or otherwise abusing the people.

The 13th of November was a dreadful night through the western country. Hundreds were arrested; offenders and witnesses sometimes together. Though the directions were to distinguish in the treatment, yet it could not always be done, in the first instance. There was danger of witnesses absconding, as well as of those against whom testimony was to be given. The scene was disagreeable. Men thrown into jail, kept in cold

cold barns, or out-houses, or tied back to back in cellars. The officers charged with their custody, in some cases, behaved with mildness; in others, with wanton and unnecessary severity. Captain Dunlap, of Philadelphia, is said to have conducted a number of prisoners from Washington to Pittsburgh, with humanity. A captain —— is said, on the other hand, to have driven a number, under his custody, like cattle before him; at a trot, in muddy roads, through a water, the Chartiers, to the middle; and then impounded them in a wet stable, and insulted them, by ordering to be thrown into the manger, dough and raw flesh to eat. Passing to Washington, sometime afterwards, I examined the stables, and collected these circumstances.

The judiciary were employed a considerable length of time, in examining the case of individual prisoners, as they were brought before them. Less atrocious offenders, or at least those thought to be such, were remitted to the president of the state district, to be recognized to appear at the courts of quarter session of their respective counties, to answer for the misdemeanor. A class, still less proper objects of punishment, either from alleviating circumstances in their case, or from indigence or helplessness of family, were sent to governor Lee, to be admonished by him, agreeably to instructions, and dismissed. The judiciary was humane; and pardonable frauds were practised upon it. It was no uncommon thing for girls, with pads, to save their lovers, by passing for married and pregnant women, with two or three children at home, calling for bread. Judge Peters could not be supposed to be a midwife, nor could the writ *de ventre inspiciendo* issue, but from the court. It was therefore necessary to admit the fact.

Whether from a natural cunning, finding out what could excuse or recommend, or taught by my adversaries, a proper use was also made, especially when remitted to the governor, of the prejudice that was supposed to exist against me. "It was Brackenridge that brought them into all their trouble." Sometimes they would add Bradford.

A part of governor Lee's family had remained still in my house, and I came to understand the ground of his removal; it was owing to objections made to come to his table, or to the house on my account. I had foreseen this, and had it in my mind. The odium of the army was, of itself, sufficient to produce this. But my adversaries were not wanting to assist, if any thing was deficient. Governor Lee justified his civility to me, and told the remonstrants, that he was to presume me an honest

honest man, until I was declared otherwise, by those whom he had a right to know; that when presented to his authority in the light of a criminal, to be treated as such, he would know what to do. This was during my examination by secretary Hamilton. However, the clamour was so general, and great, that he found himself under the necessity of yielding, in the manner I have stated.

My adversaries were extremely enraged, at the disappointment of not having me arrested. I was diverted with an expression of old general Neville—"The most artful fellow that ever was on God Almighty's earth; he has deceived Ross, he has put his finger in Bradford's eye, in Yates' eye*, and now he has put his finger in Hamilton's eye too; I would not wonder if he is made attorney for the states, on the west of the Allegheny mountain."

My brother of the bar expostulated very warmly with the judiciary, for the astonishing defect of official duty, in not sending me in irons to the capital. It is to be presumed, they made proper apologies for acting agreeably to their own judgment, and contrary to his.

Neville the younger had conducted himself with more delicate, but with more dangerous address. I had been more apprehensive of the effect of his influence, than that of the attorney. Having failed of a public prosecution, his object has been to establish individual resentment. I have heard of the information he has given, with a view to make me enemies. When I am called upon, I will answer, as to the correctness of the information given.

Talk of assassinating me had considerably subsided, in the mean time. A feint had been made one day, as I stood in the door. An officer presented a pistol, within a few steps. It was to intimidate; for on my not moving, but looking at him steadily, he dropped it. He was a whimsical fellow; for returning to the public house, he took part against another officer, who was abusing me; and said, I must be an honest man, for I stood firm when he presented his pistol. It came to a contest between them, and my champion disarmed his adversary.

Governor Howell having been, by this time, a little better informed in my case, had the politeness to call upon me, and

* The attorney general and commissioner Yates. It would seem that these gentlemen spoke favourably of me, on their return from the country.

make an apology for destroying my hand-bills; alledging, nevertheless, the impropriety of my addressing an army, by sending writings into camp. I affected to acknowledge it to be an error of judgment in me; but I thought it an error of prejudice in him. However, I was greatly pleased with the soldier-like appearance, the frankness of manners, and the eloquence of the governor; and was very sorry that, though my standing was better than it had been, yet, even then, I could not feel myself easy in visiting his troops, amongst whom I had many academic acquaintances, having been educated at the college of that state.

Arrangements had been made for the return of the army, and the divisions had moved. Governor Lee gave a dinner to the gentlemen of the village. I had no invitation. He was led to suppose, that it would give offence to the greatest part. I smiled, to think how my adversaries were reducing themselves, and raising me.

I had an invitation to dine with the governor next day, with his family alone. If this was not a greater compliment, it was certainly a greater pleasure to me, than to have had an invitation with the croud. He did me the honour to request a conference, in private, the morning following, on the affairs of the country. It was a proof to me, that though he had given my adversaries the compliment of ceremony, he gave me that of confidence.

A dinner was now to be given to the governor, on the part of the citizens. A number of gentlemen, who had called upon me, and expressed their indignation at the treatment I had received, solicited me to join in the subscription to the entertainment to be given to the governor. I declined it, on the ground of not having been at the public dinner on the part of the governor.

A ball was now to be given, on the evening of the entertainment. Prothonotary Brisson had been always thought qualified for, or at least assumed the place of, a master of ceremonies on these occasions. He was made a manager; and whether it was because I had called him a coxcomb, or my adversaries managing him, he declined sending the usual card to Mrs. Brackenridge. She was hurt; I saw the flush of indignation in her cheek, and a sparkle of fire in her eye. I was offended for a moment. What! said I, are you hurt at this? you insult me, because it is on my account you suffer the indignity. Did you not read to me, the other evening, the life of Phocion?—after having rendered services to the state, and accused of trea-
son

son by the arts of malignant individuals, and acquitted by the people; suppose his adversaries to have taken their revenge, by getting a master of ceremonies to exclude his wife from a ball; would you not think it more honourable to be the wife of Phocion, under these circumstances, than of a common Athenian, though you had received a card, and been called upon to lead down the first dance? would not Phocion have laughed at the indignity, as I do? and would not his wife have laughed too? By this address to the pride of the human mind, I had a philosopher's in a moment, perfectly reconciled with the circumstance.

Excuse the comparison of small things with great, myself with Phocion. It was a rhetorical flourish, to save myself from being wounded by my adversaries.

C H A P. XII.

ON a review, it must be evident, that the judicious and mild policy of the executive, in appointing commissioners, was what saved the country from a civil war. It gave the government a strength which nothing could resist. It silenced, at once, all clamour from below, and divided the people here. The reasonableness of the propositions, left the refractory without excuse; and brought forth the force of government with a warmth of heart, unchecked by an idea that all conciliatory means had not been tried. It may be thought slight; but, in my opinion, a great matter was effected. An early and effectual lesson was given in our republican government. It would be too much, to say that a revolution was crushed in embryo; but I will say, with boldness, that what I was afraid might cost an hundred thousand lives, was repressed without the loss of one. The physician who, by perfect skill in his art, reaches the disease, in its first principle, by a single grain of medicine, the patient himself scarcely sensible of it, surely deserves more praise, than him who, by the strongest applications to the exterior of the system, makes a greater shew of having done something, but has done less; or, to take a simile from my own profession, a single wise word of counsel, in a cause, at the commencement, is worth an hour of the most masterly oratory, at the manage-
ment.

ment in court. A client will sometimes say, when his cause is gained, Why ask so much, you had no trouble? He measures the service, not by the effect, but by the appearance of labour his counsel had in accomplishing it. He counts upon the bustle of speaking; whereas it has been the silence of thinking that has done the business. Thus it has been said, that because there has been no horrid battle, there was necessity for so strong an army. But it was the display of so strong an army, that rendered unnecessary any thing but the display of it.

It struck me greatly, to hear it observed, when the army was in the country and all was submission—"What an abject cowardly set these insurgents are? was it worth while to make this parade for such a set of poltroons? they have not given us the satisfaction of the slightest resistance. Have we marched all this distance, to meet none of them in arms?" I have seen the waves, when they were calm, and I have wondered that they ever could be wrought into a storm to shipwreck navies. Let my fellow citizens on the east of the mountain, be as happy as I am, that they met with no resistance. The rage of the forest would have been more awful than its solitude. Be not offended, that I am partial to the spirit of these people; they are yourselves; you have them for your compatriots against a common foe; and I will pledge myself, they will not disgrace you in any enterprise it may be necessary to undertake, for the glory of our republic, however daring and hazardous it may be.

END OF VOLUME SECOND.



INCIDENTS, &c.

CHAP. I.

HAVING given this detail of incidents, during the heat of the infurrection; I shall now revert a little, and take a view of the history of excise laws in the western country, from their first existence, down to the catastrophe that has lately taken place.

By an act of September 25th, 1756, under the then province of Pennsylvania, a duty had been laid in the nature of an excise, on "all rum, brandy, or other spirits sold, drawn, or bartered under the quantity of 70 gallons, and on all wine in like manner under one hogshead." This duty was for the purpose of redeeming certain bills to the amount of 30,000l. issued on the credit of the province, and was to continue for the space of ten years; but by other acts, and for other purposes, was from time to time continued. An act of March 21st, 1772, was for a like purpose of redeeming bills of credit, and was in force at the commencement of the revolution. By a clause of this act, "wine, rum, brandy, and other spirits made or distilled from the natural products of this province, for the private use of the owner, are excepted."

By an act of February 18th, 1777, under the commonwealth, the duties payable under former acts are made recoverable, and

the collectors continued; and where no collection existed, it is directed that such be appointed.

Collectors were appointed in the western country from time to time, but no attempt made by any of them, that I can trace, to collect the duties. It was thought to be an ignominious service; the name of an excise was odious. Whence the origin of this prejudice? Doubtless from the dominions of Great Britain. This country is peopled by emigrants from North Britain and Ireland. The excise duties of those countries are extensive, they embrace almost every object of consumption; the people are in the habit of eluding them by every means possible. They hate excise officers, and consider them as men having a distinct interest from that of the community. The government itself seems to consider them in some degree in that point of view, for by statutes*, officers of the excise are ineligible as members of parliament†, and prohibited under the penalty of 100*l.* from intermeddling in elections, by persuading or dissuading any voter‡. The law guards against them as dangerous to liberty, not only from their numbers and influence, but from the interest which they have to increase the duties. Amongst the common people there is a horror of them, not only on account of the drawback which they make, but on account of the power which they have to enter houses, to search, and make seizures. The term gauger, is a term of reproach, and no person who can make out to live in a reputable way will accept the office; the gauger and the hangman are generally coupled in idea. The people from these countries brought these impressions with them, when they came to America; and attach the same odium to excise laws and excise officers here, which they were accustomed to entertain before their emigration. Independent of these abstract prejudices, the people of the western country not having a market for their grain, had recourse to the distillation of it; and under the acts, all beyond what was for private use, was liable to the duties. Thus it became still more an object to evade the law, or oppose it.

The council of the state finding that from the prevailing odium in the western country, no person could be got to accept the office, or if appointed, would not offend their neighbours by any enquiry on the subject of the duties, commissioned in the year 1783,

a certain

* 14. George III. C. 58.

† 1. Blackstone. 176.

‡ 1. Blackstone. 179.

a certain William Graham, to be collector general on the west of the mountains. His necessitous circumstances had induced him to accept the office. He had kept the king of Prussia tavern in the city, but had fallen through, and was reduced to poverty. He entered upon his office in the western country; and was treated with all possible indignity. He was not considered as company for any person of character. He was unable to carry the law into effect, but occasionally got a little money to bear his expences, by compounding with individuals, who, rather than be troubled with him, were disposed to give something. With some he compounded for 40 shillings per annum; with others for less. The people had occasionally amused themselves at his expence, singeing his wig, cutting the tail of his horse, putting coals in his boots, and every other imaginable prank they could devise. In the year 1784, in the county of Westmoreland, at the time of the holding a court at that place, he was besieged in a public house a whole night, by persons who affected to be about to kill him, he had his pistols with him, and kept the door, and hindered those within getting out. In the morning these last pretended their horses had gone off in the night, with their saddle-bags and money, and brought suits against the collector for false imprisonment and damages. He informed against those who he conceived had been on the outside of the house; and prosecutions were instituted, and removed into the supreme court. On trial in the year 1785, he was found to have been deceived by some of those on the outside passing themselves for different persons; so that having sworn against individuals who were personated, but were not there, the *alibi* was proved, and his oath discredited with regard to others who really were present and active in the outrage.

In the same year, 1784, after the riot, at the seat of government in Westmoreland, advertisements were publicly put up, offering a reward for his scalp. He was under the necessity of abandoning Westmoreland, and took refuge in the county of Washington. In the neighbourhood of Cross creek, in that county, he was openly attacked by a mob of upwards of an hundred persons, and was shaved, and had his hair cut off, and was conducted and put over the Monongahela into Westmoreland, with threats of death if he returned to the Washington side of the river any more. At a court of oyer and terminer held in the county, in the year 1785, bills of indictment having been found against 12 of the rioters, they were convicted and fined. Graham had been absent from the country in the

mean time, but in order to give testimony at the trials, he had attended, and it was only by coming in company with the judges, that he could think himself safe. He now resigned his office, and others were appointed, who made a jest of doing nothing. A justice of the peace, of the name of Craig, in Washington county, had accepted the office, in good earnest, and made attempts to do something, and became infamous.

I am disposed to believe the duty was not collected in a single instance, on spirits distilled in the country. At Greensburgh, the seat of justice of Westmoreland, I have heard of liquors being seized, that had been brought across the mountain, the owners having neglected to take out permits, agreeably to law. But in that case one half of the liquors was forfeited to the informer; this was the great spring of attention to the law, but these seizures were considered as favouring of rigour, and disreputable.

A seizure of a quantity of liquors was made in the town of Pittsburgh, in the year 1790, by a collector of the name of Hunter. I appeared for the owners, before the justices, to whom an appeal by law was given, and had the seizure determined to be illegal, succeeding more perhaps on the odiousness of the act itself, than of strictness in law.

An attempt was made by collector Hunter to carry the law into operation against the distillers of Allegheny county, who had not paid the duties on the spirits distilled; having advertised his place of residence in Pittsburgh, and demanded a compliance with the law, he directed a number of writs to be issued, to the amount of 70; these were served, but the defendents appearing and employing counsel, had the writs quashed, on the ground of improper process, a *capias* having issued instead of a summons, whereas on a penal statute, bail is not demandable. In this there might have been some question, as the *capias* might have been issued with directions to accept appearance. However, the odiousness of the law gave a favourable leaning to relieve from its rigour. The popular odium against the collector was so great, that he left the county, and resigned his office, or ceased to exercise it. Prothonotary Brisson was supposed to have encouraged him in the attempt to carry the law into effect, and a degree of odium exists against him, on that account, to this day*.

Such

* It will be recollected what was said with regard to him at Parkinson's ferry.

Such was the state of the public mind, with regard to excise laws, when that of the United States was enacted. This was of March 3d, 1791.

The bill had been brought before the house of representatives in Congress, on the January preceding; the legislature of Pennsylvania then in session also. The Pennsylvania house of representatives took the matter up, and entered into resolutions, expressive of their sense with regard to excise laws; and directing these resolutions to be communicated to the senators*, representing the state of Pennsylvania in the senate of the United States. To these resolutions, carried by a majority of 36, there was a dissent of 11 members; not on the principle of justifying an excise system, but on that of the impropriety of the state legislature interfering in the deliberations of the federal government. They take notice also, of the inconsistency of that house objecting to an excise law under the United States, when "an act of their own, of the same nature, existed unrepealed, and in operation in the state; an act also which involved powers, far more obnoxious, and oppressive to the people, than those in contemplation in the act of Congress."

The majority, in support of their resolutions, entered on the journals the reasons for their votes on the question, when the yeas and nays were called †. A member, who had not been present at the first moving of the question, entered on the journals the reasons of his dissent from the resolutions; this was Thomas Ryerson, of Washington.

This

* *House of Representatives, January 22d, 1791.*

The legislature of this commonwealth, ever attentive to the rights of their constituents, and conceiving it a duty incumbent on them, to express their sentiments on such matters of a public nature, as, in their opinion, have a tendency to destroy their rights, agreed to the following resolutions:

Resolved, that any proceeding, on the part of the United States, tending to the collection of a revenue, by means of excise, established upon principles subversive of peace, liberty, and rights of the citizens, ought to attract the attention of this house.

Resolved, that no public exigency, within the know'edge or contemplation of this house, can, in their opinion, warrant the adoption of any species of taxation, which shall violate those rights which are the basis of our government; and which would exhibit the singular spectacle, of a nation resolutely opposing the oppression of others, in order to enslave itself.

Resolved, that these sentiments be communicated to the senators, representing the state of Pennsylvania in the senate of the United States, with a hope that they will oppose every part of the excise bill, now before the Congress, which shall militate against the just rights and liberties of the people.

† These reasons were the usual objections against excise laws,

This gentlemen having been a member of the house with James Marshall, the preceding year, had differed from him, in a vote with regard to the continuation of a state tax; the state debt being assumed by the federal government, a tax was not necessary as to that object. Marshall thought, that the people being in the habit of paying, would not be dissatisfied at the continuance of a light direct tax; and there were great public objects to be accomplished; opening roads, clearing rivers, &c. I thought Marshall right at the time, and Ryerson, who differed from him, wrong. But Ryerson had the popular side, the keeping clear of paying of money, and he run Marshall down; so that at the next election he was left out.

When the vote of Ryerson was announced, in the case of the resolutions, Marshall, in his turn, came forward against Ryerson. He became a leader in the opposition to the excise law. It may easily be supposed, that Ryerson was left out at the next election.

All the members, on their return from Philadelphia, in order to enhance the merit of their services, may easily be supposed to have been strong in testimony borne against the excise law of Congress, which they had so strenuously, though unsuccessfully, opposed. The resolutions and the reasons were published in the Pittsburgh Gazette, of March 1791, and read and commented on at all public meetings and places.

David Bradford, who had not, before this time, interfered in political affairs, came forward, in an open and direct manner, to arraign the law. Whether for the sake of popularity, or from a personal pique against Thomas Scott, the sitting member of Congress, who had voted for the law, or against Alexander Addison, who, at this time, came forward, in the Pittsburgh Gazette, with a strong publication in favour of it; or whether it was, that he conceived it would drain the country of circulating cash, and injure the profession of the law, or on general principles, I declare myself at a loss to say. But it would seem to me, that he had not reach of mind, nor information sufficient, to entertain objections, on elementary principles, of its being a tax on domestic manufacture, and dangerous, as introducing that principle extendible to any length.

William Findley, of Westmoreland, who had been several years in the legislature of Pennsylvania, and had meditated no blow at the excise law of Pennsylvania, was now of the house of representatives in Congress, and saw great evils in that of
the

the United States. He fell back amongst the people, with all his weight, to reprobate it.

Smiley, of Fayette, also, then a member of the house of representatives in Congress, and who also had been of the legislature of Pennsylvania several years, having voted with Findley in the opposition, returning to his county, added his influence, to fix, if any thing was necessary, the rivets of prejudice more strongly against the law.

But if these had all been quiescent, the prejudice was, of itself, irresistible. Had they attempted to reconcile the people to the law, they would have been instantly unpopular, and have descended to the level whence they rose. It was not any thing celestial in the form or talents of these men, that made them popular; it was their standing with a party, and consulting the prejudices of the people. The moment they opposed the feelings of the multitude, they were damned, with them, to a lower bed than those whom they had never favoured. But it was not enough for them even to be silent; they were charged publicly, in the gazette, with their unpardonable inattention, while members of the legislature of Pennsylvania, in having suffered an excise law to exist in the government. They were under the necessity of acknowledging it to have been a great oversight; to atone for which, they would have the state excise taken away, and would redouble their diligence in having that of the United States repealed also. The state excise law was repealed at the next session of the legislature, the September following; and nothing now remained, but to have that of the United States repealed also. Findley and Smiley must do, at least seem to be doing, something, in order to keep their seats at the next election. Perhaps the men may have acted on the same principle with the people, viz. from an absolute dislike of it, and prejudice against it. I only state grounds of conduct, which would be sufficient with me, to account for their opposition, independent of the abstract principle, of any inconsistency in the law with equality of tax, or principles of liberty.

Alexander Addison, who had come forward at an early period, in defending, or at least in apologizing for the law, though possessing an independent situation, yet was shortly obliged to take in his sails, and slacken course. He would soon have ceased to have been regarded, in all he could say to a jury in his charges; and his person itself would have been insecure, in his riding the circuit, had he persisted.

Such had been the state of things, and situation of the country,

try, when general Neville, shortly after the passing the act, had accepted the office of inspector, for the survey comprehending the four Pennsylvania counties on the west of the mountain, and that of Bedford on the east.

I had never considered general Neville as possessing an extensive popularity, yet, at the same time, he had a respectable share of it; and what was in his favour, he stood well in his own neighbourhood. But he had been a member of the legislature of Pennsylvania, when the resolutions against the excise law were moved and carried. He had absented himself from the house when the vote was taken; and this conduct was afterwards attributed, to his having previously looked forward to an appointment under the law. The circumstance of a man, whom the people have sent forward in a legislative capacity, looking out for a profitable office, that he may retire, has, at all times, an appearance of selfishness; and introduces the suspicion, of having himself more in view than the public. If that man is already wealthy, and has no need of offices, as was the case with general Neville, it increases the charge of covetousness, and accumulates the odium of his conduct. Had general Neville stood forward in the house, and, on the local ground of the unequal operation of the tax to the western country, supported the resolutions of the house; (and I am clear, they had a right to instruct their senators, as immediately appointed by them); if he had, I say, acted this part, and, after the law had passed, had pointed out to the government, some firm and respectable character, in the western country, whom he might induce to accept the office, and have returned home, free from all suspicion of interested motives, to recommend an acquiescence to the law, and to support the officer as far as he could individually, he would have acted the part of a patriot. As the case was, he contributed to fix the odium of the office more deeply in the minds of the people, by the circumstances under which he took it.

C H A P. II.

I HAD been employed as counsel in defending the rioters on the indictments, at the prosecution of Graham, the state collector of excise. It is to be presumed that I had been of the same opinion with my clients, that excise laws were odious, and that an honest fellow ought not to be severely treated, who had done nothing more, than to shave the under hairs from the head of an excise man, who wore a wig at any rate. I had appeared for the seventy distillers that were sued in Allegheny county, and in defending them, was led unavoidably to avail myself of arguments drawn from the odious nature of the excise laws, as a ground of strict construction against their operation. I was thought by the people to be staunch against all excises. I did not like much to lose my character in this respect, nor indeed could I well afford it. I had been at the head of the practice at the bar in the year 1786, when, in order to accomplish a particular purpose, the obtaining a new county, comprehending Pittsburgh, I procured myself to be elected to the legislature of the state; the members of the surrounding counties, out of which the new county must be taken, were of course opposed to a dismemberment, and was under the necessity of making friends elsewhere. There were two parties at that time, in the house, known under the name of constitutional and anticonstitutional. The western members were constitutionalists, I was therefore obliged to join the anticonstitutionalists, in order to get their interest to accomplish my object; of course, when the western members returned, I was represented as a traitor, who had betrayed my country, because I had gone with a wrong party. They were 9 to 1 against me; Findley was at the head of them, and I had thought to have defended myself by writing, but only made the matter worse, for the people thought it impossible, that plain simple men could be wrong, and a profane lawyer right.

Another circumstance had taken place during the session, which accumulated odium upon me; that was the calling a convention to new model the federal government. I supported that measure; and when the convention had sat and published a con-

stitution, I supported the adoption of it. All my colleagues from the westward came home antifederalists, and held me up in a worse point of view, if possible, than before. My character was totally gone with the populace. My practice was lost; and James Rofs and David Bradford and others, whom I left at the bar just beginning, got it all. Pride and good policy would not permit me to leave the country, until I had conquered the prejudice; I knew that to be practicable, by lying by until the popular fury should waste itself; it required time, but I had patience. But it was necessary for me to be silent, and add nothing more to the popular odium. It was the first experience, I had ever had in life, of unpopularity, and I found it a thing more painful to sustain, and more difficult to remove, than I had thought it to be. Had I possessed an independent fortune I would have cared less about it; but I had just laid the foundation of making something, by the practice I had established, and this was now taken from me. It is astonishing what an effect political character has upon professional success. It was not to be expected under these circumstances, let my sentiments have been what they might, that I would have come forward as the champion of government, in the case of the excise law. It would have been excusable, had I taken some advantage of the popular gale, having been so long becalmed or detained by head winds, where I lay. But the fact was, that though an advocate for the federal government, I had not been an admirer of the administration of it, I speak of the legislative department; the funding system, in all its branches, was contrary to my wishes, and all my ideas of justice. I am conscious I was influenced by no motives but abstract principles of what I thought right or wrong. At the same time I am not calling in question, the integrity of the framers, but what I give them leave to call in question with me; the judgment. The excise law I considered as a branch of the funding system, and I felt a hatred to the offspring on account of its stock; at the same time, I saw the operation to be unequal to this country, the people having put themselves very generally in the way of distilling, and spirits from domestic manufactures being chiefly in use. It is true, that the excise paid by the country, would be that only on spirits consumed in it. But even in the case of exports, the excise must be advanced, in the first instance, by the distiller, and this would prevent effectually, all the poorer part from carrying on the business. I was opposed to the law on these grounds, and would have preferred a direct tax, with
a view

a view to reach unsettled lands, which all around us have been purchased by speculating men, who kept them up, in large bodies, and obstructed the population of the country. Nevertheless, I was shackled by my connections; the party to which I belonged in the legislature, and who had finally enabled us to succeed in obtaining a county, were rather on the side of the funding system, and excise law. Thomas Scott of Washington, was a friend of mine, and he had voted for the law. Alexander Addison had supported it in the public paper, and he was a friend of mine. I had been upon such terms with the Neville connection, that it was disagreeable to me, to come forward strongly in opposition to the law, when the head of that house was the officer for carrying the law into execution. Moreover, Findley, Smiley, and others, my political enemies, had come forward to reprobate the law. I did not like to be ostensibly in the same party with them; besides in my gazette writings against Findley and others, I had treated with such ridicule the arts of seeking popular favour, that I was afraid of being suspected of that myself. Had it not been for these circumstances, I am persuaded I should have come forward against the law more than I have done; and have given my adversaries much greater presumption of having contributed to the insurrection, than exists, as things now are. If I had not been shackled by the terms on which I was with the Neville connection particularly, it is not improbable that I might have exercised at least attempts at wit, at the expence of the officer or the office; and excise duties might have been sung here, as Wood's half pence in Ireland. And I know well that if any other had been the officer, there is no man would have enjoyed it more than general Neville. But if I had written ever so much in the way of wit or invective, it would be absurd to charge me with the acts of others; for the distinction is infinite between constitutional and unconstitutional opposition. A man has a right to arraign the policy of a law as well after it is enacted, in order to procure a repeal, as before, in order to prevent the enacting it. I shall now return to the farther history of the opposition.

C H A P. III.

A Meeting was held at Redstone old fort, now called Brownsville, on the 27th of July, 1791; at which meeting, it was understood that Findley, Smiley, and Marshall, with a great number of the inhabitants of the western counties, were present. Albert Gallatin was clerk of the meeting. He was, at that time, a member of the legislature, and had voted with the majority, in support of the resolutions to instruct the senators, on the excise bill in Congress. Edward Cook was chairman, who had been a decided federalist; so that it was not considered to be a question of federalism, or antifederalism; nor had it been so considered in the legislature of the state, numbers of the firmest federalists voting with the majority, in the case of the resolutions with regard to the excise bill. It was, at this meeting, resolved, That it be recommended to the electors of each election district, in the several counties of Westmoreland, Washington, Fayette, and Allegheny, to meet on the third Tuesday of August next, at the place of holding their annual elections, and there to chuse, not more than three representatives, for their district, to form a county committee. That the representatives thus chosen, do meet at the seat of justice of their county, respectively, on the fourth Tuesday in August next; and having fairly collected the sense of the people, within their respective counties, shall respectively chuse, out of their own body, three members, to form a general committee.

That the members, thus chosen by the several county committees, shall meet on the first Tuesday of September next, at the house of Mr. Tannehill, in the town of Pittsburgh, and there draw up, and publish in the Pittsburgh Gazette, a set of resolutions, expressing the sense of their constituents, on the subject of the excise law.

That the said general committee, if in their opinion it shall be necessary, shall draw up an address to the legislature of the United States, on this subject, wherein they will express the sense of their constituents, with decency and firmness.

That they shall draw up, and communicate a circular letter, and general address, to the neighbouring counties in Pennsylvania,

vania, Virginia, and Kentucky, calling upon them for their exertions, in a cause which is common.

Agreeably to the above resolutions, district elections had taken place through the greatest part of the four counties, and the members from the districts having met at the seat of justice, chose deputies to meet in a general committee, on the first Tuesday of September, at Pittsburgh.

At the meeting of the district members, in the town of Washington, on the 23d of August, delegates were chosen to the general meeting, and certain resolutions were adopted, of a violent nature, with regard to the law in question*.

James Marshall, whose first spring in this business, might, in some degree, have been his contest with Ryerson, but who doubtless had the same general impressions with the others, had been at Pittsburgh occasionally, having, at that time, a contract with the public, for the purchase of horses for the waggons of the army, had conversed with me on the subject of the excise law; and finding my sentiments in unison with his, not only with regard to the excise law, but the funding system in general, expressed a wish that I would come forward, and get myself elected a member from Allegheny county. I declined it, on the ground of having suffered in practice, not only from the obloquy against me, but the impression the people had, that I made political subjects more the object of my attention than law. This was true; but the chief reasons why I did not come forward, were those I have before assigned. Marshall excused me; but thought I could have no objections to assist in drawing up the addresses proposed to the public, or to the representatives in Congress. I had no objections to that.

James Marshall was a man for whom I had all along entertained respect. When I came to this country, in the year 1781, a strong party existed in favour of the establishment of a new state, comprehending the Pennsylvania and Virginia counties. Marshall was county lieutenant of Washington, and had exerted himself greatly in opposition to this measure. I was with him, in all endeavours to compose the country, and establish

* Any person, who has accepted, or may accept an office under Congress, in order to carry it into effect, shall be considered as inimical to the interest of the country; and it is recommended to the citizens of Washington county, to treat every person who has accepted, or who may accept hereafter, any such office, with contempt, and absolutely to refuse all kind of communication or intercourse with the officers, and to withhold from them all aid, support, or comfort.

the Pennsylvania jurisdiction. This produced an intimacy. After his lieutenancy he was sheriff of the county, and discharged this office with general approbation, from the court, the bar, and the country. During my political debates with Findley, and others, he had leaned in my favour, to a certain extent; I had believed, from personal engagements. When a member of the convention, for the purpose of adopting the federal constitution, he was the most moderate of all the antifederalists, and refused to sign the protest, as reasons were alledged in it which did not weigh with him. I had flattered myself, with thinking that my opinion and representations, in favour of the constitution, had contributed to make him moderate; for he is naturally a democrat, perhaps in the extreme. At the lowest ebb of my popularity, he was willing to serve me in my practice; and did contribute considerably to restore it. In the difference between him and Ryerson, I could not take part, because I was friendly to both.

I state these things, in order to explain the standing on which I was, at this time, with Marshall.

The committee met at Pittsburgh, on the 7th of September. Agreeably to my engagement to Marshall, I had prepared a sketch of resolutions, and a draught of an address to Congress; this last drawn with great care, and to the best of my ability. On the day, Marshall came forward, with a rough draught of an address to the people. Bradford also had drawn something. These were put into my hand, with a request to new model them, and give them any polish that they might seem to want. I did so; and my address to Congress was copied by Marshall, and that to the people copied by Bradford. My sketch of resolutions was copied by a member of Westmoreland.

I was present, as a spectator, some time during the debates in the committee, until the papers, some of which I had written, had been committed to three persons; my brother of the bar, who was then of the committee, David Bradford, and Edward Cook, chairman. I heard no more of them until the day after, when, being in the printing office, I saw the proceedings with the printer, to be published; and I made this observation to him, "The first draughts of some of these writings were by me, they are totally changed, rendered inconsistent and absurd, and I disclaim all responsibility." They had been new modelled in the committee. I understood my brother of the bar had alledged there were treasonable expressions in the first draughts. I have heard of a sentence he has quoted; all I can say

say is, that he mistook a figure for a threat, and had not literary taste sufficient to distinguish*.

A report of the secretary of the treasury, on the excise law, was made to the House of Representatives, on the 6th of March, 1792. It began to be published in the Pittsburgh Gazette of April 7th, 1792, and was continued through several papers. Strictures on it had been published in the National Gazette, under the signature of Sidney, said to be written by William Findley. These strictures were copied into the Pittsburgh Gazette, I have understood by request. They were continued through several papers, at a considerable length; from the paper of May 19th, to that of November 3d, 1794.

A great variety of publications had appeared, in the mean time, in the western paper, on the subject of the excise; some of which were attributed to me, but in which I had no hand. A publication of considerable length, signed John Neville, had appeared in a pamphlet. The object was to reconcile the people with the law. It was answered, in a variety of publications, in the gazette. I was not the author of any. The address was of no use. Professions of disinterestedness were held out, which were thought to be absurd, as it must have struck every one, that in accepting the office, he could have no other object in view but the making money.

CHAP.

* A sentence in the address is as follows:—"How shall we avoid it? (meaning the excise law)—By expressing our fear to the representatives of the present Congress; in the mean time, by cultivating the idea amongst ourselves, that excise offices ought not to be accepted. If there can be found virtue enough in the people, to refuse such commissions, the law cannot be carried into effect, and it will be the same as if it did not exist."

The above is to the same effect with the preceding intemperate resolution of Washington. How will my brother of the bar account for the giving his sanction to this?

C H A P. IV.

August

A SECOND general meeting took place at Pittsburgh, on the 21st day of April, 1792. I do not find any previous advertisement in the gazettes, calling that meeting, nor do I know how it was brought about. An extract from the resolutions entered into at that meeting, I subjoin in a note*.

I had been elected a delegate from Allegheny county, but declined serving. I recollect to have been asked by some of the members whether the going so far could be construed treason. I thought not. I was told by the member, that the same question had been put to my brother of the bar, and that he was of opinion, that it did not amount to treason. It struck me to be going to the utmost boundary of right reserved by the people. On the principle of political virtue, nothing but extreme necessity could justify it; it is the last step short of using actual force. It is a thesis I should like to see well discussed. Gallatin in his speech in the legislature of Pennsylvania, on the question of the western election, seems to have given it up, and calls it his "political sin;" he would seem, on reflection, to have considered it, not, I presume, as a misdemeanor, cognizable by the law, but as censurable, on the ground of abstract political virtue. I would certainly think it so, unless in the case stated, viz. as the last step, before using force.

In a republican government, I would wish to see an office of lucre, at all times considered as illiberal, in order to prevent a competition for it, and to hinder men, rich enough already, to be grasping at it, while there are men in the country

* "That whereas some men may be found amongst us, so far lost to every sense of virtue, and feelings for the distresses of their country, as to accept the office for the collector of the duty."

"Resolved, therefore, That in future we will consider such persons as unworthy of our friendship, have no intercourse or dealings with them, withdraw from them every assistance, and withhold all the comforts of life, which depend upon those duties that as men and fellow citizens, we owe to each other, and upon all occasions, treat them with that contempt they deserve; and that it be, and it is hereby most earnestly recommended to the people at large, to follow the same line of conduct towards them."

try equally qualified, who have large families, and have more need of it. When I say illiberal, I mean in the same point of view as servile employments, which a man of easy fortune may be above, and leave to others who must live by them; but it would be wrong to say, that I would not eat or drink with such, though at the same time, I might keep up a distinction of rank, not on the principle of pride, but on that of associating with those in the same habits with myself.

President Montesquieu*, has carried the idea further; and considers it a symptom of ruin in a republican government, when an office in the revenue, becomes, by means of the profits, an object of honour. His words are as follows: "All is lost when the lucrative employment of a collector of the revenue comes to be also by its profits, an honourable employment. It may do in a despotic government, but not in a republic, and it was this very thing that destroyed that of Rome †."

I think the reflection just. It marks a total loss of public virtue; it saps the very principle, which is the love of character, and fixes in the heart the root of all that is evil, "the love of money. Surely to correct this, by attaching contempt to a legislator, descending to be a tax-gatherer, if Montesquieu be right, is nothing more than recurring to first principles, and restoring the republic.

With regard to a different object, which was that of procuring a repeal of the law, it is a different matter, and if at all justifiable, it must be as the last resort.

VOL. III.

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* Book 13th. Chapter 10th. Spirit of Laws.

† Tout est perdu lorsque la profession lucrative des traitants parvient encore, par les richesses, à être une profession honorée. Cela peut être bon dans les états despotiques, ou souvent leur employ est une partie des fonctions des gouverneurs eux mêmes. Cela n'est pas bon dans la république, et une chose pareille détruit la république Romaine. Cela n'est pas meilleur dans la monarchie; rien n'est plus contraire à l'esprit de ce gouvernement. Un de gout saisit tous les autres états; l'honneur y perd toute sa considération, les moyens lents et naturels de se distinguer ne touchent plus, et le gouvernement est frappé dans son principe.

On vit bien, dans les tems passés, des fortunes scandaleuses, c'était une des calamités des guerres de cinquante ans: mais pour lors ces richesses furent regardées comme ridicules, et nous les admirons.

Il y a un lot pour chaque profession. Le lot de ceux qui lèvent les tributs et les richesses, et les récompenses de ces richesses sont les richesses même. La gloire et l'honneur sont pour cette noblesse, qui ne conçoit, qui ne voit, qui ne sent de vrai bien que l'honneur et la gloire; le respect et la considération sont pour ces magistrats qui, ne trouvant que le travail après le travail, veillent nuit et jour pour le bonheur de l'empire.

It will be asked, What effect had these publications and resolves on the public mind? It would be difficult to say, whether they inflamed the opposition; because it would be difficult to add to the heat or flame of it. It has been seen what the force of it was, from the first. A breath in favour of the law, was sufficient to ruin any man. It was considered as a badge of toryism. A clergyman was not thought orthodox in the pulpit, unless against the law: a physician was not capable of administering medicine, unless his principles were right in this respect: a lawyer could have got no practice, without at least concealing his sentiments, if for the law: a merchant, at a country store, could not get custom. On the contrary, to talk against the law, was the way to office and emolument. In order to be recommended to the government, as a justice of the peace, you must be against the law. To go to the Assembly, you must make a noise against it; and in order to go to Congress, or to keep in it, you must contrive, by some means, to be thought staunch in this respect.—It was the *shibboleth* of safety, and the ladder of ambition.

The imagination of the people had presented the excise in every shape, and on every subject. Riding through the country with a gentleman, lawyer Patterson of Harrisburg, and coming to a house, he enquired of a woman, who shewed herself at the door, what quantity of land was in that farm? and who the owner was? She declined answering; informing him, as she did not know him, he might be the excise officer. On another occasion, I was amused with the fears of an honest woman, who was under great concern, from an account she had heard, that the excise was to be put next upon the spinning-wheels. I told her that was nothing to what was talked of, the putting it upon night-caps. She had one on.

It might be said, with plausibility, that the keeping the attention of the people to a constitutional redress, by resolves of committees and addresses to representatives, was calculated to restrain the people from that force which they were prone to use, and which otherwise might have sooner broke out; but on this I shall hazard no opinion.

An opposition to the law by actual force, shewed itself, at first, chiefly in masked attacks upon deputy excise officers. The history of which has been traced by the secretary of the treasury, in his report to the executive. Having no particular information, relative to the incidents, I refer to that statement.

It may be asked, How came it to pass, that the leading men

of the country, who had come forward, from time to time, in the committees, hearing of these unconstitutional attempts "to redress the grievance," did not use equal fidelity to the government, as before to the people; or, in better phrase, did not shew themselves good citizens, by assembling in committees, and bearing testimony against such irregular proceedings? I must acknowledge this was a great error; nevertheless, I do not dwell upon it, as the feelings of these men have, in general, been sufficiently hurt by what has taken place; so that if, on reflection, they are conscious to themselves, of having contributed, in any manner, to the late convulsion, by the length to which they went, they must regret the not having used vigilance to inform the people, and restrain them from actual violence.

There is one of these persons, however, who is not hurt; but, on the contrary, affects to have been irreproachable in all things. I speak of my brother of the bar. He was a leading member of the Pittsburgh committee. He was unquestionably a man, at least in his own opinion, of great popular influence. In the fall of this very year 1791, he was a candidate for a seat in Congress, and in the district election ran against Findley. Two years after he ran against Thomas Scot. Where was he when actual violence began to shew itself? Probably so immersed in study, to fit himself for a seat in the legislature, that he never heard of them. He had just awakened from his books, time enough, when the judiciary came to this country, to inform them, that they ought to hang me. If I deserved hanging, I leave it to the reader, whether he did not deserve to be at least choaked a little, for what he did in the Pittsburgh committee.

It will be asked, Was there no legal cognizance taken of the outrages, at an early period? As to what was done in mass, it was impossible; because the perpetrators were not known. No information could be made, or at least was made. In one case, in Allegheny county, where an outrage was committed, cognizance was taken, and the offenders brought to justice. It was in the case of an attack upon a certain Richmond, who had been assaulted, and detained by force, to prevent his coming to the court, to give testimony of an attack upon a certain Wilson, who had been mistaken for an excise officer. This Wilson was a man somewhat deranged in his intellects, or at least in a manner bordering on craziness, and either imagined himself to be an excise officer, or affected to be such; and on making some enquiries relative to stills, he was seized, by persons unknown,

and branded, tar and feathered, &c. Richmond, who had knowledge of the persons, had informed, and bills of indictment were found against them, on the oath of Richmond; but in order to keep him away, on a trial of the traverse, he was himself assaulted, and detained from the court, as has been said. Seventeen concerned in the assault upon Richmond, were indicted on his information; and on trial, at September session, 1792, the greater part were convicted, and fined. I have stated the above, in order to rebut the allegation, that the courts of justice have refused to take cognizance of outrages, in the case of the excise law*.

CHAP.

* I have heard the district judge censured, and disposed rather to favour an opposition to the law, than repress it; and it has been given, as a proof of this, that he handed a poetical composition to the printer, in Pittsburgh, containing ridicule on George Clymer, inspector general of the revenue, which, at my request, the printer did not insert. This is true; but the composition respected nothing more, than I recollect, than the incidents, on the part of the inspector general, in coming to the country; and as some altercation had taken place, between the inspector and the judge, this last was disposed to be amused, with a composition that respected the ground of it. I spoke to the printer, not to insert it, as it might be attributed to me, as all paragraphs usually were, by people at a distance.

C H A P. V.

A Democratic society was instituted in the town of Washington, in the month of April, 1794, on the same principles, and in correspondence, as I have understood, with societies of the same denomination, in New-York, Philadelphia, and elsewhere. I have traced no resolutions, or proceedings, of this society of Washington, with regard to the excise law.

Prior to this, a society, of a nature much more democratic, had been instituted in the neighbourhood of Mingo creek. The place of convening was usually the meeting-house.

Various principles combined to produce this society. Some of the leaders in it, had been disappointed in their wishes to be justices of the peace, or to be upon the bench, as associate judges; others were harrassed with suits from justices and courts, and wished a less expensive tribunal*; others favoured it, as an engine of election for county offices, or for the state legislature; others, from a desire natural to men, of being conspicuous. This society was the cradle of the insurrection. They did not, as a society, project the first outrages, but they naturally sprung from that licentiousness of idea, with regard to law and liberty, which the articles of their institution held out, or were calculated to produce.

A society of a singular nature, was instituted in a part of the county of Allegheny, in April following. We have the first account of it in the gazette of April 26th, 1794 †.

The articles of this society are to the same effect with that of Mingo creek, and equally calculated to abstract the public mind from the established order of the laws ‡.

The

* The society was to have a cognizance of suits between the members, and they actually went on to determine in all cases.

† At a meeting of the society from the four counties, at the house of Samuel Sinclair, at the mouth of Yough, April 15th, 1794.

Resolved, That the following be proposed, as a constitution for forming a republic, or society, in each colonel's district, throughout the four counties.

‡ Art. 1st. Sect. 6th. "The president, council, or deputies, for any speech or debates in the society, shall not be questioned in any other place."

The account given me, by Mr. M'Donald, the secretary, or rather the apology made, for instituting this society, was, that the people of the settlement were outrageous to do something, on account of the excise law, the costs on the suits before justices, court expence, and salaries of officers; and were determined to do something, and had talked of breaking up general Neville, and burning Pittsburgh; and that the instituting a society, was thought of, by the more moderate, as a means of employing the people's minds, and to keep them deliberating instead of acting. Be this as it may, it does not seem to have had the effect, but rather to have accelerated the commencement of actual violence. It appears, that at the June court, at Washington, 1794, there was conversation, and by some of the members of that society, of a nature with that mentioned by M'Donald, viz. the seizing Neville, and breaking up the office in Pittsburgh*.

It was on the verge of Mingo creek settlement, that the marshall was opposed in serving the first process. He had served process without molestation, in the counties of Bedford, Westmoreland, Washington, and Fayette; and in Fayette county a meeting of distillers had been called, at which Gallatin assisted, and it had been determined to employ council at the federal court, to defend the suits. It was in serving the remaining process in the county of Allegheny, on the verge of the Mingo creek settlement, that the opposition broke out into actual hostility. The marshall had served several writs in a single neighbourhood, in the course of one morning. Those, on whom he had served the first, had collected and pursued him, while he was serving the last. The people left the harvest fields, and took up arms. There was no pre-concert, no determined object. It had nothing in it, but the essence of a mob. I attribute little to the circumstance of general Neville being in company, or to that of a writ being served in a harvest field, amongst a groupe of reapers; nor do I attribute much even to the circumstance of a number of men being assembled at a board of appeals, in case of fines for a neglect of militia duty, held that day by the inspector of brigade, at Benjamin Parkinson's. I resolve it rather into the established temper

Art. 2d. Sect. 3d. "Nothing in this constitution, shall be so construed, as to prejudice any claims of the United States."

† Testimony of Neville the younger in court.

per of the country, than into accidental causes. Be this as it may, the inflammation spread rapidly. The quitting harvest fields, a most urgent business with the farmer, was a strong proof to me of the violence of the people. The whole settlement was in commotion suddenly. The first party that attacked Neville's house, were but a squad from the bulk that were behind, in agitation, consulting what measures to pursue. Holcroft, in his retreat was met at Couche's fort by numbers, who had come forward disposed to violent purpose. These returning, roused others, and in the course of one night the body was assembled to the amount of at least 500 men, that met at Couche's fort. A committee was here chosen to direct the operations, and it was under their orders, occasionally given, that the people marched. The flags passed and re-passed between them and those that attempted to defend the house of the inspector.

From the preceding statement it will appear, that the idea of "an individual projecting the insurrection," is without foundation. It originated on the broad basis of popular prejudice. However, it may be that leading men, at home or abroad, contributed by speeches, or by writings to foster, and support that prejudice. I am persuaded, that no digest was ever made in the minds of any one, to rouse the people to an actual and general outrage.

C H A P. VI.

HAVING given the preceeding history of incidents which led to it, I address myself to rebut those presumptions that I have heard alledged against myself, as projecting the disturbance, or having a privacy with the counsels of those who did. As to the grounds of my intimacy with Marshal, or my supposed privacy with his councils, I have stated every particular that is within the recollection of my mind. As to Bradford, I was upon terms of apparent intimacy; and of that I give the following account:

It is well known to gentlemen of the bar, that lawyers who reside in a county, usually bring the suits, and it rests with them, in most cases to recommend to clients; the assistants out of those who ride the circuit, whom they may employ on the trial of the cause. Bradford, though not a great lawyer, was a popular one, and I had found it useful, at a time when I was struggling to restore my practice, to stand well with him. I had found my account in it still on, and the very advantage which I had derived, independent of any principle of philanthropy; established in my mind a good will for the man. But I was thought to have an intimacy with him, which I had not. It was in appearance considerable, but not much in fact; for he was not a man of much sentiment, and my acquaintance with him went no further, that the interest which I had in sharing business.

I have heard it predicated loudly by those, who wished to involve me in any prejudice that may exist against Findley, Smiley, Gallatin, &c. that I had fallen in with them, and formed a conjunction on the west of the mountain. After an established difference with Findley, I had come so far in the course of nine years, as to exchange a common salutation; but the first time I gave him my hand was at Brownsville, the morning I was going forward with Gallatin, to support the propositions of the commissioners; I gave him my hand, and said it was time to forget differences, and join in our endeavours to avert a civil war. With Smiley I never had any difference, except what was political, and abstract; but I have not exchanged with him

seven words, these seven years. With Gallatin, I do not recollect that I ever exchanged a word, in my life, until in the course of our transactions in composing the disturbance. With none of these have I ever corresponded; to none of these have I ever sent a message, nor they to me. I was never of a committee, or other meeting where any of them were present, or with which they had any thing to do. If I have not the credit of individual patronage, why should I be subject to the odium?

It has been said, that disappointment had soured my temper with the federal governme, and that I was disposed, if not to overthrow, at least to embarrass it. In proof of this, it is alleged, that in my correspondence with some gentlemen of Philadelphia, some years ago, I expressed chagrin with the federal party in the state, and said they would find the effect of having affronted me. It is true I was chagrined, and did write to this effect. Let me explain it. It has been seen that while a member of the legislature of Pennsylvania, in the year 1787, I had found it necessary to join myself to a party. This was distinguished, at the time, by the name of anticonstitutional, or those opposed to the frame of government, which Pennsylvania had adopted. Having stood firmly in the house with those, on all questions, I had become obnoxious to the opposite. It was the anticonstitutionalists that brought forward the bill for a convention to revise the federal government; the model framed by this convention was supported by the party in the house, to which I was attached. On my return from the legislature, I became the advocate for it in the western country; I fought a hard battle in its favour, until it was adopted. The election for the first representatives was to be general through the state, and not by districts. In order to frame a ticket, two distinct conventions were held at Lancaster and Harrisburgh; that at Lancaster was the federal, as it was called, or the interest to which I had been attached. Findley, who had been my adversary, was to be taken up, as it was understood, by the Harrisburgh, or antifederal ticket. It struck me to have my name brought forward in the federal ticket, in opposition to him. I procured a delegation from the four counties of two gentlemen who attended at the Lancaster convention, and presented my name. It was rejected. I felt the indignity, and considered myself as absolved from all engagement to the party, and expressed myself to this effect. But that had nothing to do either with my attachment to individuals, or to the government itself, that had been established. My resentment respected merely

the party in the state, and nothing else. It had been no object with me to be a representative. I had cared nothing about it. But merely on a principle of opposition to my adversaries, I had suffered my name to be carried forward; and that being the case, I was affronted to have it thrown aside. I felt it with sensibility until I came to understand how it took place; viz. that it was not on the ground of personal disrespect to me, but on that Thomas Scott, whom they took in my place, being less exceptionable at the time, with their adversaries; and of course his name would serve the ticket more.

C H A P. VII.

HAVING given this detail of circumstances anterior to the insurrection, I shall now revert to the point where I was; the departure of the army from the western country.

General Morgan, with a corps of 800, enlisted out of the militia that had crossed the mountain, remained in the country, in order to support the laws, until every symptom of opposition had disappeared. In addition to this body of troops, a corps of calvary was raised from the country itself. This body of men was stationed on the Monongehela, at the distance of 14 miles from Pittsburgh. Officers from this encampment were frequently in town. Unfavourable impressions still existed amongst them with regard to me. Threats of assassination were frequently made; but I was under no apprehension now. They were not sure that the government considered me as a man that might justifiably be murdered. Ideas, nevertheless, prevailed with regard to the force of the civil authority; of course there was great licence of conduct in some of those officers. They were noisy in taverns—late in their patrols through the streets; the cow of a man, that had but one, was stabbed—the horse of another run through the body. These acts could not be fixed upon individuals. A waggoner discovering an officer about his waggon, and asking abruptly who he was, was assaulted. He was fortunate in warding off the blows of the cutlafs, with his waggon screw, until he got into the public house just by, where he alarmed his fellow waggoners, who made a shew

shew of attacking the officer, and pursued him. The officer escaping to his quarters, at another public house, alarmed his fellow officers, who came out upon the waggoners, who flying in their turn, were pursued. One of these waggoners was overtaken; two or three slices were taken from his skull, and a finger was cut off. The man applied to me; I brought an action for the trespass. A compromise took place, favoured by me, considering the circumstances, and the man received the sum of 150 dollars. The name of the officer who gave the wounds, was M'Dermot. I heard a great deal said afterwards of abusive language amongst the corps against me, for bringing this suit. M'Dermot threatened instant death, whenever he should meet me. I gave it to be understood, that if I heard any more of it from M'Dermot, I would have him prosecuted for the *mayhem*, which, by the law of our state, subjects to hard labour and imprisonment. I heard no more of it.

An atrocious outrage was committed on a certain Baltzooover, in the neighbourhood of the town: his house was entered, his locks broke, his property taken, and carried away. I brought a suit against an officer, who was said to command on the occasion; it was a captain Weezley of the Jerseys. But it is alledged there has been a mistake of the person, and that he was not the man.

A second outrage was committed by M'Dermot in company with others, in the house of a certain Bayard, in Allegheny county. They demanded victuals—His wife was sick—He excused himself—They insisted and threatened—The man made exertions, and got something. After eating and drinking, they imprisoned him in his chamber, made strokes at him with their swords—threw his bedding on the floor, danced upon it—broke his tables and chairs, and other furniture. He applied to me; I recommended to him to have his damages appraised, make out his bill liberally, go to the camp, and demand reparation; if not made, then to return to me. The bill was made out and paid, but with many imprecations against me, to whom it had been understood, he had made application.

A violent trespass was committed by a captain Randolph, on a farmer of the name of M'Clure, a man greatly respectable; he was imprisoned in his own house, and insulted by opprobrious language. I directed an indictment against the captain which has not yet been determined.

A troop of calvary encamped at the house of a certain Reed, cut down shade trees before his house, wantonly. I brought

an action of trespass against a captain Simeson, who was said to command on the occasion. Trespasses were committed in other places, in the course of foraging in the country. I recommended indictments in a number of these cases. The temper of the country was greatly ruffled at these indignities; and the more so as they saw the force stationed to be parade, and nothing more. It could have no effect to suppress an insurrection, if any had been meditated; this was their idea, as they expressed it to me.

Some of these outrages had taken place in the absence of general Morgan, on a visit to Virginia. On his return the representations made to him by his officers, were, doubtless, favourable to themselves. He was led to believe that the suits were stirred up by the insurgent Brackenridge. The general himself could not be unwilling to admit other grounds than misbehaviour in his officers, for he had set the example, and was guilty of the first breach of the peace, in the country. It was on the person of a James M'Allister, the keeper of a public house. In the course of the winter this man applied to me, and gave his story. It was when the army first came. The man had charged a quarter of a dollar for a quart of whiskey to a soldier. The general knocked him down with the but of his whip, and abused him considerably. On the score of the delicacy of the time, alledging sudden passion and other palliatives of the general's conduct, I dissuaded him from the prosecution.

On the advance of the army, a number who had been involved in the insurrection, and were not within the amnesty, or distrusted the faith of the government, had absconded. Others were occasionally absent. These were included in a proclamation by governor Lee, dated November 29, 1794. Amongst these was David Bradford, who had escaped by the Ohio with considerable difficulty. A small Kentucky boat had been prepared, which was to have received him at the mouth of Grave creek; but being pursued by a man, from whom he had liberated a negro under the abolition law of Pennsylvania, he was obliged to leave his horse and take a canoe. Descending with this, and passing Galliopolis, he was pursued by a party of four men dispatched from Galliopolis, by De Abecour, the commandant of the militia at that place. He had lain all night in his canoe at the mouth of Sandy creek, and had got into a coal boat, in the service of the contractor, cold, wet, and hungry, about two hours before the party in pursuit of him came up. They entered the boat, demanded Bradford, and
took

took hold of his arm to drag him away. He made no resistance; but a young lad of the name of —— from Wallington, seized a rifle, and singly defended him. He obliged the party to relinquish their intentions, and withdraw. This young lad had himself absconded, under apprehension from having painted the device of a liberty pole. Bradford continuing his course, was pursued by a captain Joly as far as Red Bank, which he had passed two days before. He is said to have gained the Spanish territory.

A number who had absconded, came in, and surrendered themselves to general Morgan, who dismissed them on parole, to appear at the federal court, at Philadelphia. There were but two of these did not appear.

The persons in whose case bail had been refused by the judiciary, 21 in number, were conducted to the jail of Philadelphia, by a detachment of dragoons, under general White. His treatment was humane and liberal. A circumstance is reprehended in the conduct of the captain, who had the charge of them in entering the city, viz. the obliging them to wear, each, a badge of white paper in his hat, to distinguish them to the people. It was a great indelicacy. It is ungenerous to insult the feelings of the miserable.

During the winter I had been employed in arranging business in my profession, and occasionally collecting vouchers from individuals of note, who had been privy to my sentiments, and witnessed my conduct in the course of the insurrection. In the spring, being under a recognizance to attend the federal court, as a witness in the case of the prisoners sent down, I went to Philadelphia. It had been the wish of the relations of the prisoners in the country, that I should appear for them. My doing that would depend upon circumstances.

C H A P. VIII.

T H E session of the federal court for the trial of the prisoners took place on the 4th of May, 1795. Patterson, and Peters, judges of the court. A motion had been made at the spring term, just before, by William Lewis, of council for the prisoners, to have the trials held more in the vicinage of the western country. It was not judged adviseable to grant it. The judicary system requires an amendment in this respect. Every man is liable to be accused, and to be under the necessity of going 300 miles or farther, and sending for his witnesses to that distance, where his own private character is not impressed on the minds of the jury, and where the credibility of the witnesses for and against him is not equally known and impressed, is a great evil. I felt this strongly in my own case, when the prospect of an arrest and trial was before me. But independent of the advantage to the prisoners, in point of safety, the expence of witnesses, at such a distance is intolerable; it will not do; it must be remedied; or the government will not exist in the affection of the people. If I could have had a trial in the western country, even with a jury brought from Philadelphia, I should have thought less of it; for I could have called five hundred witnesses out of the bosom of the country, to facts that would have readily acquitted me. But to call the tenth of these to such distance, was a weighty difficulty. On a retrospect it will be seen, that a great variety of testimony would have been necessary in my case, to have done myself justice.

I had heard a great deal before I left the western country, of the obloquy that existed against me in the city. It had been fed, and improved with all possible industry by colonel Neville, and my brother of the bar, who had spent the winter in the city. Colonel Neville was of the legislature of the state, and being a good deal in the best company, did me great damage. My brother of the bar not so much; he was too violent. People saw passion. But my impressions of prejudice and obloquy, which were before me, did not equal what I found to exist. I was shunned by every one. Persons who had known me formerly,

merly, advancing in my way, would change their course, or affect to see some objects on the other side of the street, so as not to be under the necessity to meet my eye. I was as unwilling to meet theirs, and would change my course also, and affect to see objects. I contemplated the buildings a good deal as I walked, casting my eyes to the upper stories of the houses. A stranger would have thought me a disciple of Palladio, examining the architecture.

My brother of the bar had left the city, but colonel Neville was still there. Shortly after my arrival, I heard of his shewing general orders which had been issued by his father-in-law, general Morgan, in which an allusion had been made to "an evil disposed and professional character, stirring up suits against his officers*." A day or two after, these orders appeared in the gazette. As the allusion would undoubtedly be applied to me by the public mind, I was hurt by the insinuation, and could not avoid taking notice of it. I did it by acknowledging, and at the same time justifying my having instituted suits, and directed prosecutions against "unprincipled, wanton, marauding pandours of his corps." My censure could respect only those against whom suits had been brought, or prosecutions directed. I have mentioned the names of those officers in my narrative, that others may not be wounded by the epithets.

There was said to be in Philadelphia, some who had a warm side to the insurrection, and I had supposed that some of these would have recognized me as a brother, and have given me the solace of a little company. But a report which had originated in mistake, or had been propagated by my adversaries, destroyed me even with these. It was that I had saved my life by turning what is called state evidence. That the commissioners on their arrival in the western country, found they had occasion for me, and brought me off with a promise of indemnity, and left me as a spy upon the people, and that now I was come down to fulfil that dark engagement of giving testimony to hang others. On all sides I stood in the most odious predicament. I knew the allegation would be found groundless, when

* *Extract from the Orders.*

In taking one view of this subject, I cannot avoid a suspicion, that some evil disposed professional character, and who is an enemy to the happiness of this country, has been busy in fomenting differences, and urging prosecutions of a vexatious kind, which otherwise, from the favourable opinion of the people in general, would not have existed.

when I came to give my testimony; for I had known little or nothing of the acts of individuals, at least of those who were to take their trials. But it was painful, in the mean time, to labour under such an imputation.

I was in the city some days before the session of the court; and had found private lodgings. But the mistress of the house, who was a widow lady, understanding who I was, expressed great uneasiness. She took it for granted that I was to stand trial, and did not like the idea of having a man hanged out of the family. I prevailed upon her to suffer me to remain at least until I was about to be put on my trial.

Under the predicament in which I was, I did not think it prudent to attend the theatre, or to go to places of public resort. I would subject myself to the indignity of looks, if not words. I attempted to amuse myself a little in the shops of booksellers; but even these were shy of me. They were afraid to have it thought that they were of the councils of insurgents. My chief walks were about the dock-yards, looking at the shipping, or traversing the environs of the city, viewing the improvements that had taken place. Sauntering one day to the large building that is carrying on by Robert Morris, a Scotchman who had some care of the materials, not knowing me, shewed me every thing with great civility? I was disposed to please him, and observed that I supposed this was nothing to the houses in Scotland. Na, said he, they wad na tirn thir horses into it. I question, said I, if they would make a cow house of it. Aye, said he, they might make a cow house. But, said I, it can be nothing to the duke of Argyle's house at Inverary. Na, said he; nor the duke of Buccleugh's, or lord Haddington's.

The sessions of the court, began on the 4th of May. I had laid aside all thoughts of appearing in defence of the prisoners. I knew my standing with the court, especially with judge Peters, was not favourable. I had heard that he considered me as blamable; and on my passing him once in the street, he turned away his eyes. I wondered at this, if he had read my examination by secretary Hamilton. Perhaps he had not. That being the case, his impressions were those which had been made by the *ex parte* testimony taken against me, by the information and advertisements of my adversaries. Independent of the court, I knew that I must stand ill with the jury; and what I should say would be considered as the pleading of one criminal for another. Besides all this, I did not know that I would be permitted. If I had been involved in the insurrection, a crime aggravated a
thousand

thousand fold in the case of a man who knew the law, I must be considered as unworthy of appearing at any bar, in the light of a counsel for a client. It was not without hesitation that I ventured to take a seat at the bar; and when I did this, it was only just to shew myself and retire again. In the cases of prisoners or others attending under recognizance, having given bail, proof was procured to explain questionable circumstances with regard to the signature of submission, and they were dismissed. Bills of indictment were sent up against others, and a number found; some for treason, and some for misdemeanors. I do not mean to give the history of the judiciary proceedings; understanding that a report will be made by a gentleman of the bar who attended. I was examined as a witness only on three occasions, and this was with regard to the general history of particular scenes; for I know nothing of the acts of the individuals.

In the course of the trial it became pretty clear that the impressions with regard to me, as having been involved in the insurrection, were groundless; that on the contrary, I had merit in opposing it, and quieting the disturbance. The people began to talk less of having me hanged instead of the accused, and the gentlemen of the bar became sociable; and the court complaisant.

C H A P. IX.

THE Epithets of "unprincipled, wanton, and marauding pandours," which I had applied to the officers of the corps of Morgan, in my answer to the insinuation in his general orders, had given great offence to the general and his army. The younger Neville had enclosed the publication to a colonel Stephenson, with such comments as were calculated to inflame passion. The very compliment of being singled out from a whole body, to be the champion of their honour, was calculated to engage hostility. This col. Stephenson had been an officer in the late war with Britain, and had distinguished himself as a man of courage, bordering on temerity. And is said to have fought several duels with more success than humanity could wish. He was a Pennsylvanian; in which case, less imputation of Virginia influence would exist in his accomplishing revenge. He had

sworn my death. Randolph and Simeson, had sworn also. Captain Beczly had gone to the Jerseys.

The only difficulty was to restrain themselves until I should return to the country. In the mean time they killed me in imagination; the air was cut a thousand times with their sabres, wishing it to be me. I had every thing to fear; Simeson was a sedate brave young officers; M'Dermot was a new burning Irishman; but, worst of all, Randolph would have made a figure in the days of chivalry, for personal strength, and intredipity; he had fought duels and been engaged, hand to hand, in several rencounters, with knives and cutlasses. His face wore the marks of this, being scared from the forehead to the chin in several places.

No person dared to write to me, to inform me of the danger; not knowing in what point of view I stood below; and whether it might not be a proof of guilt in them to seem to be concerned for me. Nevertheless, there were persons of humanity who ventured to signify their apprehensions on my account, by notes to individuals in Philadelphia from the westward, who gave me warning of the threats against me. It was the opinion of these, that it would be most advisable for me to remain below until Morgan's troops left the country. I thought not; because I felt passion, and wished to present myself immediately, in order to see the result of this fury. I was impatient to set out for Pittsburg. As soon as dismissed from the court, I was upon my way, and arrived at home speedily. The scene had greatly changed; a difference had taken place in the camp itself. A captain Low had assaulted and beaten M'Dermot; general Morgan had been obliged to put Stephenson under an arrest, to keep him from killing Randolph. Simeson having seen writs after writs served in the camp, and the troops making no resistance, began to think there was something forcible in law, and had gone to Wallington to study it. There were a few stragglers still at Pittsburg, that talked of killing me; but what was every body's business was nobody's business. The thing was who should do it. No one disturbed me; and I am alive at the very moment I am writing this narrative.

It having been thought no longer necessary to continue a body of troops in the country, the civil authority appearing in competent operation, by orders from the secretary at war, they were dismissed, and general Morgan took his leave of us, in an affectionate address, dated at his camp, June 3, 1795.

There was every reason to confide in the peaceful disposition of the country, for those, that had remained with him, were chiefly

chiefly weak and sickly men, that were unable to recross the mountain; and a fever breaking out in the camp, affected them still more, and rendered them unfit for service; nevertheless the country made not the least movement to disturb them, notwithstanding every possible provocation of abusive words and insulting actions. The four battallions of militia that had been raised from the country were the greater part of them insurgents, and had been amongst the most troublesome. If joining in abuse and insult to the people, was a proof of sincere conversion, it existed. So that all things considered, the dismissing the army at this period, was a justifiable measure.

CONCLUSION.

I HAVE now finished the detail which I had in view. That my information may not have been correct in all cases; that my memory may have led me into error; that my imagination may have coloured facts, is possible; but that I have deviated from the strictness of truth, knowingly, is what I will not admit. That I have been under the painful necessity of giving touches which may affect the feelings of some persons, is evident. But it has been with all the delicacy in my power, consistent with doing justice to myself. If I have done them injustice, they have the same means with me in their power; an appeal to the public. This is the great and respectable tribunal at which I stand. For though I have not been arraigned at the bar of a court of justice, yet from the first moment of obloquy against me, I have considered myself an arrested man, and put upon my country. From that day, the morning sun shone to me less bright; the light of night has been more obscure; the human countenance presented nothing but suspicion. The voice of man hurt me; I almost hated life itself. For who can say that I have pursued riches? Who can say I have been a devotee of pleasure? Who can say I do not love fame? What then have I, if I loose the hope of estimation? Was I a traitor to my country? Ask me, Was I a traitor to that class of men with whom I am in grade of education? Would I disgrace the praise of science, the advantage of an enlightened reading? Who am taught to know that virtue is glory; and benevolence and truth, that alone which can assimilate
with

with the Divine nature. And what greater deviation than to disturb the settled order of a government, while that government remains republican? Such owes it, and such to be supported; and any man who touches it with any other views than to rub the wheels and springs, deserves the anathema of the people.

If strictures are made in reply to my statement, let it be with moderation equally, at least, to that which has been shewn by me. For should I be under the necessity of rejoining, it will be with more severity. I have attributed a great deal to the misconception of any adversaries, the Neville's especially. But if I find that after this development of all transactions, they still go on to represent me as criminal, I shall resolve it into voluntary prejudice, and address myself to explain the grounds of it. I had much rather be relieved from the necessity, by a cessation of hostilities.

APPENDIX.

A P P E N D I X.

A Dissertation on the Treason Laws of the United States.

TREASON by the common law is indefinite* : Restrained by 25 Edward III † : enlarged by 21 Richard II : restrained again by 1 Henry IV. chapter 10th, and brought back to that of 25 Edward III ‡ : enlarged again by sundry statutes : it was brought back to that of 25 Edward III, by 1 Edward VI. chapter 12th : enlarged again by sundry statutes|| : it was brought back by 1 Mary, chapter 1st §. I have noted the above to shew the rigour of the common law, and the fluctuation of the statute law of England, in regard of the extent of treason.

The table of treason in England at this present day, is that of 25th Edward III. By the treason law of the United States, this table is reduced to a single item ; viz. “ that of levying war against the king in his realm, or being adherent to the king’s

* There was a great latitude left in the breast of the judges to determine what was treason or not. 4 Blackstone 75.

† Whereas divers opinions have been entertained before this time, in what case treason shall be said, and what not, the king, at the request, &c.—*Statutes at Large*, p. 117.

‡ The preamble of the statute is, that, “ Whereas in the said parliament, the said one and twentieth year of the late king Richard, divers pains of treason were ordained by statutes, in as much that there was no man which did know how he ought to behave himself, to do, speak, or say, for doubt of such pains, it is approved and assented to by the king, &c.—*Statutes at Large*, 118.

|| Statutes; 632.

§ Statutes at Large, 709.

king's enemies in his realm, giving to them aid or comfort in the realm or else."

The words of our act are, "if any person or persons, owing allegiance to the United States of America, shall levy war against them, or shall adhere to their enemies, giving them aid and comfort within the United States, or elsewhere."

My deduction now is, 1. That an immense softening has taken place in the law of England, from what it was by the common law, in regard of the extent of treason. 2. That by the treason law of the United States, it is softened still more as to the extent.

It will be seen, in the second place, what improvement there has been of the common law, in regard of trial. By the common law, nooyer of indictment was allowed before arraignment; no copy before trial; no council, except on point of law; no process, to compel witnesses for the defendant to appear; not upon oath, when they gave their testimony; no limitation of the prosecution.

By 7th William III, it is provided that a copy of the pannel be given two days before trial.

Compulsory process for witnesses.

Limitation of prosecution to three years, contrary to the maxim of the common law. *Nullum tempus occurrit Regi.*

By the common law of the United States the prosecution is limited to three years. "A copy of the indictment, and a list of the jury, and witnesses to be produced on the trial for proving the said indictment, mentioning the names and places of a-bode of such witnesses and jurors, is to be delivered to the accused at least three entire days before he shall be tried for the same." He is allowed counsel to be employed by himself, or if not able himself to employ, counsel to be assigned by the court; he is entitled to compulsory process to procure the attendance of witnesses on his behalf; and those witnesses are heard upon oath.

Thus the treason law of the United States, improves in some particulars, even the amelioration statute of William III.

Let us see, in the third place, what has been the change in the nature of the proof necessary to fix the crime of treason.

By the common law one witness was sufficient. By 1 Edward VI. chapter 12, two witnesses are made necessary *. 1 and

* "Be accused by two sufficient and lawful witnesses, or shall willingly and without violence confess the same."—Stat. 686.

and 6th Edward VI, chapter 3d: it is made necessary that the witnesses be brought face to face with the accused*.

By 13 Charles II, "Two lawful and credible witnesses, upon oath, upon trial," are made requisite.

While such was the process of legislative improvement in regard of proof in case of treason, did the judges keep an equal pace in favour of humanity in the construction of those statutes? No; their leaning constantly was against the accused; for near a century †, the statute of 1 Edward VI. was little regarded, or it was rendered nugatory, by the extraordinary resolution, "that one witness of his own knowledge, and another by hearsay, from him, though at third or fourth hand, made two witnesses or accusers within the act." Even in cases where the accused insisted strongly on the benefit of this act, the counsel for the crown has gone on in the method formerly practised, reading examinations and confessions of persons supposed to be accomplices; some living and amenable, others lately hanged for the same treason.

In succeeding trials, the prisoners have been told that the statutes of Edward VI, were repealed, particularly that which regards two witnesses face to face; "that this law had been found dangerous to the crown."

When the people of all ranks and parties in England had been learning moderation in the school of adversity, light began to dawn upon them. The judges were at length brought to attend to the statute of Edward VI; but gave it a construction unfavourable to the accused: viz. "that admitting two witnesses to be necessary, yet one witness to one overt act, and another to another overt act, of the same species of treason, are two sufficient witnesses within the act." The judges drew the legislature after them in this illiberal construction of the statute, and by 7 William II, it is sanctioned by the clause, "on the oath or testimony of two lawful witnesses, either both of them to the same overt act, or one of them to one, and the other of them to another overt act of the same treason." But at the same time, the illiberal constructions of the judges are rectified and

* "Be accused by two lawful accusers; which said accusers, at the time of that arraignment of the party accused, if they be then living, shall be brought in person before the party accused, and avow and maintain that they have to say against the said party, to prove him guilty of the treason or offences contained in the bill of indictment."—Stat. 656.

† 17. Foster. 232.

restrained in another very material particular; it is provided by section 4th, that where "two or more distinct treasons of divers heads, or kinds, be alledged in one bill of indictment, one witness produced to prove one of the said treasons, and another witness produced to prove another of the said treasons, shall not be deemed or taken to be two witnesses to the same treason.

Another error in the decision of the judges is corrected, or at least the construction given by them, is ameliorated by 7 William, chapter 13d, section 8th, by which it is provided, "that no evidence shall be admitted or given of any overt act, not expressly laid in the indictment."

By the treason law of the United States, a great improvement has been gained on the statute of 7 William. The proof demanded by our law is, "the testimony of two witnesses to the same overt act of treason, whereof indicted." And by our act, the construction given by the judges, at some period in England, to the clause of the statute of 1st Edward VI, is rectified. The "willingly and without violence confessing the same," had been construed to be a confession out of court, made however casually; this is fixed to a confession "in an open court."

It will be seen that the decision of the English judges have opposed the improving mind of the legislature; they have reduced it from time to time, contrary to the natural and humane meaning, by subtle and unreasonable construction. But in ascertaining the necessary proof of treason, the law of Congress has corrected all this, and fixed it on the basis of reason and humanity.

The only question now to be considered, or at least the only question which I shall consider, is, What shall be said to be a "levying war?" I shall state first what by the decision of the judges of England, has been construed to be a levying war.

It would strike the common mind, that the taking arms to dethrone the king, or to change the government, could alone amount to a levying war: that there must be not only an assembling in arms, but an *animus subvertendi*, or intention of overthrowing in the case. But it has been carried much further by the judges. To explain this, I cannot serve the public better, than by transcribing a chapter from the most sensible writer on this subject; that is judge Foster. It is chapter 2d, of discourse 1st, of high treason, on the clause of *levying war, and adhering the king's enemies*.

“ Lord chief justice Hale speaking of such unlawful assemblies as may amount to a levying of war within the 25 E. 2, taketh a difference between those insurrectionary which have carried the appearance of an army formed under leaders, and provided with military weapons, and with drums, colours, &c. and those other disorderly, tumultuous assemblies, which have been drawn together and conducted to purposes manifestly unlawful, but without any of the shew and apparatus of war before mentioned.

I do not think any great stress can be laid on that distinction. It is true, that in case of levying war, the indictments generally charge that the defendants were armed and arrayed in a warlike manner; and where the case would admit of it, the other circumstances of swords, guns, drums, colours, &c. have been added. But I think the merits of the case have never turned singly on any of those circumstances.

In the cases of *Damaree* and *Purchase*, which are the last printed cases that have come in judgment on the point of constructive levying war, there was nothing given in evidence of the usual pageantry of war, no military weapons, no banners or drums, nor any regular consultation previous to the rising. And yet the want of these circumstances weighed nothing with the court, though the prisoners counsel insisted much on that matter. The number of the insurgents supplied the want of military weapons; and they were provided with axes, crowes, and other tools of the like nature, proper for the mischief they intended to effect.

— *Furor arma ministrat.*

SECT. 1. The true criterion therefore in all these cases is, *Quo animo* did the parties assemble. For if the assembly be upon account of some private quarrel, or to take revenge on particular persons, the statute of treasons hath already determined that point in favour of the subject. “ If, saith the statute, any man ride “ openly [so the word *descouvert* ought to have been rendered] or “ secretly with men of arms against any other to slay or rob him, “ or to take and keep him ’till he make fine for his deliverance, “ it is not the mind of the king nor his council that in such case “ it shall be adjudged treason; but it shall be adjudged felony “ or trespass according to the laws of the land of *old times used*, “ and according as the case requireth ” Then immediately followeth another clause which reacheth to the end of the statute; and provideth that, if in such case or *other like* the offence had therefore been adjudged treason, whereby the lands of the offenders had come to the crown as forfeit; the lords of the fee should notwithstanding have the escheat of such lands, saving to the crown the year, day, and waite.

I will make a short observation or two on those clauses.

1st, The first clause is evidently declaratory of the common law, it shall be adjudged felony or trespass *according to the law of the land of old time used*. The second hath a retrospect to some late judgments, in which the common law had not taken place; and giveth a speedy and effectual remedy to lords of the fee who had suffered by those judgments.

2dly, The words of the first clause descriptive of the offence, "if any man ride armed openly or secretly with men of arms," did in the language of these times, mean nothing less than the assembling bodies of men, friends, tenants, or dependents, armed and arrayed in a warlike manner, in order to effect some purpose or other by dint of numbers and superior strength. And yet those assemblies so formed and arrayed, if drawn together for purposes of a private nature, were not deemed treasonable.

3dly, Though the statute mentioneth only the cases of assembling to kill, rob, or imprison, yet these, put as they are by way of example only, will not exclude others which may be brought within the same rule. For the retrospective clause provideth, that "if in such case or other like it hath been adjudged"—what are the other like cases? all cases of the like private nature are, I apprehend, within the reason and equity of the act. The cases of the earls of Gloucester and Hereford, and many other cases cited by Hale, some before the statute of treasons, and others after it, those assemblies though attended many of them with bloodshed and with the ordinary apparatus of war, were not held to be treasonable assemblies. For they were not in construction of law, raised against the king or his royal majesty, but for purposes of a private personal nature.

Sect. 2. Upon the same principle and within the reason and equity of the statute, risings to maintain a *private* claim of right, or to destroy *particular* inclosures, or to remove nuisances which affected or were thought to affect in point of *interest the parties assembled for these purposes*, or to break prisons in order to release *particular* persons without any other circumstance of aggravation, have not been held to amount to levying war within the statute.

And upon the same principle and within the same equity of the statute, I think it was very rightly held by five of the judges, that a rising of the weavers in and about London to destroy all engine looms, a machine which enabled those of the trade who made use of it to undersell those who had it not, did not amount to levying war within the statute; though great outrages were committed on that occasion, not only in London but in the adjacent counties, and the magistrates and peace officers were resisted and affronted.

For those judges considered the whole affair merely as a *private*

vate quarrel between men of the same trade about the use of a particular engine, which those concerned in the rising thought detrimental to them. Five of the judges indeed were of a different opinion. But the attorney general thought proper to proceed against the defendents as for a riot only.

Sect. 3. But every insurrection which in judgment of law is intended against the person of the king, be it to dethrone or imprison him, or to oblige him to alter his measures of government, or to remove evil counsellors from about him, these risings all amount to levying war within the statute; whether attended with the pomp and circumstances of open war or no. And every conspiracy to levy war for these purposes, though not treason within the clause of levying war, is yet an overt act within the other clause of compassing the king's death. For those purposes cannot be effected by numbers and open force, without manifest danger to his person.

Sect. 4. Insurrections in order to throw down *all* inclosures, to alter the established law or change religion, to inhanche the price of *all* labour or to open *all* prisons, all risings in order to effect these innovations of a *public and general concern by an armed force*, are in construction of law high treason, within the clause of levying war. For though they are not levelled at the person of the king, they are against *his royal majesty*. And besides, they have a direct tendency to dissolve all the bonds of society, and to destroy all property and all government too, by numbers and an armed force. Insurrections likewise for redressing *national* grievances, or for the expulsion of foreigners in general, or indeed of any single nation living here under the protection of the king, or for the reformation of real or imaginary evils of a *public nature, and in which the insurgents have no special interest*, risings to effect these ends by force and numbers, are by construction of law within the clause of levying war. For they are levelled at the king's crown and royal dignity.

Sect. 5. It was adjudged in the 16th Car. 1. a season of great agitation, that going to Lambeth house in a warlike manner to surprize the archbishop, who was a privy counsellor, it being *with drums* and a multitude to the number of 300, was treason.

This is a very imperfect account of an insurrection, which hath found a place in the best histories of that time. The tumult happened on Monday the 11th of May 1640 about midnight. On Thursday following the special commission under which the judges sat was opened and proceeded upon; and Benstead a ringleader in the tumult was convicted, and within a very few days afterwards executed.

It is not very easy from the short note of the case given by the reporters, to collect the true grounds of this resolution. But the history

history of the times will enable us to form a probable conjecture concerning them.

On the fifth of May the parliament was dissolved to the general dissatisfaction of the nation. And, which greatly increased the ill humour of the people, the convocation was by a new commission impowered to continue sitting, notwithstanding the dissolution of the parliament. *And the blame and odium of both these unpopular measures were laid upon the archbishop.*

On Saturday the ninth of that month, a paper was pasted up at the Exchange, exhorting the apprentices to rise and sack the archbishop's house on the Monday following. And accordingly on that very day an attempt was made upon Lambeth house by a rabble of some thousands; with open profession and protestation, *that they would tear the archbishop in pieces.*

It were to be wished that the full import of the libel posted at the Exchange, in consequence of which the attempt was made, had been set out: and also that we were informed what was the cry among the rabble at the time of the attempt, more than that they would tear the archbishop in pieces. These circumstances, could we come at them, would probably let us into the true reason and motives for the rising, and consequently into the reason and grounds of the opinion of the judges. For if it did appear by the libel, or by the cry of the rabble at Lambeth house, that the attempt was made on account of measures the king had taken or was then taking at the instigation as they imagined of the archbishop; that the rabble had deliberately and upon a public invitation attempted by numbers and open force, to take a severe revenge upon the privy-counsellor, for the measures the sovereign had taken or was pursuing; if this may be supposed to be the case, I think the supposition is not very foreign, the grounds and reasons of the resolution would in my opinion be sufficiently explained, without taking that little trifling circumstance of the drum into the case. Upon such a supposition, the case came within the reason of Talbot's case, 17 R. 2, cited by Hale. And I think too within the rules laid down in the two preceding sections. But without the help of some such supposition, I see nothing in the case as stated by the report, which can amount to high treason.

Sect. 6. But a bare conspiracy for effecting a rising, for the purposes mentioned in the two preceding sections and in the next, is not an overt act of compassing the king's death. Nor will it come under any species of treason within the 25 Edward 2. *unless the rising be effected.* And in that case the conspirators as well as the actors will be all equally guilty. For in high treason of all kinds, all the *participes crimines* are principals.

It must be admitted, that conspiracies for these purposes have been adjudged treason. But those judgments were founded on the

the temporary act of 13 Eliz. which made compassing to levy war, declared by printing, writing, or advised speaking, high treason *during the life of the queen.*

There was an act in the 13 Car. 2. to the same purpose on which some prosecutions were founded; but that act expired with the death of the king.

Sect. 7. The cases of Damaree and Purchase for destroying the meeting houses of Protestant Dissenters, being the last in *print* that have come in judgment upon the doctrine of constructive levying war; and having been ruled upon consideration of former precedents, I will state them somewhat largely from the printed trials.

The indictments charged that the prisoners withdrawing their allegiance &c. and conspiring and intending to disturb the peace and public tranquillity of the kingdom, did traiterously compass, imagine, and intend to levy and raise war, rebellion, and insurrection against the queen within the kingdom; and that in order to complete and effect those their traiterous intentions and imaginations, they on the day of at with a multitude of people to the number of 500 armed and arrayed in a warlike manner &c. then and there traiterously assembled, did traiterously ordain, prepare, and levy war against the queen, against the duty of their allegiance &c.

It appeared upon the trial of these men, which I attended in the students gallery at the Old Bailey, that upon the 1st March 1709, during Dr. Sacheverell's trial, the rabble who had attended the doctor from Westminster to his lodgings in the temple, continued together a short space in the King's Bench walks, crying among other cries of the day, *down with the Presbyterians.*

At length it was proposed, by whom it was not known, to pull down the meeting houses, and thereupon the cry became general, *down with the meeting houses:* and some thousands immediately moved toward a meeting house of Mr. Burges, a Protestant dissenting minister; the defendant Damaree, a waterman in the queen's service, and in her livery and badge, putting himself at the head of them, and crying, *come on boys, I'll lead you, down with the meeting houses.* They soon demolished Mr. Burges's, and burnt the pews, pulpit, and other materials in Lincoln's Inn Fields. After they had finished at that place, they agreed to proceed to the *rest of the meeting houses.* And hearing that the guards were coming to disperse them, they agreed for the greater dispatch to divide into several bodies, and to attack different houses at the same time. And many were that night in part demolished, and the materials burnt in the street.

The prisoner Damaree put himself at the head of a party which drew off from Lincoln's Inn fields and demolished a meet-
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ing house in Drury-Lane, and burnt the materials in the street ; still crying they would pull them *all down that night*.

While the materials of this house were burning, the prisoner Purchase, who had not, for aught appeared, been before concerned in the outrages of that night, came up to the fire very drunk ; and with his drawn sword in his hand, encouraged the rabble in what they were doing. And incited them to resist the guards who were just then come to the fire in order to disperse the multitude. He likewise assaulted the commanding officer with his drawn sword, and struck several of their horses with the same weapon. And then advancing towards the guards, cried out to the rabble behind him, *come on boys, I'll lose my life in the cause, I will fight the best of them.*

Upon the trial of Damaree the cases referred to before in Sect. 4. and 5. were cited at the bar, and all the judges present were of opinion that the prisoner was guilty of the high treason charged upon him in the indictment. For here was a rising with an avowed intention to demolish *all meeting houses in general* ; and this intent they carried into execution as far as they were able. If the meeting houses of Protestant Dissenters had been erected and supported in defiance of all law, a rising in order to destroy such houses *in general*, would have fallen under the rule laid down in Keiling with regard to the demolishing *all bawdy houses*. But since the meeting houses of Protestant Dissenters are by the toleration act taken under the protection of the law, the insurrection in the present case was to be considered as a public declaration by the rabble against that act, and an attempt to render it ineffectual by *numbers and open force*.

Accordingly Damaree was found guilty, and had judgment of death as in cases of high treason.

But he was pardoned and soon after restored to his badge and livery, which he wore to the death of the queen. Her majesty's new advisers did not choose to have the dawn of their administration stained with the blood of one of Dr. Sachervell's *ablest* advocates.

With regard to the case of Purchase, there was some diversity of opinion among the judges present at his trial : because it did not appear upon the evidence, that he had any concern in the original rising, or was present at the pulling down any of the houses, or any ways active in the outrages of that night ; except his behaviour at the bonfire in Drury Lane, whither he came by mere accident, for aught appeared to the contrary.

The jury therefore by the direction of the court found a special verdict to the effect already mentioned.

Upon this special verdict, which in substance took in the whole transaction on the first of March, the judges unanimously resolved,

resolved, that for the reasons mentioned at Damaree's trial, he and the others concerned with him in the demolishing and rifling the meeting houses, were guilty of high treason in levying war against the queen.

As to the case of Purchase, chief justice Trevor, justice Powel, and baron Price were of opinion, that upon the facts found, he was not guilty of the charge in the indictment. But all the rest of the judges differed from them. Because the rabble was traitorously assembled, and in the very act of levying war when Purchase joined them, and encouraged them to proceed, and assaulted the guards, who were sent to suppress them. All this being done in defence and support of persons engaged in the very act of rebellion, involved him in the guilt of that treason in which the others were engaged.

This man likewise was pardoned. His case in point of law and of real guilt too, came far short of Damaree's.

Sect. 8 The joining with rebels in an act of rebellion, or with enemies in acts of hostility, will make a man a traitor: in the one case within the clause of levying war, in the other within that of adhering to the king's enemies. But if this be done for fear of death, and while the party is under actual force, and he taketh the first opportunity that offereth to make his escape, this fear of compulsion will excuse him. It is however incumbent on the party who maketh fear and compulsion his defence, to shew to the satisfaction of the court and jury, that the compulsion continued during all the time he staid with the rebels or enemies.

I will not say that he is obliged to account for every day, week, or month. That perhaps would be impossible. And therefore if an original force be proved, and the prisoner can shew, that he in earnest attempted to escape and was prevented; or that he did get off and was forced back, or that he was narrowly watched, and all passes guarded; or from other circumstances, which it is impossible to state with precision, but when proved ought to weigh with a jury, that an attempt to escape would have been attended with great difficulty and danger; so that upon the whole he may be presumed to have continued amongst them against his will, though not constantly under an actual force or fear of immediate death, these circumstances and others of the like tendency proved to the satisfaction of the court and jury, will be sufficient to excuse him.

But an apprehension though ever so well grounded, of having houses burnt or estates wasted or cattle destroyed, or of any other mischief of the like kind, will not excuse in the case of joining and marching with rebels or enemies.

Furnishing rebels or enemies with money, arms, ammunition,

or

or other necessaries will *prima facie*, make a man a traitor. But if enemies or rebels come with a superior force and exact contributions, or live upon the country at free quarter, submission in these cases is not criminal. For *flagrante bello* the *ius belli* taken place, 'tis the only law then subsisting. And submission is a point of the highest prudence to prevent a greater public evil.

And the bare sending money or provisions (except in the case just excepted) or sending intelligence to rebels or enemies, which in most cases is the most effectual aid that can be given them, will make a man a traitor though the money or intelligence should happen to be intercepted. For the party in sending did all he could; the treason was complete *on his part, though it had not the effect he intended* *.

The cases cited in the margin did not in truth turn singly upon the rule here laid down, though I think the rule may be very well supported. For Greg was indicted for *compassing the death* of the queen, and also *for adhering to her enemies*; and Hensley's indictment was in the same form, and so was lord Preston's cited in the last chapter. And the writing and sending the letters of intelligence, which in the cases of Greg and Hensley *were stopped at the post office*, was laid as an overt act of both the species of treason. So that admitting for argument's sake, which is by no means admitted, that it was not an overt act of *adhering*, since the letters never came to the enemies hands, and consequently no *aid or comfort* was actually given, yet the bare writing and sending them to the post office in order to be delivered to the enemy, was undoubtedly an overt act of the other species of treason. In Greg's case the judges did resolve that it was an overt act of both the species of treason charged on him. And in Hensley's the court adopted that opinion, and cited it with approbation.

Though the cases of these men were in substance the same, the charge against them varied in one particular. Greg's indictment chargeth that the letters were sent from the place where the *venue* is laid into parts beyond the seas (*in partes transmarinas*) to be delivered to the enemy. Hensley's, with much greater propriety, and agreeable to the truth of the case, chargeth that the letters were sent from the place where the *venue* is laid, to be delivered in parts beyond the seas to the enemy. As the letters never went abroad, this was undoubtedly the safer way of laying the charge.

sect. 9. An assembly armed and arrayed in a warlike manner for any treasonable purpose is *bellum levatum*, though not *bellum percussum*. Lising and marching are sufficient overt acts with-

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* So ruled in the case of William Greg, and in the case of Dr. Hensley.

but coming to a battle or action. So cruising on the king's subjects under a French commission, France being then at war with us, was held to be adhering to the king's enemies, though no other act of hostility was laid or proved.

Sect. 10. Attacking the king's forces *in opposition to his authority* upon a march or in quarters, is levying war against the king. But if upon a sudden quarrel, from some affront given or taken, the neighbourhood should rise and drive the forces out of their quarters, that would be a great misdemeanor, and if death should ensue, it may be felony in the assailants: But it will not be treason, because there was no intention against the king's person or government.

Sect. 11. Holding a castle or fort against the king or his forces, if *actual force be used in order to keep possession*, is levying war. But a bare detainer, as suppose by shutting the gates against the king or his forces, without any other force from within, Lord Hale conceiveth will not amount to treason. But if this be done *in confederacy with enemies or rebels*, that circumstance will make it treason; in the one case under the clause of adhering to the king's enemies, in the other under that of levying war. So if a person having the custody of a castle or fort deliver it up to the rebels or enemies. *by treachery and in combination with them*, this is high treason within the act: in the former case 'tis levying war, in the latter it is adhering to the king's enemies. But mere cowardice or imprudence, though it might subject a commander in such case to death by the martial law, will not amount to treason.

Sect. 12. States in actual hostility with us, though no war be solemnly declared, are enemies within the meaning of the act. And therefore in an indictment on the clause of adhering to the king's enemies, it is sufficient to aver that the prince or state adhered to *is an enemy*, without showing any war proclaimed. And the fact, whether war or no, is triable by the jury; and public notoriety, is sufficient evidence of the fact. And if the subject of a foreign prince in amity with us, invadeth the kingdom without commission from his sovereign, he is an enemy. And a subject of England adhering to him is a traitor, within this clause of the act. Or if an alien *any* acteth in a hostile manner against us under a commission from a prince or state at enmity with us, he is an enemy within the act. And adhering to him is treason within this clause.

So if a subject of England maketh actual war on the king's allies engaged with him against the common enemy, as was the case of the States General in our wars against France in the time of king William and the late queen, this is adhering to the king's enemies, though no act of hostility is committed against

the king or his forces. For by this the common enemy is strengthened, and the king's hands are weakened.

Sect. 13. In prosecution for these treasons, as well as for that of compassing the death of the king, an overt act of the treason must, as I have already observed, be charged in the indictment and proved. This rule is grounded on the words of the statute, which being a declaratory act must strictly be pursued. The words to this purpose are, "Where a man doth compass, &c.—
" or if a man doth levy war against our lord the king in his
" realm, or be adherent to the king's enemies in his realm, giving them aid or comfort in his realm or elsewhere, and thereof be [*provably*, i. e. upon full proof] attainted of open
" deed." And therefore it will not be sufficient to alledge generally that the defendants did levy war or adhere. But in the former case it must be alledged that they did assemble with a multitude armed and arrayed in a warlike manner, and levied war. And in the latter, acts of adherence must be set forth.

But the particular facts done by the defendants, or a detail of the evidence intended to be given, need not be set forth in either case. The common law, as I have already said upon a like occasion, never required this exactness: and the statute of king William doth not make it necessary to charge particular facts, where it was not necessary before."

The question will now occur; Are we bound by these decisions, founded in constructions given to the clause of "levying war?" The decisions of the judges are only evidence of law, not the law itself. Where the decision is unreasonable, it cannot be the law. There is a higher evidence against it, than the opinion in its favour; viz. the general reason of the human mind. Yet decisions ought to be regarded, as the judgments of wise men, *responsa prudentum*, and in some cases, to be followed as undeviatingly as the law itself. For instance, where under a decision, that has taken place, a principle has been settled in the tenure of estates, by grant, devise, or in personal contracts, which must be supposed in view, at the time of the grant, devise, or contract. It would operate with an effect, *ex post facto*, to depart from the decision. Nothing of this can exist in the case of a decision on the criminal code, where it is in favour of the accused. The court is, *quo ad hoc* the government, and a rigorous construction does not bind. It may relax. But a liberal construction given, concludes against a more rigorous one in future cases. Because every person is supposed

ed to know the decision, and to be told that in the cognizance of offences, hitherto the law will go, and no further.

Are we then at liberty to depart from the constructions given by the English judges to the clause of "levying war?" I have no doubt of it, may think that pursuing the meliorating spirit of the constitution, and of our legislature, we are bound to depart from them in all cases, warranted by reason.

Are there any cases where the decisions appear unreasonable? There are.

In order illustrate this, I first observe that a "war levied" is of two sorts, 1st. Expressly and directly, as raising war against the king, or his general and forces; or to surprize and injure the king's person, or to imprison him, or to go to his presence to enforce him to remove any of his ministers or counsellors, and the like. 2d. Interpretatively and constructively, as when a war is levied to throw down enclosures generally, or to enhance servants wages, or to alter religion established by law, and many instances of like nature might be given. This has been resolved to be a war against the king, and treason within this clause*. The first resolution, says Sir Mathew Hale, that I find of this interpretative levying war, is a resolution cited by my lord Coke, in the time of Henry VIII, for enhancing servants wages; and the next in time was that of Burton, 39 Elizabeth, for raising an armed force to pull down enclosures generally. This is now settled by these instances, and some of the like kind hereafter mentioned. The preceeding against Burton and his companions, was not upon the statute of 25 Edward III, which required that in new cases, the Parliament should be first consulted; but upon the statute of 13 Elizabeth; for conspiring to levy war, which has not that clause of consulting the parliament in new cases, and therefore seems to leave a latitude to the judges, to make constructions greater than was left by the statute of 25 Edward III.

These resolutions being made and settled, we must acquiesce in them, *but in my opinion, if new cases happen for the future*, that have not an express resolution in point, nor are expressly within the words of 25 Edward III, though they may seem to have a parity of reason, it is the safest way, and most agreeable to the wisdom of the great act of 25 Edward III, first to consult the Parliament, and have their declaration, and to be very wary in multiplying constructive and interpretative treasons; for we know not where we will end †.

Will

* 1 Hale. 132.

Hale. 132.

Will it not found harshly in a common ear, to hear it said that in a wrong construction of the law, where even life is in question, we must acquiesce? yet this is the language of the humane Sir Mathew Hale.

There was a special verdict found at the Old Bailey, 20 Car. 11. That A, B, and C, with divers persons to the number of one hundred, assembled themselves, *modo guerino*, to pull down bawdy houses; and they marched with a flag upon a staff, and weapons, and pulled down certain houses in prosecution of their conspiracy. This by all the judges assembled, but one*, was ruled to be levying war, and so treason within this statute; and accordingly they were executed. But the reason that made the doubt to him that doubted it, was 1st, Because it seemed but an unruly company of apprentices, amongst whom that custom of pulling bawdy houses had long obtained, and therefore was usually repressed by officers, and not punished as traitors. 2d, Because the finding to pull down bawdy houses, might reasonable be intended here or there particular bawdy houses, and the indefinite expression in *materia odiosa*, be construed either universally, or generally. And 3d, Because the statute of 1 Mary, chapter 12, though now discontinued, makes assemblies of above 12 persons, and of as high a nature, only felony, and that not without a continuance together an hour after proclamation made; as namely, an assembly to pull down bawdy houses, burn mills, or to abate the rent of any manors, lands, or tenements, or the price of victuals, or grain, &c.

Yet the greater opinion obtained as was fit, says the author, and these apprentices had judgment, and some of them were executed as for high treason.

The decision in the case of pulling down the meeting-houses of dissenters, by which decision it was construed treason, followed the case of the bawdy houses. The distinction would have been invidious, to have made it treason to invade brothels, and to make it less, to demolish churches.

The construction was not equally rigid in the case of the insurrection of the weavers, in 1675, on which occasion the judges were assembled to consider. Five of them thought this treason; five dissented†. They thought it not like the design of altering religion, laws, pulling down enclosures generally, nor to destroy any trade; but only a particular quarrel and grievance between men of the same trade, against a particular engine that they thought a grievance to them; which tho' it was an enormous

* Sir Mathew Hale.

† Hale. 133.

stirring riot, yet it would be difficult to make it treason*. The five judges who were for making it treason had relied on Burton's case. The decision in that of the bawdy houses, did not then exist; it was five years after.

I conceive the question fairly open for discussion; what ought to be the construction of the clause of "levying war." I mean taking up the subject, as certainly we have a right to do, unshackled by the decisions of the English judges.

Taking up the subject on first principles, it might be said, that even a simple trespass tends to the subversion of the government; and every breach of the peace is said to be against the peace and dignity of the commonwealth. But where the trespass is with numbers, and with arms, it is arrayed more formally against the order of society, and might be construed treason. It was with a view to such construction that the statute of 25 Edward III, provides that "if any man ride armed openly, or secretly with men of arms, against any other, to slay or to rob him, till he made fine for his deliverance, it is not the mind of the king, nor his council, that in such a case it shall be judged treason; but it shall be judged felony or trespass according to the law of the land, of old time used, and according as the case requireth."

It was on this principle the boundary of construction was settled by the judges generally; that, "risings to maintain a private claim of right, or to destroy *particular* inclosures; or or to remove nuisances, which affect, or were thought to affect *in point of interest the parties assembled* for those purposes, or to break prisons in order to release *particular* persons, without any other circumstance of aggravation, have not been holden to amount to levying war, within the statute."

It must be therefore an insurrection which in judgment of law is intended against the government, to overthrow it; as you would break a machine to pieces, or to stop the motion of it, by breaking or obstructing some wheel or spring that is necessary for its operation. Yet resistance to an officer in the execution of his process, by the law of the land, is but an aggravated trespass. With a view to such construction, our statute has provided, "that if any person shall knowingly and wilfully obstruct, resist, or oppose any officer of the United States, in serving or attempting to serve, or execute any mesne process, or warrant, or order of any of the courts of the United States, or any other legal or judicial writ, or process whatsoever, or shall

* 1 Hale. 146.

shall assault, beat, or wound any officer, or other person duly authorised, in serving or executing any writ, rule, order, process, or warrant aforesaid, every person so knowingly and willfully offending in the premises, shall, on conviction thereof, be imprisoned not exceeding twelve months, and fined not exceeding three hundred dollars *."

I would in the first place lay aside constructive treasons altogether, and confine the law to a direct attack upon the government, and in the second place I would confine it to an attack, *animo subvertendi*. Will it not be easy then to meditate the overthrowing the government, and go on to execute it by a resistance to a law, and by risings for indirect purposes, without a possibility of making proof of an *animus subvertendi*, or conspiracy to overthrow? Let it be left to the jury to presume, or infer from the acts themselves, what the intention was; but let it always be in view as the essence of the act, that there was a directly looking forward in the mind of the person, to a subversion of the government; before it be construed treason. Every outrage, without this essential expedient may be repressed, and punished under the idea of a riot, subjecting to fine, pillory, imprisonment, and hard labour. This will be more agreeable to the common sense and feelings of mankind, who must be struck with a sense that the outrage is a riot, but to whom it cannot be obvious, that it was meditated as an attempt upon the government itself, amounting to high treason. It is only by deduction and inference, that it becomes so.

There will be no evidence, that any of those concerned in the attack of the house of the inspector of the revenue, general Neville, ever thought of subverting the government, or had an idea that the act would be construed treason. Whatever the ultimate views of these may have been, who projected the taking the magazine at Pittsburgh, certain it is, that the bulk had no looking forward of mind to more than a redress of what they called grievances, under the government. If the construction therefore for which I have contended, is supportable, either of these acts will amount to a riot only.

It will be said that our legislature, in excerpting the very words of the clause from the statute 25 Edward III, must be supposed at the time to have had an eye to the construction given to this clause by the decisions of the English courts; and by adopting the terms, has sanctioned the interpretation. The presumption

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* Laws of the United States.

tion doubtless exists. But it does not necessarily follow; and in favour of life, unless it necessarily follows, let not the construction govern. The legislature may have attended to the constructions, or they may not; the question admits a doubt. This being the case, it is contrary to the law maxims of humanity, to establish the presumption. The legislature intent upon restraining the treason law to a single clause, may not at the same time, have pursued the constructions of that clause in their minds. It is not probable they did. It was not necessary. The judges had the power to construe these words, on principle of reason, with the same licence as if they never had been in a treason table of England. The ultimate question then will be, whether it be necessary for the preservation of the government, that the treason law be carried so far as to make the circumstances in the case of Neville's house, or the march to Braddock's fields, amount to that offence.

I admit that by the decision of the English judges, the attack upon the house of the inspector, is clearly treason. For though it was not destroying *all* inspection offices, yet it was for *a purpose of a public nature, and in which the insurgents had no special or individual interest**, exclusively of the community.

I also must admit that the march to Braddock's field, by the same construction, must be treason; for though the expelling individuals would be but a violent trespass in itself; yet connected, as it was, with a view to the operation of a law which these men were supposed to countenance and support, it will be brought to the same thing. But the question may be made, whether it be necessary for the preservation of the government, that these or like cases be adjudged treason, where no evidence is alledged of an avowed intention to bring about a revolution.

Elementary writers, at the head of whom is the marquis de Beccaria, have with great plausibility, questioned the right of society to punish, by taking life at all. They stand on surer ground, who question only the necessity. By the Russian code, and that of Tuscany, it has been reduced to an experiment; and capital punishment is found not necessary. The only use of this at present, is to enforce a leaning of the mind towards a construction of the law, that will restrain it to the highest species of treason, and what alone ought to bear the name; a conspiracy to overthrow the government.

As our treason law stands, it is more the interest of the government in point of reparation from the offender, to have the

act

* Foster. 2. 1.

act considered in the light of an aggravated riot only, than to have it made treason; in which case there is no forfeiture of property*. Reasons of policy would therefore lead to that construction of the clause, for which I have contended.

Nothing can be right that is contrary to the feelings of the human heart, and at that which the reason of the common mind revolts. Let it be told one of these accused, that the essence of the charge against him is an attempt to shake the foundations of the government to which he had sworn allegiance, and to overturn, as far as in him lay, the existing order of society, with all the advantages of security to person, property, and fame; and to bring about anarchy at first, and tyranny of one or a few in the end. He would say, I never had such a thought. Others will believe him; and they cannot feel an acquiescence with the law that would by construction fix this design upon him.

In every other crime, it is known and contemplated to the extent, what the individual is about to perpetrate. In homicide, he knows he is about to kill a man; in burglary, to break a house; in larceny, to steal an article. The fact in its nature and consequences exists clearly to his mind. He is under no necessity of construing and inferring, in order to know what he is about. It is the *quo animo*, the mind with which a thing is done, that is all at all times to be considered. And if it cannot be found that the mind meant the act, it cannot be considered as the act of the mind, which is the man.

I would therefore understand our law, as having in view only a fixed, formed, deliberate intention of subverting the government, as that offence which it will construe high treason, and punish with the loss of life itself. The accused had meditated death to the government, and the law in this case, and this case only, will meditate death to him.

The legislature of the United States contemplating precisely such a case as that of the insurrection of the western country, has provided for the suppressing it by an act of May 2d, 1790. "Whenever the laws of the United States, shall be opposed, or the execution thereof obstructed in any state, by combinations too powerful to be suppressed, by the ordinary course of judiciary proceedings,

* "No condition or judgment, for any of the offences aforesaid, shall work corruption of blood; or any forfeiture of estate."

proceedings, or by the power vested in the marshall, by this act; the same being notified to the President of the United States by an associate justice, or the district judge, it shall be lawful for the President of the United States to call forth the militia of such state, to suppress combinations, and shall cause the laws to be duly executed. And if the militia where such combinations may happen, shall refuse, or be insufficient to suppress the same, it shall be lawful for the President, if the legislature of the United States be not in session, to call forth and employ such numbers of the militia of any other state or states, most convenient thereto as may be necessary, until the expiration of thirty days, after commencement of the ensuing session." The "opposing the laws, or obstructing the execution," are the phrases; not that of traitorously conspiring to subvert the government. So that it would seem to have had in view, an insurrection for a purpose of an inferior nature, and calls it, "an unlawful combination," which though tending in its consequence to overthrow the government, yet had not that for its object in the contemplation of the actors. We are relieved, therefore, by this act, from an objection which might exist, that unless such outrages as these were construed treason, the power of the federal government could not move to suppress them. On the ground, therefore, of the preservation of the union, I see no necessity to carry our construction of the clause of "levying war," so far as to embrace the late acts in the western country within the crime of treason.

If, in any case, proof can be directly made, or if the jury, from the facts themselves, cannot but presume that a subversion was intended, it may be so construed, but not otherwise.

Let it be understood, that the above are the notes of the arguments, I had projected in my mind, had I appeared in defence of the prisoners.

On the Expediency of Pardoning in the present Instance.

I H A V E heard of a brother of the bar, who was of the militia that marched to suppress the insurrection, and though not actually borne upon men's shoulders in a palanquin, in the manner of the Asiatics, yet was conducted with such softness in the mess of a commanding officer, as to render it impossible to have sustained any great fatigue, or to have suffered much from the campaign; yet is said to have expressed himself with passion, on hearing, that in all probability, none of the prisoners would suffer death. "What!" said he, "after all that I have suffered, none of them be hanged!" He had suffered little else, but the pleasure of a ride, in good company on the road, yet expressed chagrin at the prospect of not having some hanged. I may be said to have suffered a good deal, and to have a better ground of resentment against those who were the immediate cause of it; yet I have never wished any of them hanged. My express object in these observations is to prevent it. Who has a better right to speak? I have been a suppresser of the insurrection. None of those who marched to fight, or were here to counsel, in their individual capacity, have done more.

I admit that of all who felt pain, the President of the United States, must have felt most. He saw the glory of his acquirements at stake; for shake the foundation of the government, and where were the honours of having raised the fabric? To what use had his toils been applied? The labours and watchings of years, were about to perish under his own administration. I figured to myself often his solicitude, and could enter into his feelings fully. His pain must have been exquisite. Yet I will venture to say, he had no abstract wish that any of them should be hanged; nor has he any wish now. The only question will be, How shall it be avoided?

The President by the constitution, has the power "to grant reprieves, and pardons, for offences against the United States." This supposes cases, in which it will be his duty to grant reprieves

prieves or pardons. Let us examine if the late insurrection be one. It will be considered, that it was difficult for the common mind of this country, to distinguish an attack upon the officers, appointed to carry a law, odious to them, into execution, from that opposition which the officers under the stamp act of Great-Britain had received, at a more early period. They could see no difference in the case of John Neville, and Zachariah Hood*. The law was said to be grievous in both cases; and that was all they knew about it. In the case of the tea duty also, an opposition by force, took place, which is celebrated to this day, amongst the first acts of patriotism. Could you expect an accurate conception of the distinction which exists; those acts being against laws that were void, because they were unconstitutional; and these being against a law, which though unequal, is constitutional? It astonishes them to this hour, why the authors of our revolution from Great Britain, should be celebrated, and yet talk of hanging these that were doing nothing more than opposing what was wrong, amongst ourselves. I know, to use the expression of one of them, "they thought that in taking up arms to oppose the excise laws, they were doing God's service." The language of humanity, then would be, "forgive them, for they knew not what they did." It is a hard case to punish where the mind is not criminal. The gradual improvement of education by public schools, may inform the mass of the people, and correct a mistake of principles. The example of the people of France, rushing to extremes, and these being the subject of the eulogium of the day, have misled the common people here, and forms in the mind of a reflecting person, a palliation of their excesses. They have seen things in a mass, and have not developed principles.

Language of conversation and writings, in our own state, for a considerable time past have bordered on licentiousness; and have been calculated to impel the common mind beyond the boundary of correct thinking. I was struck with a proof of this, in an expression of a rifleman, who came from the camp, as we called it, to our committee of battalions on Braddock's field, and being informed that we were deliberating apart; I do not understand, said he, this *way of counselling in mystery*. I saw that he had heard of the objections to the Senate keeping their doors shut, or of the President of the United States keeping his negotiations with foreign powers secret. Yet this man, whose

name

* Stamp master-general.

name I have since discovered, was from an extreme of the frontier country, and little above a mere hunter of the woods, in point of information.

The long established prejudices of the country against the excise law, forms a mitigation in the moral nature of the acts of individuals in opposition to it. By the contagion of opinion and example, it was thought to be virtue. The outrages were the offspring more of common misunderstanding, than of particular vice. When we consider, then, that the amnesty has embraced the greater part, and that it was in some degree a matter of accident that the others did not embrace it, not having equal opportunity of information, it will lead us to be reconciled with the idea of throwing them and their punishment out of view also. The execution of the present prisoners in custody, would be nothing more than punishing the madness of a multitude, not in the persons of the most guilty, but of the least fortunate. It would answer the same end to hang an unfleshed skeleton, and call it Tom the Tinker.

Taking into view what has been said on the construction of the clause of "levying war," it would seem that should the judges conceive themselves bound on principle of precedent, or reason by established construction, yet there would be a ground for the legislature to make another grade in treason, viz. a distinction of the highest species of "levying war," on a conspiracy to effect a revolution; from that of a particular outrage tending to this end, yet not projected with an ultimate view of that nature. The first might remain capital as high treason; the second punishable by loss of liberty and goods. Until such a reformation can take place, let the rigour of the code be mitigated by the clemency of the executive.

A sufficient lesson has been given to the public mind of the demerit of the outrages in this country, and of the power to punish. That being done, every object is accomplished. The life of a man is something to himself; and why take it from him, if it can do the society no good?

Has any one been heard to say that the government would be afraid to shed blood in the case of this insurrection? has any one been heard to insinuate, that the popular nature of the constitution, and the prevailing temper of the people, will render it impolitic to offend the democratic mind, by putting any one to death who has been engaged in these disturbances? it is not impossible but that suggestions may be made, but surely not believed by a single person, that has the least ray of sense. Yet

it was such suppositions as these that put a pardon out of all possibility with the executive in the case of Carlisle and Roberts, who were executed for high treason in Pennsylvania in the year 1778. The British at New-York, and the tories, as they were called, in Philadelphia, were said to have insinuated that our government would not dare to execute these persons. I was present at passing sentence on Carlisle. The overt act of treason of which he had been found guilty, was the accepting and exercising some commission of police, in or about the city, when the British had possession of it. When asked what he had to say, why sentence should not be pronounced upon him, I was struck with the simple, natural, and apparently true language of the man; viz. "that what he had done was merely to save a little matter of property, and he recommended himself to the mercy of the government." I had at that time an acquaintance with some of the members of the executive, and had said what occurred to induce a pardon for him. I was led to understand, that the Council had a favourable leaning in his case; but that these ideas of the enemy at home and abroad, rendered it necessary to establish a conviction of our confidence in the event of our struggle, by hanging traitors: which would be as much as to say, Do your worst; we are not afraid that you will ever have it in your power to hang us.

There was a farther reason in this case; it was *pendente lite*, during the contest, and might be necessary to save from all accession of force to the enemy, by any voluntary act of service, during the temporary occupation of a place. But in the case of this insurrection, all is prostrate before the government. There is not a germ of resistance remaining. Why kill a thing, if I may use a catachresis, after it is dead?

Some one may turn to me and ask, Does it not betray a consciousness of having contributed to the error of these people, and the misfortune of their present situation, to manifest a zeal for their deliverance? Is it wrong to manifest it? do I not relieve myself at least from the charge of "deserting these people". That was the rhythm of my brother of the bar. Morgan had taken it up, and in his address to the country, when he took his leave, talked of "bringing the people into trouble, and then deserting them". If I had any hand in bringing them into trouble, certainly I have not deserted them; I have stood by them; I have made no separate peace; that was well seen from the great anxiety manifested by government to extract testimony against me. I was willing to have rendered service as an advocate in the

court,

court, if I had conceived that it would have served them. I have now made these observations for their sake; is that deserting them? But the fact is, I have not contributed to bring a single individual into trouble. There is no one will accuse me of it. On the contrary, there is no one who will not acquit me. It is therefore not a consciousness of having in some remote degree contributed to their misfortunes, that prompts me to relieve them; though even from this spring, my conduct would be laudable. It is the same principle of abstract humanity with that which led me to interfere in the case of Carlisle. This principle is aided, doubtless, by that local partiality which imperceptibly arises, from vicinage of residence; but this is not blamable.

The fact is, that the two convicted at the court in May, are not worth hanging, on a charge of treason. I do not think that two more insignificant creatures could be found in the western country. As to others, that are in custody, they are of more note, but of better character; and should they be found guilty, my observations may be of use to induce the public to interest themselves for their pardon.

V O U C H E R S.

Allegheny county, ff.

BEFORE me, Adamson Tannehill, esq. one of the justices of the peace, in and for the said county, came Samuel Ewalt, high sheriff of Allegheny county, who being sworn, saith, that on the day of the burning of Neville's house, he was asked by colonel Pressly Neville, and major Lenox to go with them to judge Wilkins; went, and was asked by judge Wilkins, whether this deponent thought he could raise the posse of the county, to oppose the people coming to attack the house. *This deponent thought it could not be done. Judge Wilkins thought so too; but proposed to meet at M'Lean's public house, and consult Mr. Brackenridge. Did meet at the place, with judge Gibson and Judge M'Dowell, and Mr. Brackenridge, who was asked what he thought of raising the posse. He thought it was not practicable, as the greater part of the people of the county were rather disposed to join them, than oppose them, and it might make the matter worse; but proposed our going ourselves, to reason with them, which he thought would answer a better end than force, and offered to be one himself, that would go. It was agreed upon immediately that we should go; and in a very short space of time, perhaps not fifteen minutes, Mr. Brackenridge had gone home, got his horse, and was with us at the ferry to cross the river. After we had crossed the river, Mr. Brackenridge asked the deponent, whether he did not know any way to the place where the people were said to be, different from the public road, as he was afraid the main road might be guarded by out parties, who might apprehend us, and delay or prevent our going forward to the main body. This deponent said, that he knew the old path that used to be the road to Couche's fort, which was the place; and that there was little difference in the distance of the two ways. Mr. Brackenridge mentioned his apprehensions to the company, and it was agreed to take the old road. We rode with all the haste in our power: The sun was not then more than an hour high, and we got within half*

a mile

a mile of the place, which was about eight miles from Pittsburgh, a little before sun set; we were there informed that the people had gone to Neville's house; we rode on with haste to overtake them, until we came within a mile and a half of the house, when we met some that were returning, and told what had been done. Mr. Brackenridge thought it not prudent then to go further, as it could be of no use, and there might be danger, the people misconstruing what we came about; we all thought so, and returned home.

This deponent from that time, had frequent conversations with Mr Brackenridge, about the affairs that took place, to the end of the disturbance, and always knew his sentiments to be *against any violation of the laws*, and frequently said, *the authors will be brought to punishment*. This deponent sometime about the middle of the business, had been out in the country, and heard persons say, speaking of the people that had undertaken to oppose the law, that if they could get Mr. Brackenridge with them, he would be more to them than a thousand men. This deponent mentioned this to Mr. Brackenridge in a conversation directly after. His answer was, that *they would never get that; he had no idea of joining such folly*, or words to this effect. In his riding through the country as sheriff, he knows it to be the sense of the country, that Mr. Brackenridge had never any concern in the insurrection, but all he did, was to prevent disorders; and they applaud his knowledge and judgment of the times, and the policy used by him in saving the town of Pittsburgh, and preventing the country from being involved in war.

This deponent thinks it just to acknowledge, that it was in a degree *owing to Mr. Brackenridge's advice*, that this deponent has kept himself so perfectly clear of all the disturbances, so as not to be in the least drawn in, any manner whatsoever.

SAMUEL EVALT.

Sworn and subscribed before me,
the 18th day of February, 1795.
 A. TANNEHILL. }

Allegheny county, ss.

Before me, John Wilkins, jun. one of the associate judges of the county of Allegheny, state of Pennsylvania, came the subscriber, who being sworn, saith, that on the morning prior to the meeting of the committee, as they were said to be, at a meeting house on Mingo creek, this deponent was called upon

on by Mr. Brackenridge, and informed that he was about to go to that meeting, and wished this deponent to accompany him, which this deponent declined, considering the delicate situation of affairs, in consequence of the violation of the laws, which had taken place. Mr. Brackenridge then said, that he did not wish this deponent to take any part on the occasion; but only to be *a witness of the part he should himself take*; and that this deponent might be safe in going, as it was at *the request of col. Presly Neville, that he himself was about to go*. This deponent however declined.

About the 24th or 25th of July last, this deponent dined with Mr. Brackenridge at his own house, at which time Mr. Brackenridge appeared to him, to be under considerable anxiety of mind, declaring that he never had been in so delicate a situation, in the course of his life; expressing himself in the following terms, or to this effect: "The people are all going to the devil; they have been guilty of rebellion, of treason, of arson; and I am afraid the matter is not over yet." Mr. Brackenridge also said, that individuals had taken his opinion as a lawyer, with respect to the nature and demerit of the conduct and criminality of the persons who had burnt and destroyed the property of general Neville; and that he had given it to this effect.

Mr. Brackenridge, speaking of the delicacy of his own situation, said, that if he did not go with these people the lengths they wished, he would be obnoxious, and in danger; and that if he did take part in their measures, he and they, would all be involved in common ruin, and go to the devil together. That he was opposed to the funding system; that he considered it as a dropical system, calculated to swell mens fortunes to an immeasurable size, in the course of a single hour, and that it would thereby produce a degree of inequality in the circumstances and situation of men, unfavourable to a republican government; that this system was the *tabescence* of senility in our government. This deponent farther saith, that Mr. Brackenridge, in speaking of the spirit of opposition that was likely to prevail, observed, that to oppose the government, or any particular law, however obnoxious, was not only criminal in general, but highly impolitic for this country, on four grounds, viz. the four western counties, from the circumscription of the boundaries, constitute a basis too small for a separate government; the country is too poor to support one; it has no sea port; and can have no importation, independent of the eastern parts of the continent; and finally, these counties are destitute of resources, both in point of revenue, and materials

of war. So that should a contest ensue with the United States, the disproportion of ability was in all respects so great, that this country must be finally unsuccessful.

In consequence of these ideas, expressed by Mr. Brackenridge this deponent, had considered him as a friend to the government, though opposed to the present system of taxation, and was of this opinion at the time he left the country, which was the morning before the assembling the people in Braddock's field. But afterwards this deponent, having heard, when at Carlisle, in the state of Pennsylvania, of a letter said to be treasonable, written by Mr. Brackenridge to Tench Coxe, esq. in Philadelphia, and by said Coxe brought forward to the government. This deponent began to doubt, and from the reports which generally prevailed, was led at length to conclude, that he must have been deceived. This deponent is of opinion, however, that if the conduct of Mr. Brackenridge, from the time of the meeting at Braddock's field, until the appearance of the patriotic militia, has been as fair and unimpeachable, as it appeared to him prior to that time, it must be a fair conclusion to consider the intentions of Mr. Brackenridge to have been upright, and his conduct not to be censured; that instead of meriting reproach, he has deserved well of his country.

SAMUEL J. MAHON.

Pittsburgh, 12th February, 1795. }
JOHN WILKINS, Jun. }

Allegheny, county ff.

Before me, an associate judge for the county of Allegheny, John Hollingsworth, sworn, saith, that he arrived in Pittsburgh on the 10th of July last, but had no conversation with Mr. Brackenridge concerning the opposition to the revenue law, which then began to appear in this country, until after the stopping of the mail. A few days after he heard of that transaction, he was at the house of Mr. Brackenridge, and spoke of it. Mr. Brackenridge declared his abhorrence of that shameful breach of the law, and common faith, and in general terms expressed his disapprobation of opposing laws by force. Conversing with him on the evening of the second of August, Mr. Brackenridge used this expression, or to this effect, "*the country is now involved, and lenient measures on the part of the government can alone save it.*"

Before Mr. Brackenridge went to the meeting at Parkinson's ferry, he informed this deponent of his plan of having per-

sions sent from that meeting to the executive of the United States; who should give a true account of the insurrection, and concert such measures as might save the country from a civil war; shewed this deponent an address which he had drawn up to the President, to be offered at the meeting, and sent, if approved; expressing himself to this effect, "*I consider this as my country, and I must assist to avert the calamities that are impending over it, to accomplish which the combination formed against the laws must be sapped; to oppose it openly at this time, would add strength to it; and ruin those who are well disposed.*" These words left an impression on the mind of the deponent not easily to be effaced.

A few days after this conversation took place, this deponent attended the meeting at Parkinson's ferry, where, as this deponent thinks, Mr. Brackenridge pursued that line of conduct which he had marked out, before he left Pittsburgh. The arrival of the commissioners of the United States, during the time of the meeting precluded the necessity of sending persons to the executive. From that time, until the middle of September, had many opportunities of observing his conduct, and frequently conversed with him, without observing any thing that induced this deponent to believe that he had swerved from that duty which he owed his country; during that time was so situated as to hear gentlemen high in office, and more capable of judging than himself, speak of the conduct of Mr. Brackenridge during the troubles in this country, and always with respect.

JOHN HOLLINGSWORTH.

Sworn and subscribed before me, at

Pittsburgh, February 8th, 1795.

JOHN WILKINS, Jun. }

Allegheny county, ff.

Before me, Alexander Addison, esq. judge of the district courts, for the four western counties of Pennsylvania, came Adamson Tannehill, one of the justices of the peace in and for said county, who being sworn, saith, that on the morning preceeding the meeting of the Mingo creek meeting house, Hugh Henry Brackenridge, esq. called on this deponent and asked him if he would accompany him there, as he wished some person with him who might be an evidence of his conduct. The deponent declined, alledging that the rioters who had burnt general Neville's house, might tender an oath or something of the kind, to support them, in what had been done; went away; returned a short time afterwards to Mr. Brackenridge's

house.

house, and found him *and colonel Presly Neville in conversation*, on the same subject. Was again solicited to go, and absolutely refused. Referred them to Josiah Tannehill, whom the deponent thought might go, provided he could get a horse. Colonel Neville replied, *he should not want a horse, if that was all*. The deponent says, that he understood at the time, from the conversation that passed, that *colonel Neville was apprized of that meeting, from the anxiety he appeared to have, that some person should go with Mr. Brackenridge*. It was at length agreed, that Josiah Tannehill and George Robinson should go, who the deponent believes did.

That on the evening preceding the meeting at Braddock's field, the inhabitants of Pittsburgh had generally assembled, to consult on what measures were necessary to pursue on the occasion. That before the people had proceeded to take the matter up in any order, it was announced to them, that three or four gentlemen had arrived from Washington county, with some alarming information respecting the meeting of the people on the next day, at Braddock's field. George Wallace, John Wilkins, jun. and Hugh Henry Brackenridge, esqs. were immediately named to wait on them. On the return of those gentlemen, they informed the people then assembled, that in consequence of letters being intercepted in the mail, which had been taken, that certain persons were proscribed as obnoxious to the people, who were to assemble at Braddock's field on the next day; viz. James Bryson, Edward Day, and Abraham Kirkpatrick, and that nothing short of their expulsion would satisfy the people, and save the town. The question was then put by the *chairman, general John Gibson*, whether they should be expelled, or not; which was declared in the affirmative. The mode of expulsion was the next consideration; which was to be done by a committee of twenty-one, the choice of whom was vested in the *chairman, who named them generally; the chairman was named as one of the committee himself*; his name set down, (by the secretary, Mathew Ernest), and he appeared to acquiesce in the appointment. The deponent understood at the time, that a private suggestion was made the chairman by Mr. Brackenridge, that he, the chairman was also obnoxious; on which he suffered his name to be erased. Mr. Brackenridge not thinking it prudent that he should be of the committee in going to Braddock's field, and might introduce a suspicion of our sincerity in having him of the committee. This the deponent understood from Mr. Brackenridge, on that same evening.

Two of the persons proscribed were at the meeting; viz. James Bryson and Edward Day, who appeared to acquiesce in the expulsion. Considering it for their own safety, as well as that of the town, from the manner they expressed themselves; and further, that particular friends of these gentlemen, were pointed out to consult them on the expedience of their removal. The deponent believes, that it was perfectly understood at the time to be the most political thing that could be done on the occasion, in order to take away any pretence from the rioters at Braddock's field, of coming to the town to seize them, and do other injury; and that the same policy and necessity led the people generally to Braddock's field.

The deponent was one of the committee to Braddock's field, and on the route there, Mr. Brackenridge expressed himself to the deponent to the following effect, that after all that had been done, he did not consider it as perfectly certain, that we might not suffer violence from the fury of the people, on account of the prevailing odium against the town, knowing that however far we had carried the appearance of a union in sentiment with the rioters, they would see through the mask, and treat us ill on the first approach; under these impressions Mr. Brackenridge proposed advancing with a flag. The deponent objected to it, and observed that it was best not to seem to distrust. Mr. Brackenridge then declined it.

That during the whole of the insurrection, so far as the deponent had knowledge, Mr. Brackenridge conducted himself as a friend to the government, and shewed great anxiety to have peace and good order restored in the country. That his apprehensions appeared natural and unaffected. The deponent hath further heard the citizens of Pittsburgh generally speak of him in the most favourable manner, for his activity and address in saving the town.

Being indisposed when judge Addison, before whom the deposition is drawn to be taken, was in town, it is not made, but, in the mean time, I certify it to be true.

ADAMSON TANNEHILL.

Allegheny county, ss.

Before me, John Wilkins, esq. an associate judge for the county of Allegheny, came Peter Audrain, who being sworn, says, that from the beginning of the late insurrection in this country, until the end of it, this deponent had very frequent conversations

conversations with Mr. Brackenridge, on the subject of the disturbances, and always found him very anxious to undeceive the people, and bring them to order and obedience to the laws.

This deponent, the morning of the meeting at Mingo creek, was requested by Mr. Brackenridge to accompany him to that meeting; hesitating very much, but afterwards seeing colonel Neville, was prevailed upon to go.

At that meeting, Mr. Brackenridge at the beginning of a speech he made on that occasion, said that those concerned in the burning of general Neville's house were guilty of treason; he powerfully opposed, and luckily defeated the resolutions which was to support the brave fellows who had attended at the burning general Neville's house; he *advised to try by every possible means to make peace with the government, and get an act of oblivion, and offered to go himself to Philadelphia, if it was agreeable to the people.* The turn he gave to the business, saved us from the most delicate situation that this deponent ever thought himself in; being apprehensive that if the question had been put, and we had voted against it, we would have been in personal danger; and voting for it, would involve us in a crime. After the speech of Mr. Brackenridge there was a long silence, and most of the people went out. This deponent went out with the other persons of Pittsburgh; and shortly after, on the suggestion of Mr. Brackenridge, that some other delicate questions might be brought forward, it was judged best to get off as speedily as possible. We went away, and Mr. Brackenridge with us, as unobservedly as we could. We came to the house, about half a mile, where we had left our horses; having taken dinner, and ordered our horses, which had taken up an hour or more, it was suggested by some one present, that we had come off abruptly, and that a bad construction might be put upon it, that we had been there as spies, it would be well for Mr. Brackenridge, at least just to go back, and take leave; which he did, and returned to us in as short a time as was necessary to go and come back.

At that meeting, this deponent did not see Mr. Brackenridge having private conversation with Marshall or Bradford, or does he think it probable that he could have any, from the shortness of the time we were there before the opening of the meeting.

This deponent was one of the committee of twenty-one, appointed by a town-meeting of the inhabitants of Pittsburgh, to carry into effect several resolutions, on the expelling certain persons. With respect to these persons in any act or language
of

of Mr. Brackenridge, at that time or since, in all the conversations on this subject, this deponent did not discover the least ground to lead him to believe, that Mr. Brackenridge *had any satisfaction in the expelling them, or acted under any private resentment, whatever difference might exist with any of them.*

This deponent was one of the delegates sent by the people of Pittsburgh to Parkinson's ferry, on the 14th of August. At that meeting, in all Mr. Brackenridge did or said, his object appeared to be to conciliate to order, suggesting the propriety of making terms with government, and obtain an act of oblivion.

In general this deponent can say, that in the affair of Braddock's fields, Mr. Brackenridge acted, as far as this deponent knows, with good policy to save the town; and on other occasions, *to get an indemnity for the people, and save them from a war with government.*

PETER AUDRAIN.

Pittsburgh, 19th February, 1795.

JOHN WILKINS, Jun. }

Allegheny county, ff.

Before me, Alexander Addison, president of the court of common pleas; &c. came George Robinson, chief burgess of the borough of Pittsburgh, who being duly sworn, deposeth and saith, that at the request of Mr. Brackenridge, he went to the meeting of Mingo creek. Mr. Brackenridge had informed him that it was at the request of *col. Presly Neville, that he himself was going.* Mr. Brackenridge said he wished this deponent to go, as being a public officer, the chief burgess of the town, as he wished to have some persons *to bear testimony of his conduct, as the situation might be delicate.* This deponent found the situation delicate enough, when a motion was brought forward to support what had been done at burning general Neville's house, and which was warmly supported. This deponent being much alarmed at the time, left the question should be put on this account, that by voting in the affirmative, we should be drawn in as accomplices, and by voting against it we might be in personal danger. After an inflammatory speech by a certain person, there was a silence for some time. During this time, the deponent was in great anxiety, lest the question should be put, when Mr. Brackenridge addressed the meeting in a speech of some length, and as appeared with great anxiety of mind. The speech, in the opinion of this deponent, appeared to be calculated to parry the question. He informed them, that we were not delegated by the town to do any act for them, and therefore if we

gave

gave any vote, it could only be as individuals. That as an individual, he would give his opinion. Here Mr. Brackenridge explained the nature and consequences of what had been done; he plainly told them, that all concerned were guilty of treason, *that it would be better not to draw any more in, as they could be of more use as mediators with the government, than as accomplices*; that the well known lenity of the President of the United States, gave reason to suppose that an accommodation might be brought about, before he would proceed to extremities; that the present meeting was but an inconsiderable part of the four counties; that a larger meeting might be called, by delegates regularly appointed, and that commissioners might be sent to the President, in order to bring about an accommodation; that tho' it would not be convenient for him to go at that time, yet if such a measure was adopted, *he was willing to go, and to render any service in his power.* This deponent does not recollect particularly, but has some recollection of Mr. Brackenridge mentioning, *that the damage done must be repaired.*

After Mr. Brackenridge closed his speech, there appeared to be an adjournment, without a motion made for that purpose. During this interval, Mr. Brackenridge urged us to get off as undiscoveredly as possible, lest we should be drawn further in. During the time that we were out, after the speech of Mr. Brackenridge, there was a good deal of murmuring amongst the people; and this deponent supposes this had given Mr. Brackenridge apprehensions, and he had informed this deponent since, that it was what alarmed him. We went away on this, and Mr. Brackenridge slipped after us. As we crossed a small run a short distance from the meeting house, we were called after by some persons to come back; but we hurried off as fast as possible to the house where we had left our horses. While there, it was suggested by some of the company, that as we had come off so abruptly, it might be well if Mr. Brackenridge, or some one, should return and make some excuse. Mr. Brackenridge took his horse, and said he would just ride over and make some excuse. He rode over, and came back in a very short time, so that we wondered that he could have been there and come back, and said he had found them just breaking up. In our way home, this deponent mentioning to Mr. Brackenridge the fortunate escape we had made, Mr. Brackenridge made use of this expression "he had never been in so delicate a situation before in his life, *and he would be damned if he would have been drawn in to be guilty of high treason, for ten thousand pounds.*" The deponent has been present at other meetings since, in the town of Pittsburg,

Pittsburgh, and heard Mr. Brackenridge's sentiments on various occasions, and observed his conduct, and can say, to the best of his knowledge, that with respect to the people that were expelled from the town, and every thing else that was done, he *acted from no selfish motive of resentment or disposition to hurt any man*; but from motives of policy, to moderate matters and prevent mischief; and this deponent knows this to be the general sentiment of the people of Pittsburg, and they consider themselves indebted to his policy in a great degree for the safety of the town in the affair of Braddock's field, when we were led to apprehend plunder and destruction from the fury of the people that had met there.

GEORGE ROBINSON.

Sworn before

ALEX. ADDISON.

At the time of Marshal Lennox, being at Pittsburgh, about the 13th, or 14th, of July last; being a few days before the attack on general Neville's house, I was in the office of Mr. Brackenridge, on some business with him, was asked by him about the constitution of the Mingo creek society, and laughing at some parts of it, he asked me, what could put it into the people's heads, to form such a one; I said, the people had been all running wild, and talked of taking Neville prisoner, and burning Pittsburgh: and this forming the society was thought of by moderate persons, to turn the people off to remonstrating and petitioning, and giving them something to do that way, to keep them quiet. Mr. Brackenridge asked, what could put it into their heads to think of burning Pittsburgh. I said, I did not know, but they have talked of it. I am of opinion, *that at the time of the march to Pittsburgh, there was great danger**. I was at the Mingo creek meeting house, at the time of the meeting there, after the burning of general Neville's house, and numbers of people were dissatisfied, at Mr. Brackenridge's speech there; as it appeared, that he was unwilling to engage to support what was done, and supposed to be on the side of the government.

May, 12th, 1795.

Before me, William Meetkirk, esq. one of the justices of the
 VOL. III. K peace

* After the burning of Neville's house, I had mentioned this information of McDonald as a matter I thought nothing of at the time, but as a proof that the town was in danger. It has been the ground of a calumny that I had previous knowledge of the attack upon the house.

peace, in and for the county of Washington, in the state of Pennsylvania, came John M'Donald, and made oath according to law, that the foregoing statement is just and true

JOHN M'DONALD*.

Sworn and subscribed before me, }
WILLIAM MEETKIRK. }

* The secretary of the Mingo creek committee.

Being about to go to Pittsburgh, fell in with a body of people collecting for the burying captain John M'Farlane, who had fallen at burning general Neville's house; David Hamilton had been deputed by a committee of those people to go to Pittsburgh, to return the pistols taken from the marshall, and to have a fulfilment from him of what had been agreed upon, on his part. Understood from Hamilton, that he had consented to go, in order to prevent the people coming in themselves, and doing mischief; for there was danger of their going in, at that time. Went with Hamilton to Pittsburgh, and met the marshall and colonel Neville. Hamilton explained his business, returning the pistols, and required a fulfilment of what was agreed upon; viz. that he would serve no further writs, and not return those that were served. The marshall said, he had not agreed not to return the writs. A query was then in the mind of Hamilton, what effect the returns would have. At his request, I went to Mr. Brackenridge, to ask his opinion as a lawyer. *He said it was a delicate point, and he would talk to the marshall.* On this he went out, and came in with *the marshall and colonel Neville.* Upon that I went out, and after some time returned; and Mr. Brackenridge said he was not much acquainted with the practice of the federal courts, but would consult, and give his opinion in the morning.

He gave his opinion in writing; which Hamilton thought would not be satisfactory to the committee. It was understood the committee would be sitting till he returned. It was proposed to return by Neville's house; and it was our wish that some of the gentlemen of Pittsburgh would go with us; we wished to see whether a man that was missing, was dead there, and from what had happened, did not wish to go there ourselves. General Gibson, Doctor Bedford, Mr. Brackenridge, and others had consented to go. The day looking for rain, or for other cause, some declined going. Mr. Brackenridge came; *I understood him to be about to go forward to the committee, to see if he could not satisfy the people, in respect of the marshall.* In my

conversation

conversation with Mr. Brackenridge with respect to the burning of general Neville's house, he said *it was an unhappy affair, and was afraid it would turn out a civil war, and that government would call out the militia, and we were the militia ourselves, and have to be at war with one another.* He did not say a word to approve what was done, as to the burning the house, or any act of violence.

Pennsylvania, ff.

Before me, William Meetkirk, esq. one of the justices of the peace, in and for the county of Washington, came John Black, and made oath according to law, and faith, that the foregoing statement, to the best of his knowledge and recollection, is just and true.

JOHN BLACK.

Sworn and subscribed before
me, May 18th, 1795. }

WILLIAM MEETKIRK. }

Was at Pittsburgh at the request of a committee, in order to converse with marshall Lenox, on the subject of the agreements entered by him with the people, after the burning of Neville's house; *recollect no private conversation with Mr. Brackenridge, nor any conversation, but on the question which had been put to him, respecting the return of the writs, which question was put to him by the consent of Mr. Lenox.*

Same day after my return home, I wrote a note to Mr. Brackenridge, informing him of a meeting to be at Mingo creek, wishing him to come up; it was *our concern to mend what was done, and get advice from him as from others, to make what was bad, better*; for we had a sense that every thing was not right; *received no answer, but Mr. Brackenridge came*; did not understand Mr. Brackenridge as approving of what was done; in giving his opinion in the case of the writs, it appeared to be his wish to *compromise the matter between the marshall and the people.*

City of Philadelphia, ff.

Personally appeared David Hamilton, of Washington county, in the commonwealth of Pennsylvania, who being sworn, deposeth, that to the best of his knowledge, recollection, and belief, the contents of the foregoing writing are just and true.

DAVID HAMILTON.

Sworn 19th day of May, 1795, before me, }
HILARY BAKER, one of the aldermen of Phila. }

Allegheny

All-gheny county, ff.

Before me came Robert Johnston, late deputy revenue officer, who being duly sworn, saith, that on the 17th day of July, 1794, being the second day after the destruction of general Neville's house, this deponent, being in Pittsburgh, was told by David Hamilton, that the committee was then sitting at the battle ground, to wit, general Neville's; and that if this deponent would ride out with him, and give a resignation of his commission to the committee, that this deponent would be protected from any further violence.

This deponent went in company with Hamilton, John Black, and Mr. Brackenridge. After riding a considerable part of the road, was surprized to hear Robert Shochan's made mention of as the place where the committee was sitting; I believe by Mr. Brackenridge; which occasioned this deponent to ask Hamilton, where the committee was sitting. He said they were not then sitting any where; but would meet some way towards Pigeon creek, to hear the report that he would make of his adventure; viz. the demanding general Neville's commission, and some demands he had made of the marshall. David Hamilton in his conversation at this time, mentioned as the cause of his coming that way, that one of the men was missing, that had been at the attack at Neville's house; that he was going to see if he could be found; that he thought it probable he was killed. Coming to the ground where general Neville's house had stood, riding round it, looking for the man supposed to be killed, and not finding him, and being about to come away, Hamilton or Black asked Mr. Brackenridge if he would not go further with them. He said not; and then we parted, Hamilton and Black for Pigeon creek, and Brackenridge and this deponent for Pittsburgh. M. Brackenridge and this deponent, went from the ferry at Pittsburgh, and returned together, without being any time apart.

I certify the above to be true, which I am willing to give testimony, if required.

ROBERT JOHNSTON*.

* The above certificate is taken, to obviate an insinuation that I went from Pittsburgh with these persons, being in confidence with them; whereas, in fact, I was led to believe by them, there was a committee sitting, and to which they were going, by the way of Neville's house; and I went with the privacy of the marshall, in order to explain to that committee, his situation;

situation; and induce them to be satisfied with the opinion I had given, which was favourable to him; viz. that judgment could not be entered on the service of the process, so as to be absolute, and bind their lands; that it was in the nature of a subpœna, or *sciere facias*, to shew cause, and there must be a summons to found a judgment.

*The deposition of JOSIAH TANNEHILL, assisiant burges of
Pittsburgh.*

That this deponent accompanied Mr. Brackenridge to the meeting at Mingo creek, at the request of Mr. Brackenridge, who was going as this deponent understood, at the request colonel P. Neville. Mr. Brackenridge, when he requested of this deponent to go, said, that he wished persons to go that were capable to take notice, and give information of what was said and done.

Early in the meeting an inflammatory speech was delivered by Mr. Bradford, to induce the people to pledge themselves to support what had been done at general Neville's house, which Mr. Brackenridge opposed by art and force of reasoning, and finally baffled the proposition.

This deponent can say on this occasion, and on every other within his knowledge, that Mr. Brackenridge to the best of his judgment, acted a part favourable to the repressing the disorders of the time, and restoring order, and good government.

JOSIAH TANNEHILL.

Sworn before me }
ROBERT RICHEY. }

Allegheny county, ff.

Before me, Adamson Tannehill, esq. a justice of the peace, in and for said county, came Isaac Gregg, of the town of Pittsburgh, merchant, who being sworn, saith, that about the 27th of July last, being at Mr. Brackenridge's house, this deponent heard him say, (in conversation respecting the attack of general Neville's house, which was a few days previous to that time), that it was a very *rash piece of business, and that he conceived the people to be mad (or words to that effect) and that it would be attended with serious consequences to them, as the government could not overlook it, but must take it up.*

ISAAC GREGG.

Sworn and subscribed before }
me the 18th Feb. 1795. }
ADAMSON TANNEHILL. }

At

At a meeting at my house, in Washington, on the evening of the 30th of July last, Mr. Bradford being there, said he wished he could get some safe hand to take the mail that had been intercepted to Pittsburgh, and deliver it to the post-master; as he said there were letters in it, that had money inclosed in them to certain persons. Colonel Gabriel Blakeney said, he had that evening received a letter from doctor Wilkins, requesting to see him in Pittsburgh, the next day, and that he would take charge of it, and deliver it safe to the post-master, if any person would go in company with him. I offered my service, as well as did doctor Band. Mr. Bradford delivered the mail the next morning to colonel Blakeney and myself, there being some letters taken out, which was not to be delivered to the post-master, but shewn to some people in the town of Pittsburgh, and brought on to Braddock's fields the next day. We accordingly went on to Pittsburgh, when we arrived there, a number of people came to the house where we put up, to enquire of us if we knew what object the people had in view, that were to assemble at Braddock's fields? We informed them that it was in consequence of letters that had been found in the mail, written by several persons in that place to government, mistating their conduct (as they termed it), and that the people conceived them to be very obnoxious characters; particularly major Kirkpatrick, Mr. Brisson, and Mr. Day, and it was our opinion that if some of those that had written the letters, did not leave the town, that it was in danger of being destroyed from the apparent rage of the people. The same evening there was a town-meeting of the inhabitants of the place, as we understood to take into consideration what was best to be done, for their own safety. On hearing that we had come to town, they appointed a committee, consisting of Mr. Brackenridge, doctor Wilkins, and judge Wallace, to confer with us, and to have our opinion on the subject. We produced to them the letters that had been taken out of the mail, viz. major Butler to general Knox; general Gibson to governor Mifflin; Mr. Brisson to the same; colonel Neville to general Morgan; and one other, without any signature, to the secretary of treasury, said to be hand writing of Edward Day; which were read in their presence. They asked us what we thought was the intention of the people, that were to assemble at Braddock's fields the next day. We gave it as our opinion, *that the town was in eminent danger of being destroyed, if some of the obnoxious characters were not sent away, for that we ourselves had been insulted on the road,*
coming

coming there, by some of the people, when they understood we were going into Pittsburgh; for they said we were going there as spies, to tell the people to get out of the way, and that we ought to be taken prisoners, and they actually raised a party to follow us for that purpose, as we were afterwards informed. Mr. Brackenridge asked us, who we thought appeared to be the principal objects of the people's rage. We gave it as our opinion from what we had discovered from them, that major Butler, major Kirkpatrick, Mr. Brison, and Mr. Day, were the characters that the populace appeared to be the most enraged at. Mr. Brackenridge replied, As to major Butler, it was out of the question to have any think to do with him; he being a federal officer, and entirely unconnected with the citizens. After receiving this information from us, they returned to the town-meeting, and gave the information to them they had received from us; in consequence of which they entered into resolutions to expel certain persons, as will appear from the hand-bills published immediately after. We went on the next morning, to Braddock's fields, with great numbers of people from Pittsburgh in company. When we came there, I discovered a great number of people much dissatisfied, on the account that *general Gibson and colonel Neville* were not also expelled. I was chosen a member of the committee, which did not meet until the next morning; when Mr. Bradford produced the letters that had been kept out of the mail, and read them before the committee himself. He appeared much dissatisfied that general Gibson and colonel Neville were not sent away; for he said they were as obnoxious to the people as any of them that were gone, and that they ought not to be suffered to remain in the country; for they were enemies to the people, and must be sent off. It was motioned for them to be suffered to remain until the meeting that was to be at Parkinson's ferry, on the 14th of August, and for them to come forward to the meeting, and endeavour to exculpate themselves from the charges that were against them; but it was over ruled. Mr. Brackenridge spoke particularly against the *expulsion of general Gibson*, by observing that he was a man advanced in years, and that he always had conceived him to be a man who could do little harm, and therefore thought he might be suffered to remain, as he was far from being a dangerous man, in his opinion. Mr. Brackenridge, in my opinion, seemed to have a strong desire, that the expulsion of both general Gibson and colonel Neville, should at least be postponed until the meeting above alluded to, in order to give them an opportunity to acquit themselves

selves of the charges, that the people had advanced against them. It was all over ruled, and I believe chiefly through the interposition of Mr. Bradford. Mr. Brackenridge, to the best of my recollection, spoke much in favour of allowing them some time to prepare themselves to move away, upon which it was agreed to give them ten days.

Mr. Bradford then spoke concerning the expulsion of major Craig; for he said he had been informed that major Craig should have said (immediately after the burning of gen. Neville's house) that he would let the damned rascals see that the excise law should be enforced, for that he would open an office of inspection in his own house. *Mr. Bradford was requested to give his author; he replied that he could not recollect, but that he heard it mentioned among the people.* It was then referred to the gentlemen on the committee that represented the people of Pittsburgh, viz. Dr. Wilkins, Mr. John M'Masters, and Mr. Brackenridge. *It appeared that neither of them could give any information on this subject.* Mr. Brackenridge further said, that he had but very little conversation with major Craig; for he did not recollect of any since the burning of general Neville's house, except what happened a day or two before coming to Braddock's fields, when he mentioned that meeting major Craig in the street of Pittsburg; Craig says, Mr. Brackenridge, what can be the intention of the people collecting at Braddock's field? Brackenridge replied, he knew of no other intention they could have, but that they conceived that Braddock at his defeat sunk some pieces of artillery in the river, and that they intended to raise them, and come and attack the garrison at Pittsburg; which was all the conception he had at that time of the subject. It was then *motioned, either by Mr. Brackenridge, or seconded by him, that if major Craig was to be immediately expelled, it would tend in all probability to defeat the measures of government in their operation against the Indians; for major Craig having charge of the whole of the quarter master's stores then at Pittsburgh, that if he was then sent away and nobody there to supply his place, it might be attended with very bad consequences to the community.* Mr. Brackenridge farther said, that it would be much better to suspend the expulsion of major Craig at this time, and wait for an opportunity of applying to the President of the United States to have him removed from office, and have some other person appointed in his place. No objection was made to the proposition, by any of the members of the committee, and after doing some trifling business more, the committee rose. In respect to hearing Marshall or Bradford say, that Mr. Bracken-

ridge was privy to the intercepting of the mail. I never heard any such conversation from either of them, nor do I know any circumstance to induce a belief of it.

Washington county, ff.

Personally came before me, Alexander Addison, esq. president of the courts of common pleas in the fifth district of Pennsylvania, William Meetkirk, esq. a justice of the peace for the county of Washington, and collector of the revenue in said county, who being duly sworn according to law, depose and saith, that the foregoing statement, to the best of his knowledge, is just and true.

WILLIAM MEETKIRK.

*Sworn and subscribed at Washington
before me this 27th day Feb. 1795.*

ALEXANDER ADDISON.

Sir,

At your request, I shall give you a short detail of the circumstances leading to, and of the principal traits of your conduct, at Mingo meeting house. I remember that it was the general opinion of the inhabitants of Pittsburgh, that it would be prudent a number of persons should be collected from this place, to meet those who were collecting from various parts of the country. No instructions to my knowledge were given to those who went. But I understood the general purport or intention of our going there, was to hear and report. You asked me if I would make one of the number that would go; I hesitated for some time, and until I had asked the opinion of colonel Presly Neville, which was, "I see no harm in your going there, if you chuse to venture; and if you do, I will thank you to carry a letter for me to the chairman of the committee, contradicting some false aspersions which have been industriously circulated, respecting the marshall and myself, being released upon our words of honour to hold ourselves as prisoners on demand, that night my father's house was burned." I accepted the office, and came back to you, and told you I would go. When we arrived at Jacob Friggly's house, near the meeting house, in the course of various conversations, a tall man there, with red hair, frequently expressed a warmth of affection for Presly Neville; seemingly commiserated his situation, and took some credit to himself in rescuing him when he was made a prisoner the night aforesaid; but at the same time was still making some

sarcastic observations on his father. I found the temper of the people were wound up to a very high pitch, and I took this favourable opportunity of delivering colonel Neville's letter to him, after finding that his name was Parkinson, and that he had considerable influence; telling him that the colonel had desired me to deliver his letter to him in case I could find him, and requested he would deliver it to the chairman. He readily took it; and it was the first thing brought upon the carpet, at the meeting. The secretary read the letter; but no observations followed. After some silence, a person stood up, and made a motion, that the burning of general Neville's house, and those concerned in it, should be justified and supported. I could observe the people of the meeting considerably agitated; colonel Marshall, of Washington, was the first who ventured to oppose this motion; and he seemed to do so both with fear and trembling. After this speech was over, David Bradford, esq. arose and beckoned to Mr. Benjamin Parkinson (as captain Josiah Tannehill informed me, who had mixed with the croud, and happened to sit down on the forms in the middle of the church close by him), asked him if the relation which colonel Neville had given in his letter, was true. To which question Mr. Parkinson putting his hand to his breast answered, it is too true. Mr. Bradford then dropping the subject of the letter, began a most violent and inflammatory oration in support of the first motion. I observed Mr. Brackenridge in the course of this oration, who being seated at the west end of the church, and opposite to the principal part of the Pittsburghers, who had seated themselves at the east corner by themselves, in great agitation, often throwing his head down on his hand, in the attitude of study. At length Mr. Bradford's speech being ended, Mr. Brackenridge advanced nearly to the middle of the house, and about opposite the chairman, and began his speech; slowly irregular; for the current of the people's prejudice seemed to be strongly against him. He first opened the reasons why the few persons from Pittsburgh came there; that they were not instructed; nor had they any delegated powers to agree or disagree on any proposition that might be made, they came only to hear and report. He took various methods of diverting the attention of the audience from the speech that preceded his.

Sometimes he would give a sarcastical stroke at the excise, and the inventors of it; and then tell some droll story thereto relating; in order, as I apprehend, to unbend the audience's minds from the serious tone to which they had been wrought up.

up. He viewed the subject before him in various lights; and then entered warmly on his main argument, which was to dissuade the audience from the first proposition. He told them in direct words, "that he hoped they would not involve the whole country in a crime which could not be called less than high treason; that this would certainly bring the resentment of the general government on us, and there would be none left to intercede."

The audience seemed petrified, thunderstruck with such observations; and when he had done, not a person seemed desirous of renewing the arguments. Silence ensued for some time, and then the company broke up, and some went to drink at the spring, and others in little knots or clubs were dispersed over the green. Those who came from Pittsburgh, finding that the audience was to be called to the church once more, took this opportunity of making the best of their way to Mr. Jacob Friggly's. The company met again; but I know not that they did any business of consequence; for Mr. Brackenridge was soon with us, and we took our horses, and rode to Pittsburgh.

I was also at the meeting of Parkinson's ferry, where Mr. Brackenridge did not seem to be a principal among the speakers. I remember to have heard him make two or three humorous observations, which set the people a laughing*.

Pittsburgh, 20th, Sep. 1795. WILLIAM SEMPLE.

* I have represented myself as a principal speaker; and the fact is, that I was; but speaking only at critical moments, and that in a few words, I did not seem to be a principal, on the occasion.

Allegheny county, ff.

Before me, Adamson Tannehill, esq. one of the justices of the peace in and for said county, came major John Irwin of the town of Pittsburgh, being sworn, faith, that on the evening before the meeting of Braddock's field, after the town meeting of Pittsburgh, and the appointment of the committee of twenty one, and the measures taken respecting the expelling Abraham Kirkpatrick, James Bryson, and Edward Day, about 12 o'clock at night, was called upon out of bed, as a member of the committee to meet again; did meet, and found the rest of the committee chiefly met. The business of calling us together was explained, viz. that Mr. Purviance, one of the messengers from Washington, had been *alarmed on Gibson and Neville* not being to be sent away also, as they were equally obnoxious; and it would not be safe for these gentlemen, or for the town, that they should stay.

Mr. Purviance was present and called upon to state this, and he did

so. On this it was agreed, that in the morning these gentlemen should be informed of this. In all the transactions with respect to these persons, this deponent discovered no evidence of any ill will of Mr. Brackenridge to these persons, but the contrary; for an evening or two after Abraham Kirkpatrick left the town, the second time, it was stated that some persons had used Kirkpatrick ill, in way laying or firing upon him. At a general town meeting, Mr. Brackenridge, in a speech, reprobated the conduct in the strongest terms, and said they would be brought to punishment.

JOHN IRWIN.

Sworn and subscribed before me }
 the 16th of February, 1795. }
 ADAMSON TANNEHILL. }

Allegheny county, ff.

Before me, Adamson Tannehill, esq. one of the justices of the peace, in and for said county, came James Clow, town clerk of the borough of Pittsburgh, sworn, saith, that he, this deponent, was a member of the committee of twenty-one, appointed at the meeting of the inhabitants of Pittsburgh, general John Gibson in the chair, the evening before the assembling at Braddock's fields.

At a meeting of this committee, sometime after the day of Braddock's fields, it was explained to the committee by Mr. Brackenridge, that the two gentlemen, general John Gibson, and colonel Presly Neville, who were to leave the town by order of the committee of battalions, of Braddock's fields, and which the committee of Pittsburgh had undertaken to see carried into effect, (as this deponent understood), wished that committee to appoint persons to go with them on their way, as a guard, until they should be at such a distance as to think themselves safe, and also to furnish them with passports.

At the opening of the meeting of the committee, John Wilkins, esq. was first in the chair, but leaving it to attend some business, this deponent was appointed to the chair, but had some hesitation, as not knowing but it might bring him into trouble. On which Mr. Brackenridge said, that it was at the request of the gentlemen themselves, that the committee met, to give a guard and passports, and that it was for their service, and not their injury, so there need be no apprehension of giving offence; and that if this deponent did not take the chair, and sign the passports, he himself was willing (if chosen) to do it.

On this the deponent took the chair, and it was agreed that persons should be appointed, and that the gentlemen themselves who were to go away should chuse who they would wish to go with them, and that any, or all of the committee, would go with them to any distance.

Double passports were made out for each; the one of a few lines, the other of a considerable length, dictated by Mr. Brackenridge to the clerk. The having double passports was suggested by Mr. Brackenridge. The question being asked by some person, what was the use of the double passport, Mr. Brackenridge to this effect said, the one would serve as a mask, and shew to the people in the country, that the committee had done what they had undertaken to do, and would serve as a safe guard to the persons sent away, as no one would molest persons supposed to be under guard; and the other would explain to the people below, how it was they were sent away, and for what cause, and that it was by the people of Braddock's field, and not by the people of Pittsburgh, and that it was not for anything that could hinder them gaining a favourable reception, where they went, it not affecting their characters.

This deponent in all the course of this business, did not discover the smallest design in all Mr. Brackenridge's actions, but for the safety of those gentlemen.

JAMES CLOW.

Sworn and subscribed before me,
on the 10th of February, 1795.
ADAMSON T ANNEHILL.

Allegheny county, ss.

Before me, John Wilkins, jun. one of the associate judges of said county, came Mathew Ernest, who being duly sworn, deposesh as follows: That at the town-meeting of the inhabitants of Pittsburgh, the evening previous to the assembling at Braddock's fields, general John Gibson in the chair, and this deponent acting as clerk. General John Gibson was taken down as one of the committee of twenty-one, and his name afterwards erased, in consequence of Mr. Brackenridge speaking in a low voice to general Gibson, in words to this effect, you must not be on this committee; I have reasons for it which I shall explain to you hereafter.

Afterwards, the same evening, this deponent was present when the committee of twenty-one drew up certain resolves, to be sent to the people at Braddock's fields, it was perfectly understood

derstood that these resolves were not serious, but for the moment, and the using the expression "the common cause," in one of the resolves, produced a general laugh. In general, this deponent can say, that the whole business of Braddock's fields, as far as respects the town of Pittsburgh, was a mask, and the expelling certain persons, was for their own sakes, as well as for the safety of the town. This deponent was present at the meeting of the committee of twenty-one, who were called upon to furnish general John Gibson and colonel Neville with passports and a guard, when they left the town of Pittsburgh. That double passports were made out for them, dictated to this deponent by Mr. Brackenridge; a private, and a public one; a public one for the sake of the country, through which they had to pass, and a private one for the people elsewhere, in order to shew the real cause of their going away. In all, *this deponent could discover nothing in Mr. Brackenridge but good will, and a disposition to serve these gentlemen.*

Some time before the 21st of September last, this deponent thinks about three weeks, or more, but does not remember precisely, but knows it must have been a considerable time before the 21st, because this deponent on that day left this country; Mr. Brackenridge understanding that this deponent was about to go below, asked this deponent if he would venture to carry a letter to Philadelphia, *which he did not like to risk by the post, for fear of being intercepted in this country, and that private persons were unwilling to carry letters, lest they should be seized with them, and by that means, became obnoxious themselves.* This deponent said he would venture it, but did not go for a considerable time after this; and so heard no more of it. But this deponent has since understood from Mr. Brackenridge, that the letter he wanted to send was *for Tench Coxe, esq.*

MATHEW ERNEST.

Pittsburgh, February 25th, 1795. }
JOHN WILKINS, Jun. }

Allegheny county, ss.

Before me, Adamson Tannahill, one of the justices of the peace, in and for said county, came Robert Kichey, a justice of the peace for the said county, who being duly sworn, saith, that on the morning after the meeting at Parkinson's ferry, early in the morning he came into Pittsburgh, purposely to have some conversation with Mr. Brackenridge, from whom he thought

he could get information, and how to conduct in the situation of affairs.

Mr. Brackenridge advised this deponent, that it was best to be careful and say but little. *The government in a short time would come forward and support itself.* From the conversation of Mr. Brackenridge this deponent perfectly understood him as *disapproving of the irregularities that had taken place; but that it was policy to conceal sentiments until it was safe to express them.* This deponent consulted Mr. Brackenridge, reposing confidence in him as a man of judgment. On the day of submission, the 11th of September, Mr. Brackenridge came to the meeting of the district in which the deponent lived; he said it had been the fourth district he had been through that day, in order to advise the people to sign the submission. At this meeting advised the signing the submission; and seemed greatly anxious that all should submit.

ROBERT RICHEY.

Sworn and subscribed before me,
the 5th day of March, 1795.

ADAMSON TANNEHILL.

Allegheny county, ss.

Before me, Adamson Tannehill, esq. a justice of the peace, in and for said county, came Andrew Watson, who being sworn, saith, that living next door to Mr. Brackenridge, and keeping a public house, Mr. Brackenridge was occasionally there during the disturbance in the country; and this deponent heard his sentiments, often conversing with the people, and they always were against the opposition to the laws that had taken place. Once about the height of the disturbance, Mr. Brackenridge was reasoning with a man from the country, and not being able to convince him as he wished, Mr. Brackenridge broke out into a great rage, and spoke with great passion, and told the man the people had been guilty of high treason. The man seemed alarmed at this; and went away. This deponent can say, that he has observed all that has been said or done by Mr. Brackenridge, in the course of the disturbance to have been for peace, and not at all favouring any opposition to government, so far as this deponent had an opportunity of observing. This deponent was a member of the committee of twenty-one, and was present at their deliberations, and never observed any appearance of ill will in Mr. Brackenridge to the persons that were sent away, but a disposition to save them, and the town. This deponent went to Braddock's fields, and from what he saw

law and heard there, was so alarmed that he thought the town would be burnt, and came hastily home, and dug a hole in the floor of his cellar, and buried his books and papers.

ANDREW WATSON.

Sworn and subscribed before me, }
 the 16th of February, 1795. }
 ADAMSON TANNEHILL. }

Allegheny county, ff.

Before me, Adamson Tannehill, a justice of the peace in and for said county, came William Henry Beaumont, of the borough of Pittsburgh, who being sworn, saith, that sometime early last spring, or, in the last of the winter, this deponent began to be employed occasionally by Mr. Brackenridge to write for him in his office, and continued to be so thro' the whole of the late insurrection in this country. That Mr. Brackenridge usually dictated his letters of correspondence to this deponent; that during the whole of the insurrection, but two letters were dictated by Mr. Brackenridge to this deponent that had the least reference to any political subject; nor does this deponent know of any written or sent by Mr. Brackenridge to any persons on any political subject whatever, except these two letters which were to Tench Coxe, of Philadelphia, both dictated to this deponent, viz. one of the 8th of August, 1794, and the other of the 15th September, following.

At the time of the dictating and writing the first, this deponent suggested to Mr. Brackenridge, that it was necessary to be cautious how he expressed himself with regard to the country at that moment, as it was probable the mail might again be robbed, and he might be rendered obnoxious to the people. His answer was as nearly as this deponent can recollect, in words to this effect, That he had taken care of that; that he meant to give government a real statement of the ferment the country was in, but at the same time, had put in some things that would save him from the people, should the letter fall into their hands. This deponent understood at the time, that Mr. Brackenridge was apprehensive the government might be misled, by wrong information respecting the magnitude of the danger, and the extent of the insurrection, and it was his wish that the danger might be viewed in the light it appeared to himself, great and momentous, not trifling and insignificant; that measures might be taken accordingly. That this deponent had that impression from the expressions of Mr. Brackenridge

at that time, as he expressed his apprehensions that a just statement would not be given by the proscribed persons who were sent away. This deponent did not understand Mr. Brackenridge as questioning the veracity of those persons, *but as suspecting from the temper of their minds, that they would not see things in a proper view, being under the influence of chagrin.* That at the time Mr. Brackenridge dictated the second letter to this deponent, he expressed with some warmth and irritation of mind, that his first letter should have been misunderstood by the government, as he was informed it was; that he wrote this second letter to explain it*.

That this deponent was one of those who accompanied Mr. Brackenridge to the meeting at Mingo creek; that it was at the request of Mr. Brackenridge that this deponent went, in order to vouch for his conduct on that occasion, and bear testimony of what should be said or done by him, considering the situation as delicate.

This deponent found the situation sufficiently delicate; and on a motion being brought forward early in the meeting, and strongly supported, this deponent was greatly alarmed, being apprehensive of being brought in to give a vote on a question of that nature, which was to pledge ourselves to support what had been done; which as this deponent understood, was the violence and outrage that had just before taken place. This deponent was alarmed, because to go away might expose to insult and personal danger, as he understood the people of Pittsburgh were considered in an unfavourable point of view by the people of the country; and to vote against the question would be equally dangerous, or more so; and to vote for it, this deponent could not think of, as it would involve in the criminality.

In a speech of considerable length made at this juncture by Mr. Brackenridge, he appeared to have the same impressions; and with all the art and address that was in his power, wished to parry the question, without rendering himself obnoxious to the multitude. The observations made by Mr. Brackenridge in the course of the speech, were, as nearly as this deponent can recollect, to the following purport: Those first made were of a nature to conciliate them (the persons present) to the people of Pittsburgh; that they (the people of Pittsburgh) were not abettors of the excise more than other people, nor did they undertake to support excise officers more than other people; they left these matters to the government. But at the same time it

* I believe this was not published.

was a very different matter, not to support, and to oppose; that be this as it might, we did not come as delegates from the town, but as individuals, and it would be of no use for us to join in such a proposition, for it would not bind, as we represented nobody. That he, Mr. Brackenridge, had no objection to give his own opinion in these matters; that what was done, would be construed treason; it might be morally right, but it was legally wrong, and would subject those concerned to punishment, unless they had force enough to support an opposition to the laws; the matter must terminate in a revolution, or a rebellion; if they had not strength to make it a revolution, it must be a rebellion; that that part of the country was but a small part to undertake such an object, that they had not even the four western counties, or neighbouring counties of Pennsylvania, nor the three counties of Virginia, nor Kentucky, if that could be of any use; and that the undertaking affords no rational prospect of success. That the case was not desperate; an accommodation might be brought about with government, and that it would be much better for those not involved, to remain so, as they would have more weight in their representations as advocates, than if involved themselves; and could with propriety come forward as a mediating party between government and them. That there was reason to conceive government would not be rash in taking vigorous measures; that the militia must be drafted; that there would be a reluctance in the militia of Pennsylvania to serve, and perhaps of the neighbouring states; that the President would reflect on this, and be disposed to an accommodation; that taking into view the disposition of the President, from what we had seen in the case of the British spoiliations, it was a natural conclusion that he would not wish to involve the country in war; and his conduct also with respect to the Indian tribes in treating with them, to a degree that has been blamed, when war had been thought better, gave reason to suppose that he would not be hasty in using rigorous measures in a case like the present. That the late instance of his lenity in the case of the Presqu'isle establishment, to which the letters of Cornplanter had put a stop, manifested the same thing. Here Mr. Brackenridge indulged some pleasantry on the apprehensions of government in this case, and created a laugh. In this and several parts of the speech, where Mr. Brackenridge indulged a vein of pleasantry and humour, this deponent saw through it, and thought that it manifested a great degree of management and address, to play with the fancy of the people, and divert

divert them from that intentness, in having the proposition carried, which he was endeavouring to parry. The result was, Mr. Brackenridge seemed to *wish that all things should remain as they were, and be put in a train of negotiation.*

Mr. Brackenridge's speech ended; a pause ensued; most of the members of the meeting left the meeting house for a short period of time. On being desired to resume their seats, we thought it most prudent to retreat, Mr. Brackenridge telling us, "we had better get off as soon as we can, or they will bring us into some other disagreeable predicament."

This deponent went with Mr. Brackenridge, came away with him, had an opportunity of seeing him through the whole of the time, and did not observe him to have any private conversation with any person there present.

This deponent further saith, that from the nature of his engagement with Mr. Brackenridge, he had almost daily opportunities of hearing his sentiments on the state of affairs in the country. That his sentiments were perfectly opposed to the violations of the law, and his great object seemed to be, *to restore order, get an indemnity for the people, and at the same time serve the government.*

That this deponent knew it to be Mr. Brackenridge's intention, if order could not be restored, and a war must ensue, to leave the country; and at a time, when war appeared to be inevitable, just before the meeting at Red stone, Mr. Brackenridge employed this deponent to go to the country, to collect money for the purpose of leaving the country, and taking his family with him. *That before this time on other occasions, he had heard Mr. Brackenridge talk of leaving the country, to get quit of the troubles, and that the place he meant to retire to, was Philadelphia. That he thought those people peculiarly fortunate who had been sent away, and wished himself in their situation. Mr. Brackenridge expressed himself to this deponent to this effect, before colonel Presly Neville went away, and wondered at his being dissatisfied at being sent away, as he ought rather to consider it as a fortunate circumstance to be clear of the difficulties of the times; for if a man went of himself, he would be considered as a deserter, and his property destroyed, or perhaps himself apprehended in going away, and brought back to punishment. Whereas when sent away, it was the act of the people themselves, and they could not blame the person for going. At the meeting at Mingo creek, this deponent recollects that a letter was read from colonel Presly Neville, but does not recollect the contents*

precisely; but to the best of this deponent's recollection, it related to general Neville, major Kirkpatrick, major Craig, and colonel Neville himself, with a view of placing their conduct in a favourable light.

Question to the deponent by Mr. Brackenridge. What do you mean when you say that I was apprehensive the persons sent away, would not from the temper of their minds see things in a proper point of view, being under the influence of chagrin? being under the influence of passion, they would be disposed to state things more strongly on that account, explain this?

Answer. In the course of the conversation at that time, this deponent understood M. Brackenridge, that it would be natural for these persons to wish a force sent at all events, and as it might alarm the government to be under the necessity of sending a large force, they would be disposed to represent it as suppressible by a small force. Whereas in Mr. Brackenridge's opinion, the policy would be an accommodation in the first place, and if that should fail, an efficient force; his observations were to that effect.

At the meeting at Mingo creek, this deponent recollects that at the time Mr. Brackenridge was expressing himself with regard to the probability of an accommodation with government, he declared *that he himself would be willing to be one to go to the executive, for the purpose of obtaining terms.*

WILLIAM H. BEAUMONT.

*Sworn and subscribed before
me the 14th Feb. 1795.*

ADAMSON TANNEHILL.

This deponent further saith, that in all said or done by Mr. Brackenridge, privately or publicly, in this deponent's hearing, or knowledge, he discovered *no symptom whatever, that would induce him to think Mr. Brackenridge exercised private resentment with respect to the persons sent away; and particularly with respect to James Brisson, the prothonotary.* No idea was ever suggested of having him displaced from his office, or putting any one in his place. And no idea was ever suggested to this deponent by Mr. Brackenridge, or any other person, that this deponent might succeed to that office; nor did this deponent ever entertain an idea of this kind himself. This deponent understood the sending those persons away to be * the policy of the

* I have understood my brother of the bar had insinuated, that I had procured the expulsion of the prothonotary, in order to get in a favourite.

the moment, for the sake of saving themselves and the town, which was obnoxious on their account.

WILLIAM H. BEAUMONT.

Sworn and subscribed before
me, March 31st, 1795.

ADAMSON CANNEHILL.

Washington, 25th February.

Sir,

I received yours of 13th instant, requesting me to send you a statement of what passed at Pittsburgh, between the committee that waited upon colonel Baird, Mr. Meetkirk, and myself, at the time we took over the mail which was intercepted on the road to Philadelphia.

For your satisfaction, I shall state to you the whole of the business as precisely as I can recollect, which is as follows, viz. On the 29th or 30th July last I came home to my house, after being out on the frontiers about ten days. I had scarcely dismounted, before a messenger waited on me from the court-house, informing me to attend at a meeting of a large number of the people there assembled. I attended, and found Mr. James Ross reading some letters which had been taken out of the mail, which had been intercepted going to Philadelphia. I was there informed that previous to the meeting, there had been orders or letters sent among the people to attend at Braddock's field, but for what purpose I could not then tell; but the order or letters being countermanded by the persons that forwarded them, which I believe was attending at the meeting, they made every effect to dissuade the people to attend, but to no effect; they got the alarm, and was determined to go forward next day. The same evening, I believe, I was at Mr. Meetkirk's, when I told I had just received a letter from general Wilkins, requesting me to be over next day. Mr. Bradford being present, requested me to take over part of the intercepted mail, my reply was that I would not; if I received the whole I would take charge of it. He told me the part I had to take was of consequence, as there was money in some of the letters; and the part remaining was only some letters which were considered to be obnoxious, as the writers were conceived to be enemies to this country. I refused taking them in part. The next morning colonel James Marshall met me in the street, and requested me to take the mail. I consented; we went to Mr. Bradford's, and received it. Mr. Meetkirk

received

received the loose letters. He, Baird, and myself, volunteered this business; we then started to Pittsburgh, in company with Mr. Henry Purviance, and Mr. Hollingsworth, who brought me the letter alluded to from general Wilkins, the evening before. On the way where the road turns off to Braddock's field from the Pittsburgh road, about eleven miles from this town, we were asked, which way? as we there had to move forward, and they took the right, we answered, To Pittsburgh. We were threatened by a Mr. Lock to have us stopped, but we treated him with contempt, and went on. When we arrived at Pittsburgh, by the time we were dismounted, we were encircled by number of the inhabitants, asking the news; among the rest was Mr. Edward Day; he enquired if the mail was safe. I told him I believed it was, and that I had it in my saddle bags. He said there was a letter of his to Baltimore, of consequence, I answered I did not know. But there was one directed to Mr. Alexander Hamilton, secretary of the treasury, without a signature to it, which was one of the obnoxious letters, and I believed to be his hand writing. We then turned off without any more questions. By this time the landlord took our horses, and we went up stairs. Shortly afterwards, general Wilkins, George Wallace, esq. and yourself came in, and introduced yourselves to us, as a committee appointed by the town meeting, which was then sitting, to have the news; at the same time telling us, that there was at that time a town meeting, in consequence of news they had received from the country, viz. the meeting at Braddock's fields next day. We produced the letters which were considered to be obnoxious. They were read, and this committee were told by us to make what use they might think proper of them, until to morrow, as we had engaged to have them at Braddock's field next day. Your committee returned, as I understood, to the town meeting, and made report. Your committee waited on us soon afterwards, wishing us to point out in writing the characters that must be expelled. The names was given by us, which was a very delicate thing with us. But to save your town from destruction, we gave in writing the persons names, which ought to be expelled for the safety of the place, viz. major Kirkpatrick, Mr. Brison, and Mr. Day. I remember to mention to your committee, that we had no real business at that time, but to save your town. And if you did not comply with what was related, by the Lord, *your town, as I believed, would be laid in ashes, and those persons probably massacred.* I remember

member one question put by your committee which ought to have been inserted sooner, which was this; after asking the news,

Question. What will you advise us to do for the real safety of this place.

Answer. Send off these characters; take your arms in your hands and meet the people at Braddock's fields to morrow. There was but very little conversation passed between your committee and us. As it appeared your committee waited on us to get the news, and make report to your town meeting; which I understood was then sitting. Colonel Presly Neville was present, the most of the time, with whom we had some conversation, which I do not recollect. In the mean time, you may make use of this letter in any manner you may think proper. I don't care what construction may be put on my conduct, by any man, or set of men. This considered, if they have any thing to say, they will come forward and speak to my face, as I am always at home, if I have due notice to answer for my conduct.

From, Sir,

Your humble servant,

GABRIEL BLAKENEY*.

H. H. Brackenridge, esq.

P. S. If it is necessary that in a future day my deposition is necessary to be taken on this subject, I will attend and depose what I have inserted.

G. B.

P. S. I remember that part of the conversation which I alluded to, with colonel Neville in the above mentioned company was, that he asked us to give him a pass, or a passport, so that he might leave the place, and travel without being molested. I replied to colonel Neville, that we were not invested with any such powers, that we were not committee men, and that we came of our own accord to inform the people of Pittsburgh, of the impending danger they were in; nevertheless, he repeated his desire to have a passport from us next morning. True it is, had it been in my power to comply with his request, nothing would have given me more pleasure, as I always considered him an old fast friend. Yet I felt hurt at his request, and more so at his repetition, after the answer he received from us. I wish to refer you to the gentlemen that were in the room present, for the truth of this assertion.

G. BLAKENEY.

* Commandant of the corps of militia raised in Washington county, to assist in keeping the peace after the insurrection.

Allegheny County, ff.

Before me, a justice of the peace, for the said county, came Lewis Bond, late lieutenant in the service of the United States, and now merchant in the neighbourhood of Pittsburgh, who being duly sworn, saith, that he was in the country at the time of the attack upon general Neville's house, and from that to the end of the late insurrection; and during all that time was frequently in Pittsburgh, and occasionally conversed with Mr. Brackenridge, having business in law with him, and frequently talking on the affairs of the country; and always understood him to be *opposed to the illegal proceedings that were taking place, and greatly concerned on account of them*; and one evening in particular when he came over the river on a visit to my house, which was about the *twenty eighth day of July 1794*, talking on the subject, he appeared to consider the affair *as very alarming; and said the disturbance was of more consequence than the Indian war*. The deponent at that time smiled in his own mind, thinking it but a riot that could be easily suppressed; but had reason to think more seriously of it afterwards.

On the morning of the day on which the people were said to be coming from Braddock's field, *a number of small trunks and boxes were sent over to his house across the river from the house of Mr. Brackenridge, containing, as this deponent understood, papers and articles of value*. They were sent by Mrs. Brackenridge, who, as this deponent understood, had received word from Mr. Brackenridge at Braddock's field, that the town was in danger, and that he wished her to secure his papers.

LEWIS BOND.

*Sworn and subscribed before
me the 11th of March 1795.*

ADAMSON TANNEHILL.

Having been forced by some circumstances to remain in Pittsburgh during the time of the disturbances which have lately agitated that country, I was present at a town meeting, which was convoked upon the news of a large party of country people assembled at a place called Braddock's fields, whose intention was to come to town the next day, to lay their hands upon several people of Pittsburgh, and to destroy the place if they should meet with any resistance; and I heard the discourse held by Mr. Brackenridge on that instance, *in which he contrived to persuade the interested persons to quit the town, in the shortest time, to save themselves and the people from the dangers which*

were

were presented to them; and he advised the citizens to join the other part of the people at the rendezvous, *that they might be induced to believe them to be in their party*; but particularly expressing, *that far from willing to induce them to undertake any thing against the government*, these measures were only tending to furnish time to concert with the government for means to recal the tranquility. I was the more struck by this insinuation, that (from the little time I had been in the country, and the imperfect knowledge I had of that business) I was supposing there existed a coalition, whose end was to obtain the redress of grievances, which I did hear every day to be complained of, in that country against the government. I thought I discovered a defect of good faith in Mr. Brackenridge in this respect, and that he was rather inclined to support the government, than to assist the people; but the rest of the business having soon demonstrated to me, that the people in that country were acting without any sense in their undertaking. I perceived that he was acting not against the people, but against the measures they did employ; and I have often heard the inhabitants of Pittsburgh acknowledge, that his skillful policy had saved the place from the greatest danger.

I give the foregoing statement of opinions and facts, ascertaining them upon my word of honour.

GEORGE BRON*.

Philadelphia, 24th May, 1795.

* A French gentleman of information, who had resided some time at Pittsburgh.

Washington county, ff.

Before me, James Edgar, one of the associate judges for the said county, came James Miller, who being duly sworn, deposes, that on the night of the encampment at Braddock's fields, Mr. Brackenridge, about eleven or twelve o'clock at night, came on horseback to the fire where this deponent and others were, and was enquiring for the encampment of the Pittsburgh battallion, which he said he could not find. This deponent knowing his voice jumped up and came forward, and after some words, got a bottle and gave him a dram. One of the company spoke out, and asked what the people of Pittsburgh had done with Abraham Kirkpatrick. Mr. Brackenridge said, they had sent him away. And why the devil did you let him go? said the person. Mr. Brackenridge said, it was not his will; he

would rather have kept *him*, to have punished him by law. The people seemed to be in an ill humour, and suspicious of Mr. Brackenridge. This deponent said in a low voice, Go, Go; and then, in a loud voice said, Come, Mr. Brackenridge, take another dram, will not detain you, or words to this effect. Mr. Brackenridge hastily rode off. After he was gone, some said he was a spy; but this deponent said he was a friend to his country.

From the disposition of a great number of the people, talking of what they would do next day at Pittsburgh, this deponent thought the town in great danger.

JAMES MILLER*.

Sworn and subscribed before
me, this 24th March, 1795.

JAMES EDGAR.

* The anecdote to which the deposition of this gentleman has a reference, was told by myself after the day of Braddock's field; and has been since converted into a calumny against me, that I wished to incense the people the night of Braddock's field against Abraham Kirkpatrick.

After the meeting at Braddock's field, and before the meeting at Parkinson's ferry, I was with Mr. Brackenridge on some business in law, and found that difficulties was in the way of his doing the business from the absence of the prothonotary, Mr. Brisson. A conversation then took place about the sending away the persons that were gone. Mr. Brackenridge explained why it was the people of Pittsburgh had acquiesced in it, or had seemed to favour it. It was to save the town. That for his part, he could wish they could be allowed to come back, and was anxious for this as to all, except Kirkpatrick, and as to him, did not care if he never returned; for he had a long time been under an apprehension of a private assassination from him. As to the prothonotary, it stagnated the business of the county, and it would be his wish to get him back. Mr. Brackenridge founded me with respect to the opinion of the people in suffering Brisson to return. My opinion was, that it would be a difficult matter, as he was very obnoxious, on account of his speculating on the people. I was urged by Robert Johnston, deputy under general Neville, to the best of my recollection, to interest myself at the meeting that was to be held at Parkinson's ferry, in behalf of Presly Neville. I had undertaken it, and was determined to do it; but I found from the disposition of the people at the meeting, that as to him or any one else coming back, it would only expose me to move it,

and

and be useles. And if they were to come back, it would only bring them into danger.

Washington county, ff.

Personally came before me, the subscriber, one of the justices of the peace, in and for the county of Washington, in the state of Pennsylvania, John Baldwin, and on his solemn affirmation, faith, that the above writing is true, to the best of his recollection.

JOHN BALDWIN.

Affirmed before me, }
27th May, 1795. }
DAVID HAMILTON. }

After the meeting at Braddock's fields the country was in a ferment, and every body was afraid of another, to speak their minds. *The people seemed to think that law was at an end, every one was ready to fall upon another, where there was a difference; it being supposed they could be called to no account for it.* Guns were fired into a house near me. I came into Pittsburgh, and talked over this with Mr. Brackenridge; and as to myself, not knowing what to do, said, many of the people talked, if matters got worse, of coming into town, if they could be safe. Mr. Brackenredge said, "*the town was obnoxious enough already; that people taking refuge there, would make it be thought worse, and and the country would rise against it; that it was not our interest, nor theirs, that any should come into the town; that if we could stand it out a little while, matters might be got settled.*" I asked Mr. Brackenridge if he thought an army could be got to come. He said it could; and he was afraid it would be necessary.

I talked freely to Mr. Brackenridge, because I had understood from my brother Mathew*, what his sentiments were; he had told me, that in conversation confidentially, M. Brackenridge had said, *that unless matters could be settled, we were all ruined,* or words to this effect.—The above to the best of his recollection and knowledge.

ALEXANDER M'CONNEL.

Sworn and subscribed before }
me, the 8th of July 1795. }
ADAMSON TANNEHILL. }

I can

* Mathew M'Connel, esq. of Washington county.

I can certify, and am willing to make oath, if required, that a day or two before general Gibson left Pittsburgh, when he was ordered to depart the country by the committee at Braddock's fields, in conversation with Mr. Brackenridge on the subject, Mr. Brackenridge expressed concern that general Gibson intended taking his family with him, as he considered that he would soon be enabled to return; and if not, that many more of ourselves would be obliged to follow; and it would then be time enough to remove his family. Mr. Brackenridge requested me to mention this to general Gibson, as his opinion. I called on general Gibson that evening in company with general Wilkins, but did not mention the conversation I had with Mr. Brackenridge, but advised him not to take his family, for the same reasons. I never discovered any symptoms of satisfaction in Mr. Brackenridge, on the expulsion of any of the persons, in any manner whatever.

JOHN SCULL.

Pittsburgh, April 6th, 1795.

Allegheny county, ss.

Before me, John Wilkins, jun. one of the associate judges in and for said county, came Samuel Jones, register and recorder for said county, who on his solemn affirmation declares, that in the time of the insurrection in this country, from the first to the last, he was often in private and public conversation with Mr. Brackenridge, and always believed him to be a friend to government, and is of opinion, that he was of great service during the time.

This affirmant remembers, that before the day of signing the submission, at a large town-meeting of the people of Pittsburgh, Mr. Brackenridge made a speech, and recommended signing the submission.

SAMUEL JONES.

Affirmed and subscribed before

me, 2d February, 1795.

JOHN WILKINS, Jun. }

Allegheny county, ss.

Before me, Alexander Addison, president of the court of common pleas of the county aforesaid, came John Lucas, and deposeth and says, that on the 12th or 13th day of last July, being lately returned home from a voyage he had undertaken to the Illinois country, Hugh Henry Brackenridge, attorney at law, living in Pittsburgh, Allegheny county, state of Pennsylvania,

vania, came to his house, being one day or two before the first riot had taken place at general Neville's house; and as it was the first time this deponent had seen Mr. Brackenridge since his arrival, a miscellany of news reciprocally given, soon became the whole topic of their conversation. This deponent perfectly remembers, that amongst other things, he mentioned to Mr. Brackenridge, that while he was passing through Kentucky, he had heard that numbers of people in that state was displeas'd at the conduct of the federal government towards them; that several committees had been held there, and had already went to a great length; that this said deponent had read a printed paper, pasted up at a public place in Kentucky, containing several resolves of a committee, and especially one by which the people of Kentucky, were invited at large to meet, and take in consideration the circumstances of the country; that some talk'd of a separation from the union, others thought of other measures to be adopted. Upon which account so given by this deponent to Mr. Brackenridge, he appear'd to this deponent to be highly displeas'd, and asking this deponent who might be the leaders in that system of reform. This deponent says he answer'd him, that he, this said deponent, had been told that several lawyers were amongst the leaders; to which Mr. Brackenridge repli'd, he suppos'd *these lawyers must be trivial ones, probably shifting in that manner to obtain some notice from the public.* This deponent further says, that he told Mr. Brackenridge he had heard of several lawyers, distinguished by their talents, who were at the head of these committees, and many other persons of good standing in Kentucky; which Mr. Brackenridge appear'd to wonder at greatly, and seeming to sink into himself with great concern in a deep reflection for a little while, this deponent says, he soon express'd himself in the following manner, "*I cannot perceive what advantage the people of Kentucky could obtain by disturbing the union. But should they separate, our situation in this part of the country, would become very critical. On the one hand, the people of Kentucky would not fail to interrupt our trade on the Ohio, should we refuse to join with them; and should we join them, we would immediately lose the great advantages we derive from the union.*" This deponent declares, that the first opportunity he had of perceiving the disposition of Mr. Brackenridge in the last disturbances, was a few days after the committee held at Mingo meeting house, when Mr. Brackenridge said to this deponent, that on his going to meet with the committee at Mingo meeting house, he fairly expected he would

be able to defeat any violent measures that could be proposed there; but to his astonishment, he had met with a numerous assembly of men, respectable by their property, their abilities, and the popularity great many of them enjoyed; that things seemed going to take a more serious turn than he expected; and added, *only that the condition of an emigrant was but a sorry one, that for his part, he did not like to emigrate.* The deponent says, that the next opportunity he had after, of perceiving the disposition of Mr. Brackenridge in the last disturbances, was on the 14th of August last, at Parkinson's ferry, where the said Mr. Brackenridge gave him to read (a little before the committee was formed) *a piece of writing intended to be, an address to the President of the United States, in behalf of the people of the western part of Pennsylvania;* which writing Mr. Brackenridge told to this deponent, he would present to the then committee, and would exert himself to make it be adopted. The deponent further says, that the object of that draft, was to solicit from the executive to suspend its activity in putting the excise law in force, until the next session of Congress, upon the solemn promise from the people of the fourth survey, to obey and continue to keep in force among them, without any interruption, all other laws, both of the federal and state government. This deponent says, that Mr. Brackenridge told him since, that he had not thought proper to present the said draft of address to the committee, upon his hearing during the time the committee was holding, that commissioners from the executive were arrived on the spot. This deponent says also, that the third circumstance that drew his attention to the conduct of Mr. Brackenridge, took place on the 21st day of August, when the committee of twelve went to confer at Pittsburgh, with the commissioners in behalf of the executive. The nine deputies from Westmoreland, Washington, and Allegheny counties met together, and while they were waiting for the three deputies from Fayette, who was not yet arrived, Mr. Brackenridge opened the conversation on the momentous subject of resisting or acquiescing in the laws of the United States; and this deponent, who was one of the three deputies from Allegheny county, says, he witnessed Mr. Brackenridge saying openly, before any body had given his opinion, that he thought that submission was the best step to be taken; that for his part, he was fully determined to submit to the laws. The deponent says, that amongst the many that were wishing secretly to see the people returning to obedience to the laws, Mr. Brackenridge is the first man he did hear speaking of submission after the insurrec-

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tion. The deponent further says, that he went the best part of the way from Pittsburgh to attend the committee of Redstone, held on the 28th and 29th days of last August; and as they were going along, the deponent saw in Mr. Brackenridge all the tokens of distress, at the appearance of so many liberty poles raised through the country, and so little corresponding with the pacific views he (Mr. Brackenridge) was going with his other colleagues to propagate and support, before the standing committee at Redstone.

This deponent says likewise, that after the report of the conference held on the 21st, was made on the 28th, to the standing committee, and the said committee having adjourned to meet on the morrow, 29th, Mr. Gallatin came to Mr. Brackenridge in the street, and in presence of this deponent Mr. Gallatin proposed to Mr. Brackenridge to open the matter on the following day, which Mr. Brackenridge declined, devolving the task on Mr. Gallatin, with promise he would support him with all his might. This deponent says, that he went that night to lodge at a neighbouring farm with Mr. Brackenridge, that the said Brackenridge gave to him the deponent during the whole evening, the most persuasive tokens of anxiety and dissatisfaction, expressing repeatedly, how *unwell the good of the country appeared to be understood by many members of the standing committee.* This deponent says, that on the day following he attended the committee as a member of it, and heard Mr. Brackenridge echoing there in his own language, the cogent and powerful arguments first made use of by Mr. Gallatin, and adding new ones of his own; all to the purpose of disposing the committee to submit to the laws, and propagate that disposition among their constituents.

This deponent recollects, that not long after the beginning of the late disturbances, Mr. Brackenridge read to him a letter he had received from a gentleman of Philadelphia, in answer to another one he had written first to that gentleman, whose contents Mr. Brackenridge had mentioned in substance to this deponent, who remembers that, amongst other things, Mr. Brackenridge told him, he had written to this said gentleman of Philadelphia (which he told me since was of the name of Tench Coxe) to wit, that government had perhaps as much reason of *being afraid of the western people, as the western people had of fearing government; that should a few hundreds of the western insurgents attempt to pass over the mountains, thousands greatly displeas'd at the funding system and its effects, would immediately*
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flock with the former ones, and like a torrent would increase more and more, in their rapid course towards the seat of government. This deponent declares, that this idea so suggested by Mr. Brackenridge, seemed to him rather grounded upon exaggeration, at the early period Mr. Brackenridge mentioned to him the contents of this letter to Mr. Tench Coxe; but having been informed since by the most undoubtful reports; the discontent that had prevailed through the minds of a considerable number of people, in the counties of Bedford, Cumberland, Franklin, Northumberland, and in some parts of Maryland, &c. this deponent is at present fully persuaded, had the leaders of the insurgents thought of such measures, and given execution to it, that what seemed to him an exaggeration at the first, might have been literally a fact, and considers that the *hint Mr. Brackenridge had so justly given of the impending danger, to a gentleman near government, must have been of a great use to the executive, if justly appreciated.* The deponent says, that Mr. Tench Coxe by his answer to the one of Mr. Brackenridge, Mr. Brackenridge did repeatedly say to this deponent, that Mr. Tench Coxe had not understood him upon many things he had expressed to Mr. Tench Coxe, to secure himself in case his letter had been intercepted on this side the mountain. Lastly, the deponent declares, that he knows Mr. Brackenridge since more than ten years; that during that period of time he has cultivated his acquaintance without interruption, as a literary and a philosophic man. That although he spoke seldom with him on political subjects, nevertheless from some conversations he had with him relating to politics, and from other circumstances, the said deponent has been and is strongly impressed with the idea, that Mr. Brackenridge is *a warm and a zealous supporter of the present federal constitution, a real friend to the union;* and from some former instances, the deponent further says, that he thinks Mr. Brackenridge is even an admirer of the federal constitution, or at the least has been so perhaps in a greater degree, than many other persons from this part of the country, who bare very deservedly in the opinion of this deponent the name of good citizens.

JOHN B. LUCAS*.

Sworn before }
A. ADDISON. }

The

* This gentleman, a son of the chief justiciar of Normandy, bred to the bar, and admitted in the parliament of Paris, yet from philosophic pride and demo-

The day before the meeting at Braddock's fields, I was in the office of Mr. Brackenridge on some business, who asked what news. I said a great number of people were ordered to meet at Braddock's field next day; was then asked, did I know the intention of the meeting; said, I did not very well know, but had enquired, and understood that particular characters were aimed at, but did not know who they were. I understood Mr. Brackenridge, (and charged my memory particularly with it) *as disapproving of such proceedings. I took particular notice of this, as wishing to hear the sentiments of persons who might know the nature of things better than myself.* Speaking of what had been done, the burning of Neville's house, and so on, Mr. Brackenridge seemed to have understood that I had been employed with an unusual number of hands in making guns, and asking me about this, I was alarmed at this report, and said I had not.

I was a member of the meeting of battalions at Braddock's fields; and in the case of expelling Gibson and Neville, saw that *Mr. Brackenridge opposed it, as long as it seemed to do any good.* The danger seemed to be, that the people would go into Pittsburgh, and take them themselves; parties of riflemen were coming and going, and about us, and lastly, some of them said, *we do not understand this way of mystery; the men will wait no longer; do something immediately, or we will go and execute ourselves.* I was a member of the meeting at Parkinson's ferry, and Mr. Brackenridge said some things to *humour the people* (in my opinion) *that might seem to favour them; but I saw that it was to manage the minds of the people, to keep them from mischief;* and I am of opinion on the whole of what I have heard and saw, that Mr. Brackenridge being much in the minds of the civilized people at that time, had it in his power, and did render great service in keeping them from going to a war against the government.

Allegheny county, ff.

Came before me, personally, one of the justices of the peace

VOL. III.

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for

and democratic principle, disdainng the fetters of nobility and monarchy, and not hoping for so sudden a revolution in favour of liberty, adopted the resolution to hide himself in the woods of America, and being recommended by doctor Franklin from Paris, to his son in law Mr. Bache of Philadelphia, he came to settle in this western country, whose acquaintance I have cultivated in consideration of his integrity and philosophic knowledge, and knowledge of the Roman civil law, and the local jurisprudence of France.

for said county, Jacob Ferree, and on his solemn oath, faith, that the above as stated, is just and true.

JACOB FERREE.

Sworn and subscribed before
me, the 3^d of June 1795. }
ROBERT RICHEY. }

Pittsburgh, 7th April, 1795.

Sir,

You desire me to detail the circumstances which led to the expulsion of the citizens from Pittsburgh, by the committee of battalions on Braddock's fields. As far as it came within my knowledge, I shall do it with pleasure: David Bradford, who seemed to have all the power, and to exercise it in a very tyrannical manner, opened the business by relating the preceding conduct of the people, the robbing of the mail, and read and commented on the most obnoxious letters. He charged the writers with having mistated the facts, and to have misrepresented his conduct, and the conduct of the people to government. He was warmly supported by many present, who were calling out for liberty, whilst they were violently disposed to exercise great tyranny against those who thought differently from themselves.

The writers of the letters had most of them mentioned Mr. Bradford's name in an unfavourable manner, which was the cause of his immediate resentment; and their banishment was the consequence. The popular fury was sure to be directed against any man who offended him, during his reign. A motion was made to expel general Gibson, and colonel Neville, whose letters had been intercepted in the mail, against whom Bradford had previously declaimed with great vehemence. It was thought by many people present, friendly to these two gentlemen, that they might be saved, by the question of their banishment being postponed, until the meeting which was to be soon after, at Parkinson's ferry.

To accomplish this object, a motion was made to refer the case of general Gibson to that place. This motion was supported by you; but opposed and over-ruled by Bradford and others. David Bradford moved in addition to these two, that major Craig should be expelled, saying it was reported, that he had offered his house for an office of inspection, should another not be found. Bradford called on the Pittsburgh members, to know if this was true. You answered it was not true; and stated

stated some circumstances, tending to shew the falsehood of the report. But notwithstanding Bradford and others pressed for his banishment; which in order to obviate, you mentioned that it would be an injury to the expedition then carrying on against the Indians, as he had charge of the stores for the use of the troops; and proposed that the committee should address the secretary at war to remove him; which I considered as management on your part, to save major Craig.

It was determined that the people should march to Pittsburgh. Every person belonging to the town, was under great anxiety for their families and property. The town had every thing to fear from a violent mob of armed men, led by a few inconsiderate fools. Previous to the rising of the committee, some of the most violent exclaimed that major Kirkpatrick, Mr. Brisson, and Mr. Day had not gone away; or if they had, it was only for a day or two, and that they would return. The Pittsburgh members, alarmed lest this suspicion might induce the mob, when they came to town, to search for these gentlemen, not knowing what the consequence of such a search might be, pledged themselves that they were gone, and would not return.

I never heard you express a wish for the banishment of any individual. I have often heard you say, that the people had essentially served those they had banished; that government would consider them as martyrs, and reward them.

I remember it was arranged, previous to the election of delegates for the meeting to be held at Parkinson's ferry, to choose those who were the most friendly to government. You mentioned to me, that you meant to propose at the meeting, the sending the commissioners to the executive, to consult means of composing the disturbances. You expressed a wish of being one of the commissioners yourself. You shewed me an address you had drawn up, to be proposed at the meeting, to be sent to the President of the United States. You often declared to me, that if the violence continued, you were determined to leave the country, and go to Philadelphia. I had daily opportunities of observing your conduct, and conversing with you. I never had a doubt, but that you were influenced by the purest motives, and was anxious for the restoration of order, and the laws.

Am, Sir,

Your most obedient,

Humble servant,

JOHN WILKINS,

Hugh H. Brackenridge, esq.

Washington county, ff.

Personally came before me, Alexander Addison, esq. president of the court of common pleas in the fifth district of Pennsylvania, David Reddick esq. prothonotary of the county of Washington, and being sworn on the holy Evangelists of Almighty God, saith, that during the late insurrection he conversed with Mr. Brackenridge on the subject of the then prevailing opposition to the laws, and that Mr. Brackenridge on all occasions discovered to him both his disapprobation, and detestation thereof. Among other things, he recollects Mr. Brackenridge saying, that he considered it as sound policy, to appear to be with the people, in order to preserve a sufficient influence to bring them back, when they should cool down to a certain point, or words to this effect. He further saith, that some time before the late general election of October last, he (the deponent) spoke both to David Bradford, esq. and also to colonel James Marshall, on the subject of electing Mr. Brackenridge to serve in Congress; each of these gentlemen declared positively they would not vote for him; and as the deponent had known them both to be remarkably well affected to Mr. Brackenridge early in the summer preceeding (at the June court in Pittsburgh), he enquired of them severally, why they had changed their minds. Their answers were nearly alike, their words are not precisely recollected, but the purport was, that they *were disoblged with him for the part he had taken in the then late affairs of the country.* The deponent afterwards when mentioning to Mr. Brackenridge, that Messrs. Bradford and Marshall, had altered their determination respecting his election, since the time they had solicited him to consent to be elected, Mr. Brackenridge replied to the deponent to the following effect. *That he did not wonder at Mr. Bradford being enraged at him, as he considered him as a weak man; but that he was much surpris'd that colonel Marshall, who was a man of good sense, could have ever for a moment believed him (Mr. Brackenridge) to be disposed to use force against the government.*

Further, this deponent recollects, that on the morning that colonel Blackeney, doctor Baird, and William Meetkirk, esq. set out for Pittsburgh with the intercepted mail, he know that all those gentlemen of Pittsburgh, whose letters had been found in the mail, unfavourable to what was then commonly called *the cause* were marked for vengeance. He remembers to have heard by some person (who it was with certainty he cannot say) that Mr. Scull the printer was a good man, that his letter to
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the governor was favourable, but that the others ought not to be permitted to live in the country, or to such effect. That he recollects well, that he was so anxious at the time for the safety of general Gibson, (whose letter was inoffensive even if the country cause had been a good one), and also for young Neville, whose letter was a private one to his father-in-law; that he spoke to doctor Baird on the street, and he believes to colonel Blackeney also, desiring them by all means to go to Pittsburg (with the mail) and *warn the gentlemen who were thus in danger, of their perilous situation, as well as that of the town, which was in danger on their account.* The deponent recollects further, in the conversation with colonel Marshall, after the colonel's return from Mingo creek meeting, that he told the deponent of a letter *which colonel Presly Neville had written to that meeting, and spoke of it as an insult to the people.* Further at present he recollects not, but can say that he never heard either colonel Marshall, Mr. Bradford, or any other person concerned, say that Mr. Brackenridge had any previous knowledge, or was concerned in the intercepting the mail, the march to Braddock's field, or any act or acts of violence whatever, either by advice, acquiescence, or otherwise.

Sworn before } DAVID REDDICK.
A. ADDISON. }

Pittsburg, September, 10th, 1795.

Sir,

I cannot answer your letter fully, as the conversations which I had with Mr. Bradford, at New-Orleans, related generally to himself, and his own conduct during the late unhappy troubles that prevailed in this country. I remember that when I asked him if ever a private correspondence had ever existed between himself and Mr. Brackenridge, during, or relating to the insurrection; he declared in the most solemn manner, that no private written communication had ever been made by either party, nor had any conversation ever been held by you, with each other on that subject, except when others were present.

Your humble servant,

JOHN HOLLINGSWORTH

Mr. Brackenridge.

I do certify, and if legally called upon, will depose, that being elected a delegate to the committee at Parkinson's ferry, the first meeting; on my way to that meeting, fell in with Mr. Brackenridge,

Brackenridge; a few miles from the meeting; rode with him; and had conversation, in which he explained his views in going forward, on that occasion; that he had no idea of countenancing the violence of the country, but to manage it, and by an indirect way put a stop to it; that opposing it directly, would be dangerous and useless; that it was on this principle the people had gone from Pittsburgh to Braddock's fields; I remember perfectly his saying, that it was a great object to get the business out of the hands of the multitude, and bring it into committees, as matters could be managed in these, better than with the bulk of the people. I at the time approved of these sentiments, and the idea struck me, that what led him to communicate himself freely to me, was my answer to some questions he put to me; viz. some questions with regard to the meeting of battalions on Braddock's fields; particularly who the man was that came up from the camp at the time and said, "if you do not go and settle matters quick, we would go on and settle them ourselves;" also some questions with regard to the minds of the country. He appeared to be sounding me at first, but soon entered into a free conversation, and explained himself in confidence. After the meeting at Parkinson's ferry, in the evening of the first day, I had a conversation with Mr. Brackenridge, and said to him, that I had liked all that he had said that day, except some of the words in his last speech, as not consistent with what he had explained in the morning as his intention; viz. that they seem to countenance the idea of war. His answer was, "Is it possible that you did not see through it?" I said, Well, I did not then, but I do now. His words had been something about displaying columns and making a shew of opposition, and talking of war; but not going so far as to carry in into effect.

The state of the country had been at that time, and was very dreadful. Threats of burning and destruction of property. It was a pert thing to take matters out of the mob state by committees. These were the salvation of the country. At going to Braddock's fields, had great apprehension of the town being burned, and nothing but the way that was taken by the people coming out, could have saved it, as it appeared to me. All these matters were talked over with Mr. Brackenridge. I am fully of opinion, that opposing the violence of the people at that time, directly, would have been as impossible as to create them. This is the general opinion now, and was then of every reflecting person.

AARON LILE.

October 1st, 1795.

P. S.

P. S. Mr. Brackenridge explained to me what he meant by the words that seemed to favour war. It was an apology for those that were warm for it; and by seeming to take their part and excuse the talking of war, he had kept them from forcing the resolves upon the committee to take up arms*.

* It surprised me that having given him the key to my system, he had not understood me. It was owing to his not having attended to the resolves which some were still anxious to force, and the motions in favour of preparation for actual war.

Sir,

In answer to a number of queries, I have received from you, I will observe, that I well recollect that after the compromise between Virginia and Pennsylvania, respecting soil and jurisdiction in this country, and perhaps in the year 1781, a dissatisfaction, not without symptoms of violence, existed on account of the compromise; and a strong party was formed, whose declared design was to prevent the compromise taking effect, by establishing a state of our own (as it was termed) independent of both Virginia and Pennsylvania. To this proposition in all its parts and possible consequences, I know you were opposed in word and deed, nor do I doubt my having a correct knowledge of your sentiments on this occasion.

Again on the publication of the federal constitution, the part you took was, in my estimation, decidedly favourable to its adoption; nor have I had any reason from that day to this, to change this opinion. I believe it is correct.

To the third query, my opportunities of knowing your sentiments, since the adoption of the federal constitution, have been a continuance of the acquaintance and good degree of intimacy that had long before existed between us. I have often heard you speak on the subject, not only publicly but privately and confidentially. I have observed your actions to correspond with your words; and upon the whole, have never discovered a disposition on your part, to disturb or overthrow the government of the United States; far otherways; nor has common fame, properly so called, ever expressed such an opinion of you in my hearing, altho' some individuals have*.

Lastly, It is true, I was an inhabitant of the town of Washington, during the whole of the late disturbance, and seldom went out of it. I was not an inattentive spectator of what

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* No individual ever had any ground to think so, it must have been the malicious or ignorant.

was going forward, and I had what I think the best information from almost all quarters; and upon all I have collected, the impression on my mind is, *that you had no privacy with the principal actors in the outrages; that your advice, or promised, or expected support, never encouraged them; but that they rather feared you;* this has been my opinion throughout the whole business. I have often declared it. It is my opinion now, and will continue so to be, until I have testimony much stronger to the contrary than I yet have.

--I am,

Your very humble servant.

THOMAS SCOTT*.

Washington, March, 30th, 1795.

Hugh H. Brackenridge.

* Late member of Congress from the western country of Pennsylvania.

Sir,

I take the liberty of making to you a few queries relative to myself, in the transactions of the late insurrection in this country, your answer to which will oblige me.

1st. Were you not in the town of Washington at the time of the return of individuals to that place who had been at the meeting at Mingo creek; and what was the impression which seemed to have been made on their minds with respect to what was said by me at that meeting; was it that of having supported or evaded the proposition of Bradford, and the measures proposed by the more violent?

2^d. At what point of the business did you come forward, and was present in the committee of battallions on Braddock's field; and what was the impression on your mind with respect to my conduct in the case of Neville, Gibson, and Craig; and what do you recollect, or is your impression with respect to our engagement, I mean those of the committee from Pittsburgh, with regard to Abraham Kirkpatrick, and others that had been sent away; did we not pledge our persons for theirs, that they had gone and would not return; and did not this stipulation appear to you to be the result of necessity at that juncture, to allay the rage of the people against the town, on account of those persons?

3^d. Shortly after the day of Braddock's field, do you recollect my stating to you the delicacy of my situation, and wish to extricate myself from it; that I had thought of procuring myself

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to be sent to the executive, on behalf of the people of Pittsburg; to represent their situation, and the motives of their conduct; and having done this, not to return; that with this view I wished you to found some principal persons, and see whither it would seem that I could be so appointed; and did you not give me information afterwards, that you had founded, and found an unwillingness that I should leave the town or the country, but rather remain, in order to assist in ways of our general safety?

4th. Before the election of delegates for the town of Pittsburg to the meeting at Parkinson's ferry, did I not express to you my determination of not suffering my name to be mentioned as a delegate, recollecting with what difficulty I had extricated myself at the Mingo meeting house; that it would be better, in order to save appearances on the part of the town, to let some person go forward who would not be expected to speak, or take any conspicuous part in the business: Was it not rather your opinion, that it was a turning point of the business to get forward as many as possible of moderation, address, ability, and influence, in order to parry the desperate measures that might be proposed; and did you not undertake to go to Washington, and accomplish, as far as in your power, the procuring persons to be elected of that description; and was it not upon this ground that I acquiesced, and changed my determination?

5th. At the meeting of Parkinson's ferry, did I not explain to you the plan I had devised, which was that of sending commissioners to the executive; and did not I shew you an address I had prepared to the President, such as I thought the people would be willing to send; but the commissioners sent would expose the real state of the country, and devise measures for the pacification of it; and did not I suggest to you, that the obtaining an amnesty for what was done, would be the means; those that were desperate, from a sense of the violation of the law, seeing then a prospect of safety, or a way of getting out; and did you not, with my consent, take this address to read over, and shew it to the commissioners; as it would give them the same information which was intended for the President?

6th. At Parkinson's ferry, towards the close of the business, at what was considered a delicate crisis, when it was agitated whether the commissioners who had been announced as having arrived, should come forward to the people there present, or a delegation be made of persons to confer with them at a separate place; and was it not considered by us, that the coming forward there would be fatal, as whatever propositions were

brought forward, would probably at this instant be rejected by the multitude; and when several speakers of the moderate description seemed to have failed in advocating a separate conference, was I not called upon by you, and addressed in these words, "This is the turning point; you must now speak." I had a considerable time before that left the circle, and was walking at some distance from the croud. Did I not inform you, that I despaired of it, so many others having spoke in vain; you said, I could do it. Did I not then come forward, and with great difficulty accomplish it, and returning to you from the croud say, "The point is now gained; there is a ground whereon to establish peace?"

7thly. What, in general, is your impression of my zeal and fidelity, in accomplishing the point which I had in view, of serving the people by saving them with the government; and at the same time serving the government with them.

You may, if you please, annex your answers to these queries, or answer the substance in a letter.

I am;

Your humble servant,

HUGH H. BRACKENRIDGE.

11 April, 1795.

James Ross, of the senate }
of the United States. }

Pittsburgh, 11th April, 1795.

Sir,

Want of time before you leave this place, prevents my answering your queries of this day so fully as I could wish, but I shall endeavour to state as concisely as possible, my recollection of the facts to which they are pointed.

I lived in Washington at the time general Neville's house was destroyed, and during the time of the late disturbances. On the return of the Washington gentlemen from the Mingo creek meeting, I understood from them that a proposal had been made in the meeting, that those guilty of the outrage should be supported by force against all attempts to punish them, and that this had been warmly advocated by some of our Washington people; but that you were of a different opinion, and had stated, that in all probability the government might be induced to forgive it, and that a combination of this sort would involve the whole country, and oblige government to take notice of those who had transgressed. This meeting ended by a proposal to have a more general one

from

from the four counties west of the mountains in Pennsylvania, and, as I understood, the western counties of Virginia, were to be notified to attend on the 14th of August at Parkinson's ferry. Before this day arrived, the mail was robbed, several obnoxious letters were found in it; a project for taking the public arms, ammunition and stores at Pittsburgh, was set on foot; this plan also embraced the seizing and punishing in an exemplary manner, the writers of those letters, who were called traitors to their country; and the militia were called to assemble at Braddock's field, and to march from thence to Pittsburgh.

The names of those publickly denounced in Washington, in presence of the troops (who were hesitating whether they would march, or not) were Thomas Butler, Abraham Kirkpatrick, John Gibson, James Brison, and Edward Day. When the troops were assembled at Braddock's field, a large committee was appointed to consider and settle what should be done. This committee sat a long time, and the soldiers became clamorous for a march to Pittsburgh. At this time I came to the committee, who were at some distance from the main body. I then learned that the design of attacking the fort was abandoned; that the committee had resolved to petition the President for the removal of colonel Butler from the command of the fort; that they had ordered the banishment of major Kirkpatrick, Mr. Brison, and Mr. Day; and they were taking the question whether colonel Neville, and general Gibson should not be banished. John Wilkins and you, made a proposal to postpone their banishment until the meeting of the 14th August; but this was negatived. I am not certain whether this proposal was confined to these last named gentlemen, or extended to all, but rather think Neville and Gibson only included. One of the committee then denounced major Craig, for having said he would keep an inspection office in his own house, rather than the excise law should be defeated. A good deal was said on this subject; his expulsion was at last prevented by a proposal of yours, that a petition should be sent to general Knox for his removal. It being very questionable whether Butler would not protect him in the fort, as belonging to the army; and at all events the public business would suffer from the want of a proper officer to take care of the military stores. This was agreed to. The time within which the banished men must depart was fixed, and passports allowed them. *The Pittsburgh committee men were called upon to pledge themselves for the full execution of the resolutions, which they did; but whether their own persons were pledged*

or not, I do not recollect. After this was settled, one of the Washington members rose, and proposed that the troops should march home through Pittsburgh, and that they should all go in a body; professing his belief that they would do no harm, and stating, that the news of five thousand men having marched through that place, would strike terror into the minds of all below, who might dream of punishing any thing that had been done. From the first of the meeting at Braddock's field until this time, it had been my opinion, that we could prevail with the troops to go home from thence; but finding a great majority of the committee for marching to town, I doubted of the practicability of preventing them, and it was evidently the best policy to carry the well disposed along with the violent, in order to controul them.

This was the opinion of all the well disposed part of the people assembled there, and accordingly the unarmed, as well as the armed, were put in the ranks and proceeded to Pittsburgh. These expulsions, and this march, were the result of the meeting at Braddock's field; and *nothing but the apparent consent of the Pittsburg people to all these measures, could have saved their property from utter destruction.* Almost all the inhabitants of the town were at the field, and expressed to me their despair of saving the town, provided the insurgents marched into it. You exerted yourself, amongst others, to the utmost, in order to prevent this measure. But when it was resolved on, in my opinion, no person who wished the safety of the place, would either have opposed the march by force, or sent home the peaceable well disposed part of the militia.

The facts mentioned in your third, fourth, fifth, and sixth queries, are, to the best of my recollection, correctly stated. I may forget words; but the impressions made on me, and sentiments expressed by you, are substantially as there stated; and it would be only a waste of time to repeat the several subjects there alluded to. *I saw many alarmed, and anxious for the safety of their country, for the re-establishment of the government, and who expressed an abhorrence of all that was doing.* I thought none of them more seriously so than yourself; and when you came as a committee man to settle the terms of submission, I am persuaded there is no one will deny that you exerted yourself to get every reasonable concession on the part of the government, in favour of your constituents.

Finally, Sir, *there is no impression on my mind, from any part of your conduct in the late disturbances, which I have seen, nor*
from

from any thing I have heard you say, that you attempted in any instance to inflame the minds of any of the people against an individual, or to turn the force of others against a private enemy.

I am, Sir,
Yours, &c.

JAMES ROSS.

H. H. Brackenridge, esq.

In answer to certain queries proposed to me by Hugh Henry Brackenridge, esq. I can certify, and were it necessary at this time, could depose, as follows :

I resided at Washington during the disturbances which lately took place in the four western counties of Pennsylvania, but was occasionally at some of the public meetings, which were held in different parts of the same, in consequence of those disturbances. I have had frequent opportunities of observing the conduct of those who were most conspicuous in exciting the commotions, but never had the least reason to suspect him of any *privity or concert with those leaders*. On the contrary, from the period of my first conversation with him on the subject, which was on the evening that the intercepted mail was carried from Washington to Pittsburgh, throughout the whole of the transactions, he expressed uniformly to me sentiments in opposition to the violence and outrages which were taking place. My communications with him were frequent ; and I am persuaded with the most perfect confidence and sincerity on his part. Some were made in company with James Ross, esq. and others without the presence of any third person ; but in either situation, was that of a strong disapprobation of the madness and folly which had taken place.

On the morning that the intercepted mail was brought to Washington, immediately on hearing of it I went to Mr. Bradford's house, and in a few words requested him to explain to me the meaning of what I had heard. His reply to me was, " We have discovered that there are traitors and aristocrats (this I think was the language, for it made a strong impression on me) who are forming schemes to trample upon the liberties of the people ;" and other conversation to that effect, immaterial to be related. I asked him who they were, and what had been discovered. He answered, that there was a certain Mr. Day, and a certain Mr. Brisson, also a certain general Gibson, who did not stand very fair, and that Presly Neville had not behaved very well. I may err as to the precise words,
but

but am pretty certain as to the substance, and as to the persons above mentioned. The letters were not shewn to me by Mr. Bradford, nor did he proceed to detail to me, what the particulars of the discovery were. The letters were read the same day at a town-meeting in Washington; and also the next day, and the writers of them denounced as aristocrats, and deserving punishment.

When I went in company with those who carried the mail from Washington to Pittsburgh, which was the day previous to the assemblage of the people at Braddock's fields, I certainly apprehended *great danger of mischief to the town, and also to the persons whose letters had occasioned the summoning of the people to Braddock's field.* My opinion was, that the best mode of averting this danger was, for those people themselves to retire. General Gibson and colonel Neville can perhaps remember my communicating to them my sentiments to this effect. Tho' I felt all its harshness with respect to the individuals themselves, who were thus obliged to relinquish their families and country, I compared it with what appeared to me the very probable dangerous consequences, which were to result *to the persons, and property of those persons,* and of the inhabitants of Pittsburgh, from their omitting to do so.

I was present at the conference between the gentlemen who took the intercepted mail to Pittsburgh, and the delegates from the town-meeting of that place, then sitting. As well as I can recollect, colonel Neville was there, if not all the time, certainly a part of it, and while the business on which the former had come was explained, which was done in a few words, and the letters which have been mentioned were shewn.

The gentlemen from Washington at this conference, certainly omitted to mention the names of general Gibson and colonel Neville, as persons obnoxious on account of their letters, as being in personal danger; or that their removal was necessary for the safety of the town. My reason for remembering this is, *that I was astonished at the omission;* and felt the greatest apprehensions for these two gentlemen, and considered them as in danger if they should be kept ignorant of their real situation. I also was alarmed for the safety of the town, if the measure recommended by the gentlemen who carried the mail, and by myself also, viz. "That those whose letters had rendered them obnoxious should retire," was not adopted as to the whole of them.

I refrained with some difficulty from mentioning it to colonel Neville

Neville, and was persuaded that a very dangerous delicacy towards him on account of his presence, and no other cause, had prevented the mention of his name. I also felt myself in a situation too delicate to interfere thus far in the business; as I had only gone to Pittsburgh accidentally, in company with those who had the custody of the mail, and was not considered as one to whom the business was in any degree committed. My uneasiness however increased so much during the evening, that I determined to interfere for what I conceived to be the safety of the town, as well as of general Gibson and colonel Neville. I called upon Mr. Brackenridge at near 12 o'clock that same night; told him of the omission, and my opinion of its consequences. He immediately proceeded to call together as many of the members of the town committee as could be procured. This was done. They met at his house in perhaps an hour and a half; and I then communicated to them what I have above stated to have been omitted, and I think that I also mentioned major Craig as one in similar circumstances with the other two gentlemen, and told them my opinion of the consequences. It is my belief that it was solely in consequence of my interfering in this manner, that those gentlemen first came to know that they were considered as in danger, and that general Gibson and colonel Neville were informed of their being considered as obnoxious. What took place at Braddock's fields the next day in the committee, confirmed my opinion of the night before, with respect to them. I certainly did not observe in Mr. Brackenridge at any time during the business, the least symptom of ill will, or a malignant disposition towards those two gentlemen last mentioned. I remember shortly after the above transaction, something like the following to have taken place between Mr. Brackenridge and myself: I mentioned to him (in consequence of my having frequently heard that he was on bad terms, if not with colonel Neville, with some of the connections of the family) that it was probable the banishment of colonel Neville, and perhaps I might have mentioned the burning of general Neville's property, would by some be attributed to his means. He replied; that he supposed it might be so, but that it would be a great mistake; for if he had meant to serve them, he could not do it more effectually than by such conduct; that it would make their fortunes, as the government would certainly pay them well for all loss or injury.

My opinion of his conduct in public at the Redstone meeting, when the terms of accommodation proposed by the commissioners were discussed, was, that it was influenced by the sincerest

cerest desire to procure the accession of that committee to the terms proposed; and his speech on that occasion, contained the most unequivocal declarations of his sense of the propriety and necessity of accepting them.

In private I do not recollect to have had any communication with him at that time, or to have made any remarks upon his conduct or conversation out of the committee.

At Braddock's field, as at Redstone, I had little communication with Mr. Brackenridge. He was engaged as a member of the committee; and of course principally taken up with those who were most immediately concerned in the transactions of the day. I rode in company with him from Pittsburgh to Braddock's field, on the day that the inhabitants of the town went to meet the people there assembled, and had some conversation with him on the road relative to the business; in which conversation his mind appeared to me strongly *impressed with the alarming situation of this country, and his sentiments and intentions to be such as I wished to find them.* My opinion of his conduct on that day, formed partly from my subsequent conversation with himself on the various transactions of it, and partly from conversation with James Ross, esq. and others there present, respecting the same is, that it had for its object, the averting danger from the town of Pittsburgh.

My opinion of the whole of his conduct throughout the insurrection in this country, I shall give without reserve: It appeared to me to have two objects; *to arrest the progress of the present violence; and to procure an amnesty for that already committed, and thus prevent the flame from spreading beyond that country in which it originated.* Though in some instances during the transactions, my opinion differed from his, with respect to the measures adopted for the accomplishment of particular points, I never entertained any doubt of the propriety of the principle which actuated him.

Whatever may be the solidity or justness of this, or any other opinion I have here given of Mr. Brackenridge's conduct and principles, in the disturbances of the western country, I can with safety vouch for the sincerity with which it is given, and he is at liberty to make any use either public or private, of these sentiments in reply to his queries.

HENRY PURVIANCE*.

Sir,

* Attorney for the commonwealth of Pennsylvania in the county of Washington, and appointed since the insurrection.

Sir,

I have received your letter, desiring me to state to you "my knowledge of your sentiments and conduct, respecting the adoption of the federal constitution; and of your disposition to support it since its adoption; and to state also whether I have discovered from you, any idea of overthrowing it; or have any reason to believe that you advised or countenanced any illegal opposition to the excise law; or had any concern in exciting or supporting the late disturbances."

In making this statement as sincerely and candidly as I can, I shall speak from my observation of your conduct in an acquaintance of more than nine years, and in your company in social and familiar conversation at the courts of this circuit, within almost the whole of that time; from my confidence that your conversation on political subjects is frank and sincere; and from my opportunity of learning the opinions entertained of you by the judges my associates, and other respectable citizens in the several counties of this circuit.

Your approbation of the federal constitution from its publication, and your exertions to conciliate the minds of the people towards it; and promote its adoption, are notorious. Since its adoption, I believe that you have constantly retained your respect and attachment to it; and I know nothing to induce any suspicion of your conceiving an idea of overthrowing it.

It is impossible for me, without erasing all my impressions of your character and conduct, to suppose that *you ever advised or countenanced any illegal opposition to the excise law*; I think your sense of civil duty strong and accurate, and believe you incapable of suggesting or approving any unlawful act.

During the disturbances here, until the first conference with the commissioners at Pittsburgh, I was absent from this country. At the time of that conference you there expressed to me the utmost disapprobation of the preceding acts of violence, and regret for their effects; your perfect satisfaction with the terms proposed by the commissioners, as the best that could be offered; and your resolution to exert every endeavour to induce the people to accept of them; and, *if you should fail, to leave this country*. I am persuaded that you spoke your mind, all your subsequent conduct, so far as I ever understood (and I knew much of it) uniformly corresponded with those declarations; and I believe you contributed greatly to the restoration of peace and civil submission in this country. It must be supposed, that the outrages which had been committed, would be frequentsubject

conversation ; but I have never heard, *from any man of understanding, information, and impartiality, that you had any participation in the guilt of them.*

The imputation of this to you was matter of surprize to me ; and I am persuaded that it arose *from ignorance and misconception of your motives, or from prejudice.*

I am, Sir,

Yours, &c.

ALEXANDER ADDISON.

Washington, 31st March, 1795.

H. H. Brackenridge, esq.

Dear Sir,

Annexed you have my answer to your queries, and limited to them here, I will also state, that I was in your house on the 5th of September last, when you received by post an answer from *Mr. Tench Coxe to your letter to him.* You showed me a copy of your letter, and his answer. You expressed surprize that he mistook the aim of your letter (*which you said you had calculated, without exposing yourself to the raging prejudices of the people here, to convey to government an impression of the magnitude of the disturbances, and the propriety of conciliatory, previous to coercive measures*), and that he should have thought it necessary to convince you of the necessity of submission ; and you observed, that he reasoned with you as if you were an insurgent.—You may consider this as part of my preceding letter, or not, and deal with the whole as your interest may direct you.

ALEXANDER ADDISON.

Washington, February 16th, 1795.

Sir,

I received your letter of the 13th instant, and have no doubt but that you are entitled, at least, to a full statement by letter, of your expressions to me in Pittsburgh ; but I much doubt the propriety of voluntarily going before a magistrate, and making a deposition on the subject. And as it is an extrajudicial business, I presume no magistrate will call upon me by subpoena, for the purpose.

I know well you have enemies, and believe they are my friends. I respect them, and regard you. It is not for me, therefore, on the one hand, by a voluntary act of mine, to lose my friends, or wound their feelings, even though they be your enemies ; nor on the other hand, to retain their friendship, by

withholding

withholding an act of justice from you. I have therefore determined to do no more on either side than strict justice, which will be effected by answering your letter. If any man doubts my words, I presume he would not respect my oath; and I flatter myself, that all who know me will doubt neither.

I recollect perfectly, that on the day I think previous to conference being opened in Pittsburgh, between the commissioners on the part of the United States, and the committee appointed by the deluded people, I entered without reserve into a short conversation with you, relative to the situation of the western country. Your sentiments I recollect fully coincided with mine on that occasion. One sentiment of yours struck me, as strongly characteristic of your opinion, which was, "*that if the designs of individuals, or the obstinacy of the multitude, should prevent submission to the government, you were determined to leave the country; that the consequent sacrifice of your property should not influence you; that the sacrifice would probably be but temporary; for that obedience would, and ought to be enforced; that government had the power, and no doubt would exert it on that occasion.*" One of us mentioned the necessity of inducing Mr. Bradford to comply with the terms which might be proposed by the commissioners. I suggested the propriety of the use of your influence with him. You doubted whether you had any; and said, "*the only way you ever could manage him, was by pretending to anticipate his opinions; and thus persuade him to come into measures as his own, than which nothing could be more foreign to his thoughts; but that you would leave no means untried, to effect a change of his mind.*"

It cannot be expected that I should now give the words of our conversation on that occasion; but I am persuaded I have given the ideas. The belief that you were directly or indirectly concerned in the late insurrection can only be entertained by those, *who from their distance from the scene of action have been imposed upon by misrepresentations, and have therefore formed conclusions upon ill founded premises; or by your enemies, whose prejudices have totally prevented enquiry.*

The dangerous and unpopular part I took in the late insurrection, and the detestation I entertain for all those defamatory societies, who have for their object the dissemination of jealousies against the government; and who, I have no doubt, contributed greatly, (perhaps undesignedly), to the late dishonorable insurrection, are, I hope, sufficient pledges of the truth of this statement, even when it is made in favour of you, who, unfortunately

tunately by misrepresentation, or partial statements of facts, have incurred the displeasure of, or at least the suspicion of government.

I am, Sir,

With respect,

Your obedient servant.

JOHN HOGGE *.

Hugh H. Brackenridge.

* This gentleman, late a member of the senate for the state of Pennsylvania, his character well known, and his disengagement will not be questioned.

*A Copy of the Countermand by BRADFORD *.*

Dear Sir,

Upon receiving some late intelligence from our runners, we have been informed that the ammunition we were about to seize; was destined for general Scott; who is just going out against the Indians. We therefore have concluded not to touch it; I give you this early notice, that your brave sons of war need not turn out till further notice.

Yours,

DAVID BRADFORD.

Col. David Williamson.

* Referred to, Volume I, page 45.

Letter to Fench Cox, &c.

Pittsburgh, August 8, 1794.

Sir,

I have received no papers from you; your letter by the post is the first I have heard from you. I take the opportunity to give you, in return, a summary of the present state of this country, with respect to the opposition that exists to the excise law. It has its origin not in any antifederal spirit, I assure you. It is chiefly the principles and operation of the law itself, that renders it obnoxious. Be this as it may, the facts are these:

The opposition, which for some time shewed itself in resolves of committees, in representations to government, in masked attacks on insignificant deputy excise officers, for only such would accept the appointment—did at length, on the appearance of the marshal in this country to serve process, break out into an open and direct attack on the inspector of the revenue himself, general Neville. These circumstances you will by this

time

time have heard, from the general himself, and from the marshall, major Lenox.

Subsequent to their departure from the country, notice was given of a meeting on the Monongahela river, about eighteen miles from the town of Pittsburgh. Six delegates, of whom I was one, were sent from this town. Nothing material was done at this meeting, but the measure agreed upon of a more general meeting, on the 14th of August, near the same place, to take into view the present state of affairs of the country.

Subsequent to this, the mail was intercepted, characters in Pittsburgh became obnoxious by letters found, in which sentiments construed to evince a bias in favour of the excise law, were discovered.

In consequence of this, it was thought necessary to demand of the town that those persons should be delivered up, or expelled, or any other obnoxious character that might reside there: also, that the excise office still kept in Pittsburgh, or said to be kept there, should be pulled down; the house of Abraham Kirkpatrick, burnt or pulled down; other houses also, that were the property of persons unfavourable to the cause. For this purpose, circular letters were sent to the battalions of the counties, detachments from which met on Braddock's field, to the amount of at least five thousand men, on the 2d of the month. It was dreaded, on the part of the town, that from the rage of the people involving the town in the general odium of abetting the excise law, it would be laid in ashes. And I aver that it would have been the case, had it not been for the prompt and decisive resolutions of the town, to march out and meet them as brethren, and comply with all demands. This had the effect, and the battalions marched into town on the 3d, and during their delay there, and cantonment in the neighbourhood, with a trifling exception of a slight damage done to the property of Abraham Kirkpatrick, in the possession of his tenant, which was afterwards compensated*, behaved with all the regularity and order of the French or American armies, in their march through a town during the revolution with Great Britain.

The town of Pittsburgh will send delegates to the meeting of the 14th instant—what the result will be, I know not. I flatter myself, nothing more than to send commissioners to the President

* In this I was mistaken; it had it been proposed to compensate, but had not been done. I have called it a slight damage, as I presume the value of the house and grain destroyed, could not have been more than 100 dollars; perhaps not so much.

fidest with an address, proposing that he shall delay any attempt to suppress this insurrection, as it will be stiled, until the meeting of Congress. This will be the object, simply and alone, with all that labour to avert a civil war. On the part of the government, I would earnestly pray a delay until such address and commissioners may come forward. This is my object in writing you this letter, which I desire you to communicate either by the Gazette, or otherwise.

It will be said, this insurrection can be easily suppressed—it is but that of a part of four counties. Be assured, it is that of the greater part—and I am induced to believe, the three Virginia counties, on this side the mountain, will fall in. The first measure then will be, the organization of a new government, comprehending the three Virginia counties, and those of Pennsylvania, to the westward, to what extent I know not. This event, which I contemplate with great pain, will be the result of the necessity of self-defence. For this reason, I earnestly and anxiously wish that delay on the part of government may give time to bring about, if practicable, good order and subordination. By the time the Congress meets, there may be a favourable issue to the negociation, with regard to the navigation of the Mississippi, the western posts, &c. A suspension of the excise law, during the Indian war, a measure I proposed in a publication three years ago, in Philadelphia, may, perhaps, suffice. Being then on an equal footing with other parts of the union, if they submitted to the law, this country might also.

I anticipate all that can be said with regard to example, &c. I may be mistaken, but I am decisive in opinion that the United States cannot effect the operation of the law in this country. It is universally odious in the neighbouring parts of all the neighbouring states, and the militia under the law, in the hands of the President cannot be called out to reduce an opposition. The midland counties, I am persuaded, will not even suffer the militia of more distant parts of the union, to pass through them. But the excise law is a branch of the funding system, detested and abhorred by all the philosophic men, and the yeomanry of America, those who hold certificates excepted. There is a growing, lurking discontent at this system, that is ready to burst out, and discover itself every where. I candidly and decidedly tell you, the chariot of government has been driven Jehu-like as to the finances; like that of Phaton, it has descended from the middle path, and is likely to burn up the American earth.

Should

Should an attempt be made to suppress these people, I am afraid the question will not be, whether you will march to Pittsburgh, but whether they will march to Philadelphia, accumulating in their course, and swelling over the banks of the Susquehanna like a torrent, irresistible, and devouring in its progress. There can be no equality of contest, between the rage of a forest, and the abundance, indolence, and opulence of a city. If the President has evinced a prudent and approved delay in the case of the British spoils, in the case of the Indian tribes; much more humane and politic will it be to consult the internal peace of the government, by avoiding force until every means of accommodation are found unavailing. I deplore my personal situation; I deplore the situation of this country, should a civil war ensue.

An application to the British is spoken of, which, may God avert. But what will not despair produce?

Your most obedient servant, &c.

HUGH H. BRACKENRIDGE.

Tench Coxe, esq.

Extracts from the Notes of Mr. Rawle, Attorney for the District, taken in the Course of the Trials; and inserted here to supply Omissions in my Narrative, or illustrate some Parts of it.

ROBERT CALHOUN.

“SATURDAY before the 14th August, five persons for Mifflin township appointed as delegates to Parkinson’s ferry; thought necessary to instruct them; seven persons appointed to draw up instructions; proposed to instruct, that a remonstrance should be drawn up to the President, requiring him to suspend the execution of the excise law; opposed with great violence; I. S. got up in a great passion; said he would not sit with any fellow that would propose a petition or remonstrance; that they had frequently petitioned and remonstrated; always thrown under the table, and nothing done.

Some people looking in at the window, and hearing the motion made, broke in at the window, and were going to lay on; slipped out of the house, got on my horse, and was going away; was forced to return. When I came in again, I. S. proposed that a declaration should be drawn up, stating, *that we did not wish to be struck off from the government, but would support it; and at the same time would never submit to the excise law; but would defend our lives and liberties with our fortunes; this I signed; nothing else could be done then; read this to the people; generally pleased with it.*”

I have extracted the above as an instance, and a proof, of the violence of the people at that period.

ANDREW BOGGS.

“July 4, 1794, went to a muster at colonel Parker’s; people chiefly collected, and in their ranks; went to a piece of ground; mustered; manœvered, and returned to Parker’s; ranged themselves in companies. A paper was produced for every man to put his mark that opposed the excise law; one paper went through two or three companies; saw, or heard of no man who refused signing it, but one; the people much displeased with him; he was threatened; speeches made against the excise law; said the power of Congress was such they did not

not know where it would end; they had made a supplement to the former law, that there should be but one office in each county; that they had lately erected an office in Washington county, but found they could not support it; that in their opinion they should not submit to the law at all; that it was better to take up arms against it; urged the people in strong terms to hold out, and not submit to it; asked a gentlemen, whom I thought a friend, what was best for me to do, as the people had thrown out threats against me; said, he had been my friend; but it was time for me to say something for myself; that the crisis was come when they would have no such people, and I must be one way or the other.

A few days before this meeting, major ——— mentioned to me, that it would not be long before I would hear of a party of 400 or 500 who would join to suppress the excise office in the county, and that they would march to general Neville's. I communicated this, and what passed at the meeting, to colonel Neville.

Had apprehensions both for my person and property; resolves passed at a committee, against every one that entered stills, and general threats held out against it. I understood they were to march to general Neville's house, and take the papers from his office respecting the excise law."

The above is extracted to shew the disposition to outrage, even before the coming of marshal Lenox.

JAMES THERR.

"Was in a committee about 12 or 1 o'clock evening after the first attack on Neville's house, J. M. F. B. P. J. S. J. B. and myself, the committee. J. B. proposed that a sum of money be raised, and given to some ordinary persons to ly in wait, and privately take the life of general Neville. A vote was taken; majority against it. Next proposal to call out a greater force to meet at Couche's; agreed."

JOHN HOLCROFT.

James Gallagher came to me; went round as an express to warn the inhabitants to see what could be done; the marshal being there, "serving processes." I went, and several others; considerable numbers; some armed; expresses went to different parts; all turned out; myself appointed to command; a council chosen; proposals made in regard to the business; no mention of general Neville; only of the marshal at this time; the mar-

shall to be taken, and brought; then to be determined what to be done in regard to his sending precepts on the different people; proposed if fired on, to burn or destroy any thing that came in our way; resolved that a party of us go to the coal hill at Pittsburgh, to intercept the marshal, and if taken, brought back. Captain Pearfol appointed, and chose eight men; orders given by the council *if they met with opposition to return it*; we set out to general Neville's at the same time; got there at day break; drew up and counted; had 37 guns; dismounted; marched up to the house; challenged by general Neville; said, were friends from Washington, come for a guard for you; said *stand off, and fired immediately; shot Oliver Miller, who afterwards died*; some 25, some 50, or 60 yards from the house. Our party returned the fire; a horn blowed; negroes fired on our rear; wounded several of our people; retreated to Couche's fort; sent three men to recal the party from the coal hill; went home; received a message that afternoon to come back with what strength I could get; met at Couche's fort 300 guns; a body from C. came after counting; council called; a flag to be sent to general Neville; proposals that general Neville should resign his commission, be a good citizen, and nothing else; marched; halted two miles from Neville's; M'Farlane appointed commander; flag sent in; answer, general Neville not at home; at Neville's house 5 or 600 men."

ARTHUR GARDNER.

"We were to go on with business, if general Neville did not give up the papers relative to the excise law; expected he would give up his papers, by getting a great body of people to go forward. If he had given up the smallest paper for the people's satisfaction, I did not know that he was to be ill treated; nor did I hear any body, except two vulgar expressions of injuring him in case he refused."

JAMES M'ALLISTER.

Object of meeting at Couche's fort, was to consult as to what measures should be taken, in regard to bringing about a compromise respecting those who had made the attack, whether to be supported or given up; plan of proceeding to general Neville's concerted there, and not thought of before; result, *that we should proceed to general Neville, demand the resignation of his office, on doing which he would be received as a good citizen, and restored to the confidence of the people*; was present at Couche's

che's fort, when the marshal was about to be brought under obligation; he was taken out into Couche's yard to be sworn; proposed that he should lay his hand on the dead man's beard, and swear; objected. He was to swear, 1st. Never to make any returns to the writs he had served. 2d. Never to cross the mountain to serve writs of that nature again. 3d. Give up the writs that were served. 4th. Never inform of those concerned in the business. 5th. Have nothing to do with the excise office directly or indirectly; am not sure that he took this oath.

JAMES WHERRY.

Prisoner (Thomas Miller) came to me to notify me to Braddock's fields; said it was to take the garrison, to furnish themselves with ammunition for the object in view; urged me to go; said if I did not, I would rue it; they were now in a way to know the *whigs* from the *tories*; I said it was a foolish thing to talk of taking the garrison with small arms; he said they had sent to Wheeling for cannon.

DAVID HAMILTON.

Went to Couche's fort; saw many people; did not enquire, nor do I believe they knew themselves what was to be done. Sent with a message to general Neville, that if he would come out into the field, and give the people satisfaction, that is, not hold the office any longer, they would disperse. Second message I carried was, that they wished him to resign the office; that if six good reputable citizens should be admitted to go with Mr. Kirkpatrick to examine papers, and give them up, no further damage should be done. Refused; but that he would defend the house as long as he could; the people were for going forward; I said there were women and children, it was proper to remove them; agreed; time was given them to remove; firing began; house surrendered; saw Kirkpatrick afterwards in custody; took him away, and set him at liberty.

Colonel PRESLY NEVILLE.

Prior to this time (the attack upon the house of the inspector) two committees at Pittsburgh; saw their proceedings made public; colonel Cannon, chairman; Albert Gallatin, secretary.

I do not know that the opposition was more general afterwards, than before; but immediately after that meeting, the officers of the excise were treated with disrespect; before that time some had

had been disrespectfully and injuriously treated; my father before that time always treated with respect.

JOHN CANNON.

A person came and informed me of attack first day at Neville's. Asked the informer what was expected of us; said *assistance*; said, *I was afraid their proceedings would bring us to trouble*; it was rash; went to Washington; called upon Bradford, Marshall, and others; told them of what messenger had informed; proposed if they would go alone to prevent mischief, I would go with them to Couche's fort; *Bradford said he would not be concerned; let the people go their own way.*

JOHN HOLCROFT.

The marshal and his papers were the only object in the first attack on general Neville; at the second meeting at Couche's, it was understood it was general Neville who had fired and wounded some of the people; and they were determined to have satisfaction of him; had not before this time heard of any attack intended on him; his firing on the people was the reason of *determining on the second attack*; did not know general Neville when fired first attack; he had asked what we were; said a guard for you; we thought it was the marshal, and *meant a guard to conduct him to Couche's fort*. The object the second day, was to go to Neville, and oblige him to resign his commission. *Question*, Why fire on the house, when you heard general Neville was not at home? We did not believe that.

ALBERT GALLATIN.

30 writs served by the marshal in Fayette; meeting of distillers at Union town; 22 met, on all of whom process had been served; *question*, What to be done? Smiley and myself present; agreed to employ counsel, and appear to the writs; money raised, and sent by young Rabb; agreed unanimously to enter stills, or quit distilling; 19 determined to quit; 3 to enter; after this, some said they would continue, if others did; *extent of opposition not then known*; information of attack upon the marshal; Neville's house; Mingo creek meeting; Braddock's fields; attack upon Well's deputy excise office; attack upon office in the Glades in Westmoreland; drew a conclusion that there was a *general combination to expel the officers in that survey*; till then thought it a mere riot; but now perceive it was more dangerous.

Summoned to appear at the rendezvous of my company; was informed

informed the people of *Washington* were angry at the people of *Fayette*, because they had not stopped the marshal; a liberty pole raised; asked the meaning of this; said, it was to shew they were for liberty; I wished they would not act like a mob; was asked if I was acquainted with resolves in *Westmoreland*, that if any one called the people a mob, he should be tarred and feathered.

Learned that several of the townships in *Fayette* had elected deputies to *Parkinson's* ferry meeting; said I would go if elected; thought it perfectly proper and right for the people of *Fayette* to send deputies there; was elected; was convinced we must be involved in the general flame; a liberty pole at *Brownville*, inscription, "*Liberty, and no excise.*"

At *Parkinson's* ferry meeting, a liberty pole; some concerned that did not belong to the meeting; inscription, *Liberty, and no excise*; whether *Equal taxation*, not certain; "*United we stand, divided we fall. No asylum for traitors or cowards.*" A small flag on the pole with six stripes; *Mr. Findley* told me the majority of *Westmoreland* deputies were well disposed; some were not. *Peter Audrain* (a deputy from *Pittsburgh*) asked me if there was any probability that meeting at *Parkinson's*, would call back those who had been exiled. I said we must be governed by circumstances; *James Marshall* shewed me these resolutions, which I disapproved highly; he seemed to waver; said it would be well to give a power to a committee to call a meeting of the people, if it should be necessary; saw he wished *Cook*, chairman, me secretary. I said I had come with a design to oppose him and *Bradford*, and did not wish to be secretary; people soon after met in a field; committee and people together; *Cook* made chairman; myself secretary; first thing done was to recognize the members of the committee; list given to me of those from respective counties; 43 from *Allegheny*; 93 from *Washington*; 2 *Bedford*; 33 *Fayette*; 49 *Westmoreland*; 6 *Ohio*; total 226; about as many more spectators; at large proportion of those who had been active in the attack on *Neville's* house; about 20 miles from thence to *Neville's*; my impression of the violence of the people was such as to induce me to think that dissolving the meeting without doing any thing, would be the best that could be done. *Bradford* opened the business; relating briefly the circumstances which had happened in the coming of the marshal; *Neville's* house, &c. read a copy of the flag sent in to *Neville*; apology for the people's conduct; mentioning that *Neville* had fired first; placed every thing in a favourable point of view; read the original letters intercepted in

in the mail, from severals, mentioning a meeting at Mingo creek, in which Bradford had moved to make a common cause with the people who had attacked Neville's house, and *opposed by Mr. Brackenridge*; he did not deny the truth; but said he made *no motion, only a speech*; said this question was to be determined by the people at large; stated the expulsion of writers of these letters, by the people at Braddock's fields, expelled as enemies to the common cause; only thing remaining to be deliberated on was, *the mode in which the common cause was to be effectuated*. Produced a paper stating what we were to do; *purchase or procure arms, and ammunition; subscribe money; raise volunteers, or draught militia; appoint committees to have the superintendence of those departments*; Marshall supported this; don't remember his expressions. Marshall's first resolution put and carried; second resolution read; opposed by me; said it was not understood a *regular army was coming; militia of the United States could not be supposed hostile* to the western country; foolish to oppose them; question should be referred to a committee; wrong to proceed before we know what government would do. *Appeared to me from the temper of those that were there, the question would be carried if put*. Believe the major part may have been disposed to peace, but would not *have had the courage to act*. Mr. Brackenridge said, he hoped *pacific measures would be proposed by government, and arms would not be necessary*; but did not seem to apprehend the same danger from the resolve; *would do no harm to talk of these things*; wished something to be adopted to meet the sentiments of every body; highly important to be unanimous. *I doubted his real intentions*. He explained his meaning five or six days afterwards, (the first time we had a private conversation); he disapproved the proceedings that had taken place, as much as I did; but was attempting to do by art, what I had tried by direct means.

Marshall satisfied to have a committee to call forth the people; agreed by all persons. It seemed to be generally approved; Bradford made no public opposition; nor any one else; *my resolution was understood to exclude the idea of force, as I had spoken against it**

5th Resolve puzzled me a good deal; thought it best to *restrain*

* My idea was different. The putting the question had been parried by me, and in such a manner, that those who were for it, thought it was carried in effect; and those that were against it, thought it was evaded. Thus, that was done by art, which could not have been directly done.

refrain ourselves to exertions in support of the municipal laws of respective states. I was not afraid of personal injury; but of want of success. This carried by a greater shew of hands than any other.

Findley came, wished to inform the meeting that commissioners were on their way; thinks it was before second resolution being adopted. Committee of five to draw the resolves; substance of which had been adopted; one from each county, Brackenridge, Husbands, myself, Bradford, and ————. Second resolution not so full as before; *Bradford dissatisfied; suggested additional words, "and in case of any sudden emergency, to take such measures as they may think necessary;"* I suggested "*sudden emergency,*" applying it to any measures, which might arise in the country itself; agreed to in the committee, and so reported; believe adopted without change; have kept no copy; remember no debate second day; Corbley said remonstrance was useless; we had done it often; I said it would do no harm.

Second day President's proclamation came to hand; I read this aloud, being directed so to do; though on the whole, *it had a bad effect, seemed to produce anger; the idea of draughting the militia, and the charge of being guilty of treason, seemed to make them suppose it necessary to arm themselves; Marshall said nobody yet was killed; general clamour against adjourning; wanted to sit till committee of conference had gone to Pittsburg, and reported to them.*

I said only two things, *amnesty and repeal.* The President might do the first; could not the second.

Committee of sixty chosen out of the general committee.

Redstone; terms proposed not complied with; a company of militia came, threw all into confusion; debates in the committee of conference; Brackenridge and I for, Bradford on the other side, on the question; *he alone at Pittsburg against submission;* but second day, in the committee, said he saw the necessity of *inducing the people to submit;* but at Redstone *again took the other side.* Private meeting of members from Washington, second day of Redstone committee, proposed by Bradford; supported by Brackenridge, Edgar and myself."

Revisionary Notes.

WHEN I say revisionary, I do not mean, that after having finished this narrative, I have revised, at mature leisure, what has been written: that was not in my power. I sent it to the press, at the distance of 300 miles, by the post, weekly, as I wrote it. It is revisionary only by recollection.

I recollect to have mentioned judge Addison, as coming forward, at an early period, with a strong publication, in favour of the excise law. It was not so much in vindication of the principles of the law, as conciliating the public mind to an acquiescence with it. I have represented him, as being under the necessity "of taking in his sails, and slackening course." By that I do not mean any dereliction of duty, but necessary prudence in not continuing an evangelist of the law. For it must be acknowledged, that he did not fail to reprehend, in his charges to the grand juries, the masked attacks upon excise officers, and to recommend a strict cognizance of the offences. In fact, the like sentiments with those in his late charge published, were delivered years ago in the course of his circuits. I mention these things the more minutely; because his reputation has been attacked by insinuations, as not having acted with sufficient firmness; or as winking at the outrages in their commencement; and having made use of a voucher from him, it concerns me to have his conduct understood.

I have given it, as my opinion, that the insurrection was not projected by any one. It may seem strange with some, that this could be the case. It seems strange to me that any one could suppose it otherwise. Are there any traces of pre-concert? any evidence of conspiracy to subvert the government? has any foreign correspondence been discovered? any ways and means devised of supplying with arms and ammunition? they must have been weak men indeed, that could project a revolution, and think of effecting it by committee meetings, and resolves alone. I have always felt great indignation at the suggestion, that it was projected by me; not only because I was unwilling to have it thought that I was capable of devising so great an evil, but because I disdained the idea of having projected

jected a thing without, at the same time, projecting proper means of accomplishing it. If it had been with a view of overthrowing the government, I would have had some correspondence or intercourse of communication with the discontented elsewhere. If a separation of this country, from the union, had been intended, it would have been advisable to have founded the British and Spaniards on the subject. It might have been well to have been at London, before John Jay was. What could we have offered to the British? the ports and a part of the western lands; what to the Spaniards? a guarantee of Louisiana from ourselves. My mind would have run in some train of this nature; I would not have depended on the efforts of a mob, without a system to give them efficacy and continuance. I should have had no idea of making myself a Wat Tyler, or a Jack Cade.

Did it not appear absurd to hear the British politicians, in the course of last war, talk of our projecting independence, before the commencement of the revolution? The destruction of the tea, &c. and, finally, the non-importation agreement, might have convinced them of the contrary. Common sense, with that project in view, would have led us to supply ourselves, with all articles as fast as possible, previous to a contest. It appears equally absurd to us in the western country to hear people talk of any one projecting the insurrection. It was begun by people that never had a thought beyond driving the excise officer out of his district, and keeping the marshal from serving or returning his process. The subsequent acts were with a view to shield the first. Yet these subsequent acts would naturally have led to others to shield them, and thus the actors would have gone on to the utmost extremes, without thinking of the second step, before they took the first. The rage which had at first burst forth, had given way to desperation. This instinctively had caught hold of others not involved, dragged them along to share their danger, and increase their force. The success, surpassing expectation, gave way to ambition, and the idea of reform began to embrace an extensive scope. This is the natural history of the transaction. But there is a propensity in the human mind to resolve all phenomena in physics, metaphysics, politics, &c. into some great cause that produces them, instead of ten thousand that have contributed. Just as one looking at the mouth of a river, would suppose it to have originated from a large lake, instead of small springs fed by extractions from the ocean.

I was amused with the first account I had of the representation of the Nevilles respecting me; that I was a man of extreme ingenuity, great subtilty, infinite address, and versatility; the most dangerous man in the western country. Gallatin and Finley were nothing to me. Like an evil spirit in the winds, I could move a tempest without being seen myself; this was all preparatory to the having me arrested on suspicion, and hanged without proof. It will be asked; how is it possible that this connection should appear to have had a stronger prejudice against me, than even against Bradford or Marshall, or the insurgents concerned in burning the house? I answer this by asking a question. Whom do you suppose, did the emigrant nobility at Coblenz, hate most, of all those whom they left in France? doubtless the Marquis de la Fayette, because he was attached to the people to a certain extent, and was unwilling to go with Monsieur and the count de Artois all lengths; and this offended their pride more than if he had been against them altogether. Just so with the Nevilles family in my case. They might suppose me to disapprove of the outrages committed, or at least to have no concern in them; yet were enraged, because I was reluctant to expose myself with them to an equal odium in popular opinion; or because I had advised yielding measures, at the first, when they, in the pride of their passion, were for the most violent. I deduce one principle, that, let an insurrection happen when it will, an implicit confidence ought not to be placed in the representation of emigrants. It will generally be against the best men, who were those who had counselled moderate measures, and wise, because moderate, that they will bear the most unfavourable testimony.

But independent of this principle, there was a misconception of my situation and intentions; and antecedent to all this, they had resolved certain acts of mine, in my professional capacity, into a spirit of malignity, and were predisposed to unfavourable constructions of all I could do or say.

I have stated some things from a certain Miller: relative to language of general Neville, on the subject of Graham, the collector under the excise law. My object was to shew, that general Neville used to talk like other people against the excise law; or if the relation of Miller is not true, it will prove that speeches can be attributed to men that were never made.

I have introduced an incident of a certain Gaston, my client; it was to shew how easily an argument to the man, or

the

the people, the *quo animo* not being understood, may be made evidence against a person.

I have mentioned the sensibility with which I felt an expression of the attorney general, commissioner Bradford. It was because I had expected no distrust from him. I was some years with him at the same college, and some part of the time, of the same chamber; and had maintained a friendship ever since. I had said that I had not been involved in the insurrection, but came forward to negotiate for those who were. I thought he ought to have given an implicit credit to my declaration. For my idea was, that all who knew me, must know, that if involved, I would have had the spirit to have avowed it, and justified it. My impressions were removed in the manner I have stated. The post of yesterday has announced the death of that gentleman, which I sincerely regret, and subscribe to that eulogium which the public gives of his virtues and talents.

I have given some idea of the unfavourable impressions of the people of Philadelphia, with regard to me, when in that city; there were instances of individuals, no doubt, who had been better informed, and who were not averse; but it was my choice to be at a distance from all, until my situation generally was understood.

It will be asked me, How comes it that my brother of the bar and the Neville connection stand well, notwithstanding the part taken by him in the first committee? His procuring himself to be elected in that committee, was with a view to an approaching election, at which he was a candidate against Findley for the Congress. He was violent against the excise law, but meant nothing more than to gain a momentary popularity. The Nevilles knew this, and excused him; more especially as he pretended to them, that he had softened matters in the committee from what they would otherwise have been. In addition to this, he has been the family lawyer, in cases in which I have found myself under the painful necessity of pressing some branches of the connection. There has also taken place a conjunction of interest in certain co-purchases at sheriff's sales. These causes may sufficiently account for a good understanding between them; more especially when it is understood, that having failed in his stroke at popularity, by attacking the excise law, he had thrown himself back into the bed of government, as hastily as possible. Nevertheless, as he had got his eye to Congress once more, I am inclined to believe, that had he been in the country at the beginning of the insurrection, he would have made a stroke at popularity, and been with the insurgents. Even at

the late point of the game at which he came forward, I have no judgment of mankind, if it was not a matter of hesitation with him, which part he should take. He was in balance until he saw the game was up, by an acquiescence of the principal part, with the terms of the commissioners.

It will be queried, How does it consist with my representation of the general odium of the excise law, and the necessity of at least concealing favourable sentiments with regard to an acquiescence under it, that Neville, the son of the inspector, has been elected to the legislature from the county of Allegheny, at three successive elections, and probably before this book appears, will have been elected at a fourth? I answer, he is thought to be a man of judgment, and possesses conciliating manners; independent of this, he has been several years surveyor of the county, and has had it in his power to serve many persons. He has been also brigade inspector, holding appeals in the case of militia duties. He has had other occasional offices, such as the employment of patrols for the frontiers, &c. His brother-in-law quarter-master, and commissary at Pittsburgh, and in that capacity, having the employment of great numbers of people in mechanical trades, in contracts of a various nature, for public purposes, has influence. The office of inspector itself, in the possession of general Neville, though generally odious, yet by favour, or hope, is still able to attract interest. In addition to this, the young man had the address at first, to have it understood, that he was against the excise law, and disapproved of his father's accepting the office; at least there were persons who propagated this in his favour; and there were of the populace, weak enough to believe it. The rumour was, that he had engaged to have the law repealed. At the same time he was supported by the Wilkins family, strong also in influence of office, and there being no considerable person that had yet sprung up amongst the people of this country, on whom they could fix, he was suffered to be elected, and to continue. At the suppression of the insurrection, and ever since, fear has done a great deal for him. The more ignorant people do not know, but it may be construed high treason to vote against him. In due time they will recover a sedate, and correct sense of rights and duties, and will not sap republican principles, by suffering so great an evil, as so many offices, with a legislative appointment, to meet in one man, however respectable. As an individual, I have found myself restrained in a considerable degree hitherto, from bearing that public testimony against the evil, that might

be thought due from me; at first, from the terms of good will on which I thought myself with the candidate; and of late, lest it should be resolved into malice against him. I have given my opinion against his eligibility, but no more. The fact is, I have never heard any thing against him or his father, but that avidity of office, which seems to possess them, as if there were no persons out of their family, capable of holding offices; or who ought to have the honour, or emoluments*. I hate to see things wrong in a government; let what will be alledged, that is the only motive that prompts me †.

In the course of the narrative, other particulars may occur to the reader, which may seem to require explanation; but confident that I have drawn from nature and the truth, in the representation I have made, I am persuaded there is nothing which, on the most minute examination, will not be found consistent and supportable.

I have stated, that at the meeting at Parkinson's, for the purpose of sending delegates to the President, I favoured the appointment of David Reddick rather than of Albert Gallatin, and thus in accommodation to Bradford. But the principal ground of preference was, that Gallatin had been with John Cannon of the obnoxious committees; and Reddick not of any. I was struck at the time with the bad policy of nominating either Gallatin or Findley; but did not chuse to make any opposition, as it might be thought I had a wish to go myself. Findley was obnoxious with the government, and considered as one of those who had laid the foundation of the opposition to the excise law, and therefore by no means a proper person to send forward on that occasion. I nominated general Wilkins, but he declined serving.

Captain Simeson late of the army, but now a student of the law, was introduced to me at our last court, and appears to be a modest, well behaved young man, and discovered no disposition to kill, according to former threats reported to me.

I have

* Major Craig at present is deputy quarter-master of the state; deputy quarter master-general, under the United States; deputy commissary-general, under the United States; commissary of the military stores, and notary-public, &c.

† Colonel Neville is surveyor of the county; brigade inspector of militia; and agent for the United States, for receiving and storing whiskey taken in kind for the excise; and a member of the legislature of Pennsylvania. Kirkpatrick is commissary-general for the western army. General Neville is inspector of the revenue.

I have had an interview with colonel Stephenson ; and find that the ground of his arrest was more extensive than barely “ to keep him from killing Randolph.” He has been refused a court-martial.

Captain Randolph has compromised the suits against him, and thus we are like to have all disputes terminated. The country knows that I have been as ready to conciliate accommodation, as I was determined to bring the actions, and teach the infractors of the laws lessons of subordination to the civil authority.

*Corrections and Additions *.*

Page 12. Vol. II.—I have given it as my opinion, that the assembly of the state had a right to instruct the senators from the state in the senate of the United States. This will be questioned. But it all turns upon what is to be understood by *instructing*. I understand no more by it than *informing* them, or communicating wishes, and views. I have no idea that instructions ought to bind ; as in the case of an officer to his subordinate. The member from a county, is a member for the state when elected ; and instructions from the whole state only, can be supposed to bind ; and not even in that case, am I clear that they ought to bind ; because the delegate is the constituted authority to think for the occasion. He is sent upon deck ; he is put at the helm ; it is his to steer ; but others upon deck or in the hold have a right to talk ; and express their ideas with regard to the steering. As to the *expediency*, that is another question. I say only that constituents have a right to instruct ; that is, *to inform or furnish with intelligence*. I add also, that I do not consider the state assemblies to be the constituents of the state senators, in the senate of the United States. They are the organ of constituting ; but when constituted, the people of the state are the constituents.

Page 20. Vol. II.—I speak of what Gallatin calls his *political*

* Made when the author was a few days in Philadelphia ; the work being then nearly printed.

ical sin, as "a thesis I should like to see discussed." It may be queried whether it amounted to a misdemeanor cognizable by law. I do not see that an indictment on this ground could be supported. I might publish with impunity, that I would interchange no office of civility with one that would refuse a challenge; yet there is a law prohibiting the giving or accepting a challenge. But on the ground of abstract political virtue, there is greater ground of operation. It is an attempt to defeat a law by *non user*. Now, if an individual is warrantable in such a resolution, all are; and if with regard to one law, with regard to all. It is the act of an individual determining to hold his breath, or refuse food. It is suicide as certainly, though not so speedily, as by the positive act of dispatching by a pistol ball. If one part of a community may resolve to defeat one law, another part may resolve to defeat another by the force of opinion, and the body politic may die. I know I shall be encountered by a greater authority than that of the resolves of the Pittsburgh committee. It is that of John Dickinson, James Wilson, and others, the primores of Pennsylvania, at the adoption of the state constitution in 1776. I do not know that it was resolved formally by them in committee to accept no appointment under the constitution, and to frown upon those who did; but certainly it was understood to be their determination, and their conduct. But I think the conduct wrong. It became them to have revered the people, and submitted to the general will.

Page 21. Vol. II.—On reflection, I am not perfectly satisfied with the opinion of Montesquieu, if it is as I have understood him, that the office of a collector of the revenue, in a republic ought not to be considered as an office of honour; unless I make a distinction between an office of honour, and an honourable office. The revenue is the spring of the government, and the collection of it ought to be considered as a sacred duty; and he ought to be a man of property who shall be intrusted with the possession of the public money. The only sentiment which I can with confidence entertain on this subject, is, that though no contempt ought to be attached to the office of collector, yet certainly superior honour to that of a legislator. For any honest man that can keep accounts is qualified for a revenue officer; but it requires extensive knowledge, and distinguished judgment, to fit for the making laws: and a man that has once had the honour from the people of being made their sovereign for a period, ought to be for ever above a mercenary employment, unless the narrowness of his circumstances ren-

ders it impossible. It must be the meaning of Montesquieu, that when the love of money prevails above the love of fame, and when the public mind ceases to make a wide distinction in the grade of estimation between an honorary and a mercenary office, *virtue is lost in a republic.*

Page 19. Vol. III.—I have spoken of my brother of the bar “mistaking a figure for a threat.” It may be understood that it is the sentence in the note to which I allude. No. It was a sentence something like this: “Until our remonstrances shall roll like a tempest to the head of the government,”

Page 40. Vol. I.—It has been ascertained in the course of the trials, that the original object of the march to Braddock’s fields, was the taking the magazine.

Page 65. Vol. I.—It appeared on the trials at York, that David Hamilton had been dispatched by Bradford to the garrison with a request to be permitted to march by it, without disturbance. I had heard nothing of this before. The person sent by us was Mathew Ernest. But I am well persuaded, that at this time there was nothing insidious in any message; nor any thing intended against the magazine.

Page 99. Vol. I.—Torrence Campbell informs me, that the resolves which I diverted him from offering at Parkinson’s ferry, respected only the removal of the associate judges, and not of the president of the circuit; that they did not contemplate the restoring the justices.

Page 18. Vol. II.—In the trials, Holcroft denied on oath, that he knew who Tom the Tinker was. He had only copied some of the papers which had been put up on trees.

Page 20. Vol. II. On the trials it appeared, that the submission paper torn at Mingo creek, was a false one, handed out to save the true one from the violent.

Page 32. Vol. III.—On the best calculation, by enquiries from officers of the militia, about 2000 abandoned the country with rifles in their hands, on the approach of the army. If even these had occupied the passes of the mountains, they might have given trouble.

Page 25. Vol. III.—The Mingo creek Society was instituted February 28th, 1794. It was to consist of Hamilton’s battalion; and to be governed by a president and council. The council to consist of members chosen every six months, by the people of the several captain’s districts; the electors of every such district to be from 18 years and upwards; a council man to be of the age of 25 years; and shall not, when elected, be an inhabitant

itant of that district in which he shall be chosen. The members of council not to exceed one for every dittrict ; in the case of a vacancy, notice to issue of an election to fill such vacancy. The society to have a treasurer, secretary, and other officers ; and to chuse deputies to confer occasionally with deputies from other societies of the like nature, that might be formed ; a majority of the society to constitute a quorum ; but a minority to have the power to adjourn, and to compel the attendance of the absent members ; two thirds to have the power of expelling. The society to meet the first day of every month ; to keep a journal of its proceedings ; the secretary and deputies to be rewarded at the discretion of the society ; the president, council, and deputies, for any speech or debate in the society, not to be questioned in any other place. No person holding an office of trust or profit under the state, or United States, to be a president, &c. The societies to have the laws of the United States, minutes of Congress, assembly of Pennsylvania, necessary books, &c. to have power to recommend capable persons to the several legislative bodies ; to hear and determine all matters in variance, and disputes between party and party ; encourage teachers of schools ; introduce the Bible and religious books into schools ; to encourage the industrious, and the man of merit. No money to be drawn from the society, but in consequence of appropriations made by law ; no district citizen to sue, or cause to be sued before a single justice of the peace, or any court of justice, a citizen of the district, before applying to the society for redress, unless the business will not admit of delay ; the president not to be under 25 years, and to be elected by ballot ; in case of vacancy of president, a temporary one to be appointed by the council. The president and council men to be removable from office on impeachment, and conviction of bribery, and high crimes, and misdemeanors. Nothing in this constitution to be so construed, as to prejudice any claims of the state, or United States. The constitution to be amendable by a convention called for that purpose.

Remarks.

I REPRESENT Bradford and Marshall as brought forward, and urged by the people. I mean in the early stage of the business. The affair of the mail, and of Braddock's field, was their own act; but it was done with a view to cover what had been done, by making *the opposition formidable to the government*. I had the same idea also; but contemplated a different mode, which was *mediating with the government*.

I have seen a gentleman from New-Orleans (Mr. Hollingsworth) who had conversed with Bradford, who averred to him, that this had been *his ultimate object*; and that James Marshall knew it to be so. He was asked then by this gentleman, why it was that having obtained terms from the commissioners, for *the people and himself*, he pronounced an inflammatory speech at Brownsville against the accepting them. He acknowledged it was *because he saw the fury of the people against the accepting, and was afraid to have it thought that he was for submitting*. This proves what I have said; that he *wanted fortitude, as well as good sense*.

Mr. Hollingsworth also mentioned at this time the circumstance of Bradford, acknowledging that he had no *confidential intimacy with me, by letter or otherwise, in the course of the insurrection*. I desired Mr. Hollingsworth to give me a certificate of this, which he did by letter, and which I have inserted. It was in the hurry of the court business at Pittsburgh, and I had the opportunity of but a few seconds conversation with Mr. Hollingsworth, in the few days that he detained at that place. James Ross and general Wilkins had more, and I am informed by them since, that Mr. Hollingsworth mentioned to them, that Bradford acknowledged to him, *that shortly after my address to him at Parkinson's ferry meeting, in the case of the exiles, Brisson and others, he discovered that I was managing him, and that though I suggested difficulties, and abused the men, my real scope was to carry a resolution for their recal*. Mr. Hollingsworth had descended the river before I had the information, or I would have requested him specially to have certified this, in the letter which he had promised to leave for me. For it would support

support my statement of my management of Bradford, and which otherwise some might think was *more plausible than true*. But it is well known in the western country, that before this time, I had managed him in the same manner, and prevailed with him to do what was right, of which I could give many instances. Sometimes I have failed, even in a point of *honour and interest for himself*, of which I could give one very extraordinary example.—It is in the knowledge of judge Addison.

The outrages on the revenue officers, in the insurrection, always struck me *in bulk*, as, by the decisions of the judges of the English courts, amounting to the crime of *high treason*. In the first trials of the prisoners at Philadelphia, I understood this to be admitted *by the council*, and *so directed by the court*. In the last trials at York, there was no pleading, and no direction by the court. The evidence was submitted to the jury. But after the close of the testimony in the last case, William Lewis, of counsel for the prisoners, expressed himself to me, *that on a view of all the facts*, now fully come out in evidence, he had no hesitation in asserting, that *no treason had been committed in the country*; and that had an argument with the jury taken place, he had been prepared to shew this.

I have seen him since in Philadelphia, and he has expressed himself with confidence to the same effect, and that on the trials of the indictment for misdemeanors, which are laid, as in aid of this treason, he will be prepared to contend, *that no treason had been committed*, in aid of which any thing could have been done or said. If it should so appear, let it be considered that it has been no object of my publication to discuss this question. Nor could I have done it without having that testimony with the most perfect exactness, which *has been obtained in court*. But I presume in a report of these trials, this question will be discussed with advantage, from the argument of that very able lawyer, and distinguished philanthopist, whose name I have taken the liberty of introducing in this case. I have not mentioned his opinion of the homicide committed by the inspector at the first attack upon his house; whether *justifiable*, or in strictness of law, criminal; but with regard to this, he expressed himself with the same confidence. This may come into view *indirectly*, on the question of treason. All I chuse to say in general is, that if the inspector of the revenue had, in the first advance of the rioters to his house, acted *less hastily*, no farther outrage would have taken place; and I aver, that on the second attack,

had Kirkpatrick yielded with good policy, for the moment, to what the mob requested, *there would have been no insurrection*; and I know that any man then engaged in the outrages, would have yielded, when the fury had subsided, to the civil authority of the country; and I am confident, that this would have been competent to preserve the peace. After the country had become generally involved in desperate acts, the civil authority would not have been competent. I saw all this fully, when I gave my advice to Neville the younger, to parry the tempest, by advising his father *to surrender the paper*, which the mob had it in view to demand. I do not arrogate to myself a superior judgment to these men; but my mind was cool, theirs was inflamed, and *pride opposed the acting judiciously*.

Notwithstanding the instant, decisive; and humane interposition of general Morgan in favour of my life, when his dragoons were within *a few seconds* of dispatching me, yet he had no objection to the having me conducted out of this troublesome world in a *legal way*. Some time in the winter succeeding the insurrection, coming into Pittsburgh he communicated it as a profound secret, that he was in possession of what would settle the business with me, a *treasonable correspondence with Daniel Hamilton*. It is not possible, said the person; I have the papers, said the general, in my possession.

The fact was, that a number of the refugees, or those who had absconded, at the coming of the army, had returned, and surrendered themselves to him. His reception of them was not barely civil, but hospitable; and it appeared to be a leading object, to discover something from them against me. Daniel Hamilton who was one of these, and frequently at his table, perceiving this wish of the general, actually palmed upon him some papers, as my hand writing; but which on being laid before the board at Pittsburgh, I presume were found not to be genuine; and recollecting the *faux pas*, in the case of a letter addressed to William Bradford, it was thought proper to bury the circumstance. Daniel Hamilton, however, alarmed at the detection, thought proper to abscond a second time, and not return.

But let the motive have been what it might, I perfectly appreciate the conduct of the general, in the case of the assassination meditated upon me; and I wish it to have all the praise that humanity deserves.

It will be asked, What the use of marking these incidents?

Merely

Merely to shew the evils of the scene, whether founded in mistake, or design.

Anecdotes.

At the trials of the indictments for the misdemeanor of attacking the commissioners at Greensburgh, it came out in evidence, that the rioters had been at first at a loss for a leader; no one wishing to take upon him so ostensible, and, of consequence, so responsible a part; at length, a certain Spangler came forward and accepted it. "I will undertake it," said he, "I have nothing to lose."

A man in the western country, lately applied to me for advice in the case of a surveyor, who wished to run a line within his survey on an adverse warrant. I thought he might hinder him as a trespasser. "Ah!" said he, "but will not that *bring the militia upon us?*" I relate this to shew the prostrate state of the public mind. Ignorance is arrogant on false appearances, and abject when reduced.

Another instance of this nature I had last winter, when I had given an opinion with regard to the eligibility of Neville the younger for the state legislature, and which was, that he was ineligible, holding the office of surveyor, &c. which, by the constitution, disqualified him. This opinion was published. A friend of mine, a mechanic, came to me, "Oh!" said he, "you will be ruined now. Can't they make that out treason?" No, no, said I; I know what is treason, and what is not. "It is well for you," said he, "that you do; for our part that do not, we are afraid to say any thing." This is a proof that licentiousness leads to the loss of liberty.

Of the Errata.

A Part of the preceding publication was transmitted to the Printer in my own hand-writing, which not being easily legible, errors have taken place; some part of it was transmitted in the hand of a copyist, who, in copying, had made mistakes, overlooked by me; so that it did not come correct to the press; some errors may be supposed to have taken place there: Hence it is, that the publication will be found with a number of errors, some affecting the grammar, others the sense. Of these I remark the most material that have struck my eye on revival.

- Vol. I. p. 17. l. 9. from bottom, *insert have before afforded.*
 p. 21. l. 22. *dele, we did not.*
 p. 22. l. 9. *read Evalt for Galt.*
 p. 42 l. 25. *actor for actors.*
 p. 68. l. 28. *yourselves for yourself.*
 p. 72. l. 2, and 3. *Aba Joseph, for Ala Joseph.*
 p. 73. l. 8. *read on the head, for in the head.*
 p. 77. l. 21. *in the garrison, for in the middle of the garrison.*
 p. 78. l. 4. *began for begun.*
 l. 14. *request undertook to sound, for request to sound.*
 p. 92. l. 1. *it did not seem to do, for it did seem to do.*
 p. 108. l. 8. from bottom, *dele if.*
 p. 109. l. 28. *murmur for rumour.*
 p. 124. l. 9. from bottom, *philanthropy for philosophy.*
- Vol. II. p. 14. l. 11. *read applications for application.*
 p. 26. l. 16. *a for the.*
 p. 29. l. 13. *my for by.*
 p. 34 l. 1. *came for come.*
 p. 55. l. 8. *appeared for appear.*
 p. 60 & 61. *troop for troops.*
- Vol. III. p. 30. l. 11. from bottom, *False ideas, for ideas.*
 p. 41. Title of Appendix, *Law for Laws.*

Note, It was at first intended to publish this work in three volumes, with an appendix to each volume; hence the word Appendix, is put at the end of the first volume, page 124. But this plan was relinquished; and it was judged best to publish the whole in one volume.